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Date: September 14, 2012.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventors: Baliarda et al.

Patent No.: 7,397,431

Filed: July 12, 2005

For: Multilevel Antennae

REQUEST FOR REEXAMINATION UNDER
35 U.S.C. §§ 311 *ET SEQ.*, AND
37 C.F.R. §§ 1.913 AND 1.915

Mail Stop *Inter Partes* Reexamination
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REQUEST FOR *INTER PARTES* REEXAMINATION OF U.S. PATENT 7,397,431

Fractus S.A.

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The exhibits to the present Request are arranged in four groups: prior art (“PA”), relevant patent prosecution file history, patents, and claim dependency relationships (“PAT”), claim charts (“CC”), and other (“OTH”).

PRIOR ART (PA)

- PA-SB08A/B USPTO Form SB/08A/B
- PA-A U.S. Patent No. 6,133,879 to Grangeat *et al.* issued on October 17, 2000 (“Grangeat”)
- PA-B U.S. Patent No. 5,995,064 to Yanagisawa *et al.* issued on November 30, 1999 (“Yanagisawa ‘064”)
- PA-C U.S. Patent No. 6,140,966 to Pankinaho issued on October 31, 2000 (“Pankinaho”)
- PA-D U.S. Patent No. 6,300,914 to Yang issued on October 9, 2001 (“Yang”)

RELEVANT PATENT MATERIALS (PAT)

- PAT-A U.S. Patent No. 7,397,431 (“the ‘431 patent”)

CLAIM CHARTS (CC)

- CC-A Claim Chart comparing Claims 1, 12-14, and 30 of the ‘431 patent to the disclosure of Grangeat
- CC-B Claim Chart comparing Claims 1, 12-14, and 30 of the ‘431 patent to the disclosure of Yanagisawa ‘064
- CC-C Claim Chart comparing Claims 1, 12-14, and 30 of the ‘431 patent to the disclosure of Pankinaho
- CC-D Claim Chart comparing Claim 1, 12-14, and 30 of the ‘431 patent to the disclosure of Yang

OTHER DOCUMENTS (OTH)

- OTH-A Second Amended Complaint filed December 2, 2009 in the case of *Fractus S.A. v. Samsung Electronics Co. Ltd. et al.*, Case No. 6:09cv203 (E.D. Tex.)
- OTH-B Preliminary Infringement Contentions for the ‘431 patent in the case of *Fractus S.A. v. Samsung Electronics Co. Ltd. Et al.*, Case No. 6:09cv203 (E.D. Tex.)¹
- OTH-C Infringement Trial Demonstrative presented by Patent Owner’s expert, Dr. Long, in the case of *Fractus S.A. v. Samsung Electronics Co. Ltd. Et al.*, Case No. 6:09cv203 (E.D. Tex.)

¹ Only a subset of the Preliminary Infringement Contentions is provided to avoid overloading the Patent Office with material in this Request for Reexamination.

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- OTH-D Right of Appeal Notice of co-pending reexamination of the '431 patent.
- OTH-E Court Claim Construction in the case of *Fractus S.A. v. Samsung Electronics Co. Ltd. Et al.*, Case No. 6:09cv203 (E.D. Tex.).
- OTH-F Deposition of Dr. Jaggard taken August 27, 2010 (Public Version with pages 151 to 159 redacted)

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