

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SAMSUNG ELECTRONICS AMERICA, INC.

Petitioner

v.

UNILOC 2017 LLC

Patent Owner

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IPR2019-00889

PATENT 7,653,508

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**PATENT OWNER PRELIMINARY RESPONSE TO PETITION**

**PURSUANT TO 37 C.F.R. §42.107(a)**

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Exhibit No.	Description
2001	Declaration of William C. Easttom

## I. INTRODUCTION

Uniloc 2017 LLC (the “Uniloc” or “Patent Owner”) submits this Preliminary Response to Joinder Petition IPR2019-00889<sup>1</sup> for *Inter Partes* Review (“Pet.” or “Petition”) of United States Patent No. 7,653,508 (“the ’508 patent” or “EX1001”) filed by Samsung Electronics America, Inc. (“Petitioner”). The Petition is procedurally and substantively defective for at least the reasons set forth herein.

## II. THE ’508 PATENT

The ’508 patent is titled “Human activity monitoring device.” The ’508 patent issued January 26, 2010, from U.S. Patent Application No. 11/644,455 filed December 22, 2006.

The inventors of the ’508 patent observed that, at the time, step counting devices that utilize an inertial sensor to measure motion to detect steps generally required the user to first position the device in a limited set of orientations. In some devices, the required orientations are dictated to the user by the device. In other devices, the beginning orientation is not critical, so long as this orientation can be maintained. EX1001, 1:19–26. Further, the inventors observed that devices at the time were often confused by motion noise experienced by the device throughout a user's daily routine. The noise would cause false steps to be measured and actual steps to be missed in conventional step counting devices. Conventional step

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<sup>1</sup> The instant Petition and Petitioner seek joinder to IPR2018-01589. *See* Paper 1. Furthermore, as Petitioners state, the instant Petition is “substantially similar” to HTC Corp.’s petition in IPR2018-01589. *Id.*, at 1.

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