

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SAP AMERICA INC. AND SAP AG

Petitioner,

v.

VERSATA DEVELOPMENT GROUP INC.

Patent Owner.

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Case CBM2012-00001 (MPT)

Patent 6,553,350

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Before Administrative Patent Judges: MICHAEL P. TIERNEY, SALLY C.  
MEDLEY and RAMA G. ELLURU

Mail Stop  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITIONER SAP'S SUBMISSION REGARDING CONFIDENTIALITY  
OF PRELIMINARY RESPONSE**

Along with its Preliminary Response, Patent Owner Versata filed a Motion to File Documents Under Seal (Paper No. 28) requesting permission, pursuant to 37 C.F.R. § 42.12, to file the Preliminary Response and selected exhibits (Versata Exhibits 2045, 2046 and 2047) under seal. After filing the Motion, Versata's

counsel contacted SAP's counsel to ask whether the Preliminary Response included any SAP confidential information.

SAP has reviewed the Preliminary Response and confirms that the Preliminary Response itself (Paper No. 29) does not contain any SAP confidential information and can thus be placed in the public record. However, the three exhibits filed under seal (Exhibits 2045, 2046 and 2047) contain jointly designated confidential information and should remain under seal in their entirety.

Respectfully submitted,

Dated: December 13, 2012

By: 

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing PETITIONER SAP'S SUBMISSION REGARDING CONFIDENTIALITY OF PRELIMINARY RESPONSE was served on December 13, 2012, to Nancy J. Linck and Martin M. Zoltick, Lead and Back-up Counsel for Versata, respectively, at the service e-mail address of VERSATA-PGR@rfem.com provided in Versata's Mandatory Notices. The parties have agreed to electronic service.

  
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Jacob Mersing

**FINNEGAN, HENDERSON,  
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