

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

SMARTFLASH LLC,
Patent Owner

Case CBM2014-00102¹
Patent 8,118,221 B2

Before the Honorable JENNIFER S. BISK, RAMA G. ELLURU, NEIL T. POWELL, JEREMY M. PLENZLER, and MATTHEW R. CLEMENTS,
Administrative Patent Judges.

PETITIONER'S LIST OF PROPOSED MOTIONS

Further to the Board's Scheduling Order (Paper 9) setting an Initial Conference Call for October 29, 2014, and directing the parties to pages 48,765-66 of the Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,765-66 (Aug. 14, 2012), Petitioner Apple Inc. ("Apple") hereby submits a list of proposed motions presently contemplated by Petitioner and which Petitioner intends to raise during the Initial Conference Call:

¹ Case CBM2014-00103 has been consolidated with the instant proceeding.

- Potential motion(s) for *Pro Hac Vice* Admission pursuant to Rule 42.10(c) (as previously authorized by the Board in Paper 3); and
- Potential motion to join and/or coordinate the schedule in this trial with an additional CBM petition(s) to be filed on claims of this patent.

Although these are, as noted, the motions presently contemplated by Petitioner, it is Petitioner's understanding that, as stated in the Trial Practice Guide (at 48,765) "[s]ubmission of [this] list would not preclude the filing of additional motions not contained in the list."

Respectfully submitted,

October 27, 2014

By: J. Steven Baughman/

J. Steven Baughman (Lead Counsel)
Reg. No. 47,414
ROPES & GRAY LLP
One Metro Center, 700 12th St. – Ste. 900
Washington, DC 20005-3948
P: 202-508-4606 / F: 202-383-8371
steven.baughman@ropesgray.com

Ching-Lee Fukuda (Backup Counsel)
Reg. No. 44,334
ROPES & GRAY LLP
1211 Avenue of the Americas
New York, NY 10036
P: 212-596-9336 / F: 212-596-9000
Ching-lee.fukuda@ropesgray.com

Mailing address for all PTAB correspondence: **ROPES & GRAY LLP**
IPRM – Floor 43, Prudential Tower, 800 Boylston Street, Boston, MA 02199-3600

Attorneys for Petitioner Apple Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of PETITIONER'S LIST OF PROPOSED MOTIONS was served on October 27, 2014, to the following Counsel for Patent Owner via e-mail, pursuant to the parties' agreement concerning service:

Michael R. Casey
J. Scott Davidson
DAVIDSON BERQUIST JACKSON & GOWDEY LLP
4300 Wilson Blvd, Suite 700
Arlington, VA 22203
Telephone: (703) 894-6406
Facsimile: (703) 894-6430
mcasey@dbjg.com
jsd@dbjg.com
docket@dbjg.com

Attorneys for Patent Owner Smartflash LLC

s/Megan Raymond/
Megan Raymond

ROPES & GRAY LLP