

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.**

**Before the Honorable MaryJoan McNamara
Administrative Law Judge**

In the Matter of

**CERTAIN LTE- AND 3G-COMPLIANT
COMMUNICATIONS DEVICES**

Investigation No. 337-TA-1138

RESPONDENTS' NOTICE OF PRIOR ART

Pursuant to Order No. 7 and Ground Rule 4, Respondents HTC Corporation, HTC America, Inc., Apple Inc., ZTE Corporation, and ZTE (USA) Inc. (collectively, "Respondents") hereby submit this Notice of Prior Art. The attached Exhibit A sets forth the prior art relevant to each of the patents asserted by Complainant INVT SPE LLC in this Investigation. Respondents intend to rely on the below-listed references, either singly or in combination, to establish the invalidity and/or unenforceability of the asserted patents.

Respondents also give notice that it may rely upon the following: (i) prior art contained within the prosecution histories of the asserted patents; (ii) prior art contained within the prosecution histories of patents or patent applications related to the asserted patents; (iii) prior art identified by the Staff of any other party in a notice of prior art; and (iv) prior art identified during the remainder of the discovery.

Discovery is ongoing in this investigation, and Complainant has not yet provided all of the discovery requested by Respondents or supplied all of its contentions regarding certain issues, including validity. Accordingly, Respondents reserve the right to supplement, amend, or otherwise modify this notice as necessary based upon Complainant's contentions, further

discovery and investigation, review of newly or yet-to-be produced documents, any discovery provided by third parties, and the disclosures of witnesses not yet deposited.

Dated: December 7, 2018

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In the Matter of

**CERTAIN LTE- AND 3G-COMPLIANT
CELLULAR COMMUNICATIONS
DEVICES**

Investigation No. 337-TA-1138

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day, December 7, 2018, a true and correct copy of the foregoing document, **RESPONDENTS' NOTICE OF PRIOR ART**, was served by the indicated means to the persons at the addresses below:

For the U.S. International Trade Commission:	
The Honorable Lisa R. Barton Secretary to the Commission U.S. INTERNATIONAL TRADE COMMISSION 500 E Street, SW, Room 112 Washington, DC 20436	<input checked="" type="checkbox"/> Via EDIS <input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Federal Express (2 copies) <input type="checkbox"/> Via Electronic Mail
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/s/ Kristina Grauer

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