

CBM2014-00106
Patent 8,033,458 B2

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

SMARTFLASH LLC,
Patent Owner

Case CBM2014-00106¹
Patent 8,033,458 B2

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

UPDATED MANDATORY NOTICE UNDER 27 C.F.R. § 42.8

¹ Case CBM2014-00107 has been consolidated with the instant proceeding.

CBM2014-00106
Patent 8,033,458 B2

Pursuant to 27 C.F.R. § 42.8, Petitioner, Apple Inc. hereby provides notice of the filing of a new litigation on February 25, 2015 involving the patent-at-issue in the present petition: *Smartflash LLC, et. al. v. Apple Inc.*, No. 6:15-cv-145 (E.D. Tex.). In addition, Apple Inc. notes that a jury trial in *Smartflash LLC, et al. v. Apple Inc., et al.*, No. 6:13-cv-447, involving the '720, '221, and '772 patents concluded on February 24, 2015, with the jury rendering a verdict that day (see Attachment A).

Respectfully submitted,

March 16, 2015

By: /J. Steven Baughman/
Counsel for Petitioner Apple Inc.

Attachment A

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

SMARTFLASH LLC and
SMARTFLASH TECHNOLOGIES LIMITED,

Plaintiffs,

v.

APPLE INC.

Defendant.

Civil Action No. 6:13-cv-447-JRG

VERDICT FORM

In answering these questions, you are to follow all of the instructions I have given you in the Court’s Final Instructions to the Jury. Your answers to each question must be unanimous.

As used herein, “Smartflash” means Smartflash LLC and Smartflash Technologies Limited, and “Apple” means “Apple Inc.” As used herein, “’720 Patent” means U.S. Patent No. 7,334,720, “’221 Patent” means U.S. Patent No. 8,118,221, and “’772 Patent” means U.S. Patent No. 8,336,772.

QUESTION 1:

Did Smartflash prove by a preponderance of the evidence that Apple infringes the following claims of the following patents?

Answer "Yes" or "No" for each Claim.

'720 Patent

Claim 13 YES

'221 Patent

Claim 32 YES

'772 Patent

Claim 26 YES

Claim 32 YES

For each claim you have found to be infringed, if any, answer Question 2:

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