

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

SAMSUNG ELECTRONICS AMERICA, INC. and  
SAMSUNG ELECTRONICS CO., LTD.,  
Petitioner

v.

SMARTFLASH LLC,  
Patent Owner

---

CBM2014-00193 (Patent 8,061,598)

---

**PETITIONER'S REPLY TO PATENT OWNER'S  
MOTION TO EXCLUDE EVIDENCE**

**TABLE OF CONTENTS**

**I. INTRODUCTION .....1**

**II. ARGUMENTS .....3**

**A. Exhibit 1003 Is Admissible.....3**

**B. Exhibits 1004, 1005, And 1006 Provide Prior Art References As  
Part of the Factual Underpinnings of a Legal Issue .....11**

**C. Exhibit 1028 Is Relevant For Showing Well-known Aspects of  
Credit Operations.....12**

**III. CONCLUSION .....12**

- SAMSUNG 1001 U.S. Patent No. 8,061,598 (“the ‘598 Patent” or “‘598”)
- SAMSUNG 1002 File history of U.S. Patent No. 8,061,598
- SAMSUNG 1003 Declaration of Dr. Jeffrey Bloom (“Bloom”)
- SAMSUNG 1004 U.S. Patent No. 5,530,235 (incorporating 5,629,980) (“Stefik ‘235”)
- SAMSUNG 1005 U.S. Patent No. 5,629,980 (“Stefik ‘980”)
- SAMSUNG 1006 PCT Publication No. WO 00/08909 (“Gruse”)
- SAMSUNG 1007 PCT Application PCT/GB00/04110 (“the ‘110 Appln.” or “‘110”), which is the application as filed for U.S. Patent Application No. 11/336,758 (“the ‘758 Appln.” or “‘758”) and U.S. Patent Application No. 10/111,716 (“the ‘716 Appln.” or “‘716”)
- SAMSUNG 1008 United Kingdom Patent Application GB9925227.2 (“the ‘227.2 Appln.” or “‘227.2”)
- SAMSUNG 1009 Transitional Program for Covered Business Method Patents—Definitions of Covered Business Method Patent and Technological Invention, 77 Fed. Reg. 157 (August 14, 2012)
- SAMSUNG 1010 A Guide to the Legislative History of the America Invents Act; Part II of II, 21 Fed. Cir. Bar J. No. 4
- SAMSUNG 1011 Interim Guidance for Determining Subject Matter Eligibility for Process Claims in View of *Bilski v. Kappos* (July 27, 2010)
- SAMSUNG 1012 *Apple Inc. v. Sightsound Technologies, LLC*, CBM2013-00019 Paper No. 17 (entered October 8, 2013) at 11-13
- SAMSUNG 1013 *Volusion, Inc. v. Versata Software, Inc. and Versata Development Group, Inc.*, CBM2013-00017 Paper No. 8 (entered October 24, 2013)

- SAMSUNG 1014 Salesforce.com, Inc. v. VirtualAgility, Inc., CBM2013-00024 Paper No. 16 (entered November 19, 2013)
- SAMSUNG 1015 U.S. Patent No. 8,336,772 (“the ‘772 Patent” or “‘772”)
- SAMSUNG 1016 U.S. Patent No. 8,118,221 (“the ‘221 Patent” or “‘221”)
- SAMSUNG 1017 RESERVED
- SAMSUNG 1018 U.S. Patent No. 8,033,458 (“the ‘458 Patent” or “‘458”)
- SAMSUNG 1019 U.S. Patent No. 7,942,317 (“the ‘317 Patent” or “‘317”)
- SAMSUNG 1020 U.S. Patent Application No. 12/014,558 (“the ‘558 Appln.” or “‘558”)
- SAMSUNG 1021 U.S. Patent No. 7,334,720 (“the ‘720 Patent” or “‘720”)
- SAMSUNG 1022 RESERVED
- SAMSUNG 1023 RESERVED
- SAMSUNG 1024 RESERVED
- SAMSUNG 1025 U.S. Patent Application No. 13/012,541 (“the ‘541 Appln.” or “‘541”)
- SAMSUNG 1026 RESERVED
- SAMSUNG 1027 RESERVED
- SAMSUNG 1028 Weinstein “MasterCard Plans Point-of-Sale Product for Merchants Leery of Bank Cards”
- SAMSUNG 1029 Mayo Collaborative Serv v. Prometheus Labs., Inc., 132 S. Ct. 1289 (2012)
- SAMSUNG 1030 Gottschalk v. Benson, 409 U.S. 63 (1972)

- SAMSUNG 1031 Cybersource Corp. v. Retail Decisions, Inc., 654 F.3d 1366 (Fed. Cir. 2011)
- SAMSUNG 1032 Bilski v. Kappos, 130 S. Ct. 3218 (2010)
- SAMSUNG 1033 Alice Corp. v. CLS Bank International, 134 S.Ct. 2347 (2014)
- SAMSUNG 1034 Bancorp Serv., L.L.C. v. Sun Life Assur. Co. (U.S.) 687 F.3d 1266 (Fed. Cir. 2012)
- SAMSUNG 1035 Dealertrack, Inc. v. Huber, 674 F.3d 1323 (Fed. Cir. 2012)
- SAMSUNG 1036 SiRF Tech., Inc. v. Int'l Trade Comm'n, 601 F.3d 1319 (Fed. Cir. 2010)
- SAMSUNG 1037 In re Bilski, 545 F.3d 943, 88 U.S.P.Q.2d 1385 (Fed. Cir. 2008)
- SAMSUNG 1038 Accenture Global Services, GmbH v. Guidewire Software, Inc., 728 F.3d 1336 (Fed. Cir. 2013)
- SAMSUNG-1039 Keith, Michael C., The Radio Station Broadcast, Satellite and Internet, Eighth Edition, 2009
- SAMSUNG-1040 Affidavit in Support of Petitioner's Motion for Pro Hac Vice Admission of Ralph A. Phillips
- SAMSUNG-1041 *Ariosa Diagnostics, Inc. v. Sequenom, Inc.*, 14-1144, slip op. (Fed. Cir. June 12, 2015)
- SAMSUNG-1042 *Versata Development Group, Inc. v. SAP America, Inc. et al.*, 14-1194, slip op. (Fed. Cir. July 9, 2015)
- SAMSUNG-1043 Petitioner's Response to Patent Owner's Objections and Notice of Service of Supplemental Evidence Under 37 CFR § 42.64(b)(2), Served on April 29, 2015
- SAMSUNG-1044 *LG Electronics v. Advanced Micro Devices*, IPR2015-00324, Paper 17

# 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.