

Filed on behalf of: Versata Development Group, Inc.

Paper _____

By: Nancy J. Linck, Lead Counsel
Martin M. Zoltick, Backup Counsel
Rothwell, Figg, Ernst & Manbeck, P.C.
607 14th St., N.W., Suite 800
Washington, DC 20005
Phone: 202-783-6040
Facsimile: 202-783-6031
E-mail: nlinck@rfem.com
mzoltick@rfem.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAP AMERICA, INC. ET AL.
Petitioner

v.

VERSATA DEVELOPMENT GROUP, INC.
Patent Owner

Case CBM2012-00001 (MPT)
Patent 6,553,350

**PATENT OWNER VERSATA DEVELOPMENT GROUP, INC.'S
EXHIBIT LIST
(as of August 23, 2013)**

1 MAIL STOP PATENT BOARD
2 Patent Trial and Appeal Board
3 U.S. Patent & Trademark Office
4 P.O. Box 1450
5 Alexandria, VA 22313-1450
6

7 Pursuant to 37 C.F.R. § 42.63(e), Patent Owner Versata Development

8 Group, Inc. (“Versata”) hereby furnishes below a current listing of Versata’s
9 Exhibits and Demonstrative Exhibits to the Board and counsel for Petitioners SAP
10 America, Inc. and SAP AG (“SAP”). Patent Owner Versata hereby certifies that
11 copies of Versata Exhibits 2001 – 2108 and Versata Demonstrative Exhibits 1 - 49
12 have been served on counsel for SAP.

13 **VERSATA EXHIBIT LISTING:**

<i>Exhibit No.</i>	<i>Description</i>
2001	Final Protective Order Governing Discovery of Confidential and Proprietary Information, filed on March 6, 2008, in <i>Versata Software, Inc. et al. v. SAP America, Inc. et al.</i> , No. 2:07-cv-153 (E.D. TX).
2002	Amendment to Final Protective Order Governing Discovery of Confidential and Proprietary Information, filed on May 5, 2009, in <i>Versata Software, Inc. et al. v. SAP America, Inc. et al.</i> , No. 2:07-cv-153 (E.D. TX).
2003	Transcript of October 31, 2012, Teleconference Hearing in Case CBM2012-00001.
2004	Protective Order in Case CBM2012-00001.
2005	Transcript of November 14, 2012, Teleconference Hearing in Case CBM2012-00001.
2006	Excerpts of District Court Trial Transcript (Aug. 17, 2009 AM).
2007	EXHIBIT NUMBER NOT USED
2008	Excerpts of District Court Trial Transcript (May 9, 2011 AM).
2009	Excerpts of District Court Trial Transcript (May 9, 2011 PM).

<i>Exhibit No.</i>	<i>Description</i>
2010	Excerpts of District Court Trial Transcript (Aug. 17, 2009 PM).
2011	Excerpts of District Court Trial Transcript (Aug. 18, 2009 AM).
2012	Excerpts of District Court Trial Transcript (May 11, 2011 AM).
2013	Excerpts of District Court Trial Transcripts (Aug. 19, 2009 AM).
2014	“Software Pioneers Take the Pain out of Pricing” USA TODAY (Feb. 24, 1998) (PX 1283).
2015	Excerpts of Product Profile: Trilogy’s Selling Chain Pricer (Nov. 24, 1997) (PX 581).
2016	Excerpts of Distribution Pricing to the Extended Selling Enterprise (Nov. 24, 1997) (PX 582).
2017	Research Note - SAP’s CRM Field Sales Strategy (Oct. 13, 1998) (PX 665).
2018	Excerpts of SAP Strategic Sales Initiatives – Applications Business Plan: Sales Configuration Engine (PX 493).
2019	Exhibit 14: Trilogy Revenue Pricer Customers FY 1996-FY2010 (DX 2644).
2020	Email from B. Neumann to J. Biddle, et al. (Aug. 17, 1997) (PX 70).
2021	Gartner Analysis (PX 736).
2022	Research Note - SAP’s CRM Field Sales Strategy (PX 1132).
2023	Email from K. Fairbairn to Sapphire re Media Alert Quotes (Sep. 2, 1997) (PX 1996).
2024	Email from B. Neumann to B. Neumann, et al. (Oct. 15, 1997) (PX 1134).
2025	Excerpts of District Court Trial Transcripts (May 11, 2011 PM).
2026	Excerpts of District Court Trial Transcripts (Aug. 19, 2009 PM).
2027	Excerpt of Email from B. Neumann to W. Merkel (May 13, 1998) (PX 1082).
2028	Excerpt of Email from E. Reeves to J. Arck, et al. (Oct. 2, 1997) (PX 28).
2029	Email from B. Neumann to M. Daban, et al. (Jan. 9, 1998) (PX 89).
2030	Email from B. Neumann to P. Zencke, et al. (Aug. 21, 1997) (PX 1088).
2031	Email from G. Murray to E. Reeves (Nov. 21, 1997) (PX 7).
2032	Excerpts of District Court Trial Transcripts (Aug. 24, 2009 AM).
2033	Email from B. Neumann to P. Lorenz, et al. (May 14, 1997) (PX 1089).

