Exhibit 10

| UNITED STATES PATENT AND TRADEMARK OFFICE |
|---|
| BEFORE THE PATENT TRIAL AND APPEAL BOARD |
| HTC CORPORATION and HTC AMERICA, INC., Petitioners, |
| V. |
| ANCORA TECHNOLOGIES INC., Patent Owner. |
| |
| U.S. Patent No. 6,411,941 |
| Case No.: CBM2017-00054 |

PATENT OWNER'S PRELIMINARY RESPONSE TO PETITION UNDER 37 C.F.R. § 42.207(a)



Case No.: CBM2017-00054 Atty. Dkt. No.: ANCC0114CBMR1

Patent No.: 6,411,941

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| I. | Introduction | | | | |
| II. | Overview of the '941 Patent | | | | |
| III. | The '941 Patent is not eligible for CBM review under Section 18 of the AIA | | | | |
| | A. | ratute, CBM review is available only for a narrow range of ly business-related patents | 5 | | |
| | B. | The claims of the '941 Patent are not financial in nature because they recite or require no financial activity element | | | |
| | | 1. | The '941 Patent describes a method to control access to software, which is a technique of general utility and not a financial activity | 9 | |
| | | 2. | The claims of the '941 Patent do not recite or require the exchange of money | 12 | |
| | | 3. | Whether the '941 Patent may be used to solve a piracy problem is "incidental" and thus irrelevant to CBM review eligibility | 16 | |
| | C. | The ' | 941 Patent recites a technological invention | 17 | |
| | | 1. | The '941 Patent solves a technical problem using a technical solution | 17 | |
| | | 2. | The '941 Patent recites a technological feature that is novel and unobvious | 22 | |
| IV. | Conclusion | | | | |
| Certificate of Service | | | | | |
| Certificate of Compliance Pursuant to 37 C.F.R. § 42.24 | | | | | |



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Table of Authorities

Cases

| Ancora Techs. v. Apple, Inc., No. 11-cv-06357, 2012 WL 6738761 (N.D. Cal. Dec. 31, 2012), aff'd, 744 F.3d 732 (Fed. Cir. 2014) | 21 |
|--|-----|
| Apple Inc. v. SightSound Techs., LLC, CBM2013-00020, Paper No. 14 (PTAB Oct. 8, 2013) | 16 |
| Apple, Inc. v. ContentGuard Holdings, Inc., CBM2015-00046, Paper No. 12 (PTAB June 3, 2015) | .26 |
| Bloomberg L.P. v. Quest Licensing Corp., CBM2014-00205, Paper No. 16 (PTAB Apr. 7, 2015) | 25 |
| emnos USA Corp. v. dunnhumby Ltd., CBM2015-00116, Paper No. 8 (PTAB Nov. 10, 2015) | 26 |
| Google Inc. v. At Home Bondholders' Liquidating Trust, CBM2016-00036, Paper No. 12 (PTAB Aug. 22, 2016) | -20 |
| Google Inc. v. Content Guard Holdings, Inc., CBM2015-00040, Paper No. 34 (PTAB June 21, 2016) | .11 |
| Hewlett Packard Co. v. YYZ LLC, CBM2015-00049, Paper No. 9 (PTAB June 30, 2015) | .20 |
| Indeed, Inc. v. Career Destination Dev., LLC, CBM2014-00069, Paper No. 12 (PTAB Aug. 20, 2014) | .16 |
| Informatica Corp. v. Protegrity Corp., CBM2015-00021, Paper No. 38 (PTAB May 31, 2016) | 17 |
| Motorola Mobility, LLC v. Intellectual Ventures I, LLC, CBM2015-00004, Paper No. 9 (PTAB Mar. 27, 2015). | .21 |



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| Rules 37 C.F.R. §42.301 |
|--|
| PTO Final Review Rules, 77 Fed. Reg. 48,680, 48,709 (Aug. 14, 2012) |
| Other Authorities |
| Statutes AIA §18 |
| Unwired Planet, LLC v. Google Inc., 841 F.3d 1376, 1380 (Fed. Cir. 2016) |
| ServiceNow, Inc. v. Hewlett-Packard, Co., CBM2015-00108, Paper No. 10 (PTAB Oct. 7, 2015) |
| SEGA of Am., Inc. v. Uniloc USA, Inc., CBM2014-00183, Paper No. 11 (PTAB Mar. 10, 2015)7-10, 12, 14-15, 17 |
| Secure Axcess, LLC v. PNC Bank Nat. Ass'n, 848 F.3d 1370 (Fed. Cir. 2017) |
| Samsung Elec. Am., Inc. v. Smartflash LLC, CBM2014-00190, 2015 WL 1535809 (PTAB Apr. 2, 2015) |
| Sally Beauty Holdings, Inc. v. Intellectual Ventures I LLC, CBM2016-00030, Paper No. 8 (PTAB Aug. 2, 2016) |
| Qualtrics LLC v. OpinionLab, Inc., CBM2016-00003, Paper No. 9 (PTAB Apr. 13, 2016)10 |
| PNC Bank NA v. Parus Holdings, Inc., CBM2015-00109, Paper No. 10 (PTAB Nov. 9, 2015) |
| Par Pharm., Inc. v. Jazz Pharm., Inc., CBM2014-00149, Paper No. 12 (PTAB Jan. 13, 2015)15 |
| Old Republic Gen. Ins. Grp., Inc. v. Intellectual Ventures II LLC, CBM2015-00184, Paper No. 7 (PTAB Apr. 15, 2016)26 |



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