

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,  
Petitioner,

v.

OMNI MEDSCI, INC.,  
Patent Owner.

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U.S. Patent No. 10,517,484

IPR Case No.: IPR2021-00453

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**PATENT OWNER'S PRELIMINARY RESPONSE TO PETITION  
FOR *INTER PARTES* REVIEW UNDER 37 C.F.R. § 42.107**

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**Cases**

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**LIST OF EXHIBITS**

<b>No.</b>	<b>Description</b>
<i>2101-2119</i>	<i>Reserved</i>
2120	PCT Application Serial No. PCT/US2013/075767 (Publication No. WO/2014/143276)
2121	U.S. Patent Application Serial No. 14/109,007 (Publication No. 2014/0236021)
<i>2122</i>	<i>Reserved</i>
2123	Curriculum Vitae of Duncan L. MacFarlane, Ph.D., P.E.
2124	Board's Institution Decision, IPR2019-000916, Paper 16, October 18, 2019
2125	Board's Final Written Decision, IPR2019-000916, Paper 39, October 14, 2020
<i>2126-2130</i>	<i>Reserved</i>
2131	Declaration of Duncan L. MacFarlane, Ph.D., P.E.
2132	Excerpt of Record of Oral Hearing held March 25, 2021, IPR2020-00175, Paper 25, April 14, 2021
2133	Board's Institution Decision, IPR2020-00175, Paper 11, June 17, 2020

Omni MedSci, Inc. (“Patent Owner”), submits this Preliminary Response to the Petition for *Inter Partes* Review (“Petition,” Paper 1) that Apple Inc. (“Petitioner”) filed against Claims 1-23 (“Challenged Claims”) of U.S. Patent No. 10,517,484 (“the ‘484 Patent”).

## **I. Introduction**

In **Ground 1**, Petitioner challenges independent Claims 1, 7, and 15, and dependent claim 17 as obvious under 35 U.S.C. § 103 using a combination of U.S. Patent No. 9,241,676 (“Lisogurski”) (Ex. 1011) and U.S. Patent Pub. 2005/0049468 (“Carlson”) (Ex. 1009).

In **Ground 2**, Petitioner challenges Claims independent Claims 1, 7, and 15, and dependent Claims 2–4, 8–12, and 16–22 as obvious under 35 U.S.C. § 103 using a combination of Lisogurski, Carlson, and U.S. 8,108,036 (“Tran”) (Ex. 1064).

In **Ground 3**, Petitioner challenges dependent Claims 5 and 13 as obvious under 35 U.S.C. § 103 using a combination of Lisogurski, Carlson, Tran, and U.S. Patent No. 8,725,226 (“Isaacson”) (Ex. 1063).

In **Ground 4**, Petitioner challenges dependent Claims 6, 14, and 23 as obvious under 35 U.S.C. § 103 using a combination of Lisogurski, Carlson, Tran, and U.S. Patent Publication No. 2012/0197093 (“Valencell-093”) (Ex. 1005) “with or without” Isaacson.

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