<i>Exhibit No.</i>	<i>Description</i>
2034	Excerpts of District Court Trial Transcripts (Aug. 20, 2009 AM).
2035	Email from B. Neumann to L. Cahoon (May 23, 1997) (PX 150).
2036	Pricing and Conditions (SD-BF-PR) (PX 19).
2037	Amended Permanent Injunction (Sept. 26, 2011) (Dkt. 586).
2038	Email from A. Steiner to W. Nieswand (Nov. 26, 2003) (PX 2105).
2039	Jury Verdict Form (Aug. 26, 2009) (Dkt. 318).
2040	Order Granting-in-Part and Denying-in-Part SAP's Motions for Judgment as a Matter of Law on Liability Issues (Dec. 21, 2010) (Dkt. 409).
2041	Memorandum Opinion and Order Granting SAP's Motion to Exclude the Expert Testimony of Neeraj Gupta, Christopher Bakewell and Roy Weinstein (Sep. 9, 2011) (Dkt. 570).
2042	Order Granting-in-Part and Denying-in-Part SAP's Motion for Judgment as a Matter of Law, Remittitur, or New Trial (Jan. 6, 2011) (Dkt. 412).
2043	Excerpts of District Court Trial Transcripts (May 10, 2011 AM).
2044	CAFC Brief of Defendants-Appellants SAP America, Inc. and SAP AG (Feb. 17, 2012) .
2045	Renewed Motion for Judgment as a Matter of Law, and/or New Trial, Regarding Liability Issues (Oct. 6, 2009) – FILED UNDER SEAL.
2046	Excertpts of Opening Expert Report of Dr. E. Andrew Boyd Regarding Invalidity (June 2, 2009) – FILED UNDER SEAL.
2047	Excerpts of Deposition of Dr. E. Andrew Boyd (July 2, 2009) – FILED UNDER SEAL.
2048	12 U.S.C. § 5537(a)(2).
2049	12 U.S.C. § 5481(15).
2050	16 C.F.R. § 313.3(1).
2051	Section 4(k) of the Bank Holding Company Act.
2052	12 C.F.R. § 216.3(1).
2053	Excerpts of Fell, L., "An Introduction to Financial Products and Markets," Continuum (2000).
2054	Philippon, T., "Finance vs. Wal-Mart: Why are Financial Services so Expensive," RSF Review (2012).
2055	Excerpts of Khan, M., "Financial Management," Tata McGraw-Hill (2007).

<i>Exhibit No.</i>	<i>Description</i>
2056	NAICS Sector: 52 Finance and Insurance, found at http://www.census.gov/epcd/ec97/def/52.HTM
2057	“The Financial Services Industry in the United States,” SelectUSA, found at http://selectusa.commerce.gov/industry-snapshots/financial-services-industry-united-states
2058	International Standard Industrial Classification of All Economic Activities (ISIC), United Nations Publication, Dept. of Economic and Social Affairs, Statistics Division (Rev. 4, 2008), found at http://unstats.un.org/unsd/publication/seriesM/seriesm_4rev4e.pdf
2059	Sutton, C. and Jenkins, B., “The Role of the Financial Services Sector in Expanding Economic Opportunity,” Harvard University (2007)
2060	<i>Privacy of Consumer Financial Information</i> , 65 F.R. 33646 (May 24, 2000).
2061	Excerpts of District Court Trial Transcripts (Aug. 26, 2009 AM).
2062	<i>Versata Software, Inc. v. SAP America, Inc.</i> , 758 F. Supp. 2d 389, 396 (E.D. Tex. 2010).
2063	Excerpts of District Court Trial Transcripts (Aug. 24, 2009 PM).
2064	Excerpts of District Court Trial Transcripts (Aug. 24, 2009 AM).
2065	Response of Appellee-Director of the United States Patent and Trademark Office Opposing Rehearing and Rehearing En Banc, <i>In re Baxter Int’l Inc.</i> , Appeal No. 2011-1073 (Fed. Cir. Sep. 10, 2012).
2066	SAP America Inc.’s and SAP AG’s Patent Rule 3-3 and 3-6 Amended Invalidity Contentions for U.S. Patent Nos. 5,708,798, 6,002,854, 5,878,400, 6,553,350, and 7,069,235 (Nov. 10, 2008).
2067	SAP America Inc.’s and SAP AG’s Second Amended Answer and Counterclaims (Feb. 20, 2009) (Dkt. 147).
2068	Claim Chart for The U.S. Patent No. 6,553,350 (Pricing) SAP AG, R/3 2.2 Online Documentation CD (1994).
2069	Transcript of February 5, 2013, Teleconference Hearing in Case CBM2012-00001.
2070	Transcript of February 12, 2013, Teleconference Hearing in Case CBM2012-00001.
2071	Transcript of February 26, 2013, Teleconference Hearing in Case CBM2012-00001.
2072	Patent Owner Versata’s Notice of Deposition of Michael Siegel, Ph.D. in Case CBM2012-00001.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.