

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent of: Racz et al. Attorney Docket No.: 39843-0007CP2  
U.S. Patent No.: 8,118,221  
Issue Date: February 21, 2012  
Appl. Serial No.: 12/943,872  
Filing Date: November 10, 2010  
Title: DATA STORAGE AND ACCESS SYSTEMS

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**CORRECTED PETITION FOR COVERED BUSINESS METHOD PATENT**  
**REVIEW OF UNITED STATES PATENT NO. 8,118,221 PURSUANT TO 35**  
**U.S.C. § 321 AND § 18 OF THE LEAHY-SMITH AMERICA INVENTS ACT**

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## EXHIBITS

SAMSUNG 1001	U.S. Patent No. 8,118,221
SAMSUNG 1002	Excerpts from the Prosecution History of the '221 Patent ("the Prosecution History")
SAMSUNG 1003	Declaration of Dr. Jeffrey Bloom ("Bloom")
SAMSUNG 1004	RESERVED
SAMSUNG 1005	RESERVED
SAMSUNG 1006	RESERVED
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 <i>Bilski v. Kappos</i> (July 27, 2010)
SAMSUNG 1012	<i>Apple Inc. v. Sightsound Technologies, LLC</i> , CBM2013-00019 Paper No. 17 (entered October 8, 2013) at 11-13
SAMSUNG 1013	<i>Volusion, Inc. v. Versata Software, Inc. and Versata Development Group, Inc.</i> , CBM2013-00017 Paper No. 8 (entered October 24, 2013)
SAMSUNG 1014	<i>Salesforce.com, Inc. v. VirtualAgility, Inc.</i> , CBM2013-00024 Paper No. 16 (entered November 19, 2013)
SAMSUNG 1015	RESERVED
SAMSUNG 1016	RESERVED
SAMSUNG 1017	RESERVED

SAMSUNG 1018	RESERVED
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	U.S. Patent Application No. 12/943,872 (“the ‘872 Appln.” or “’872”)
SAMSUNG 1023	U.S. Patent No. 5,915,019 (“Ginter”)
SAMSUNG 1024	RESERVED
SAMSUNG 1025	RESERVED
SAMSUNG 1026	RESERVED
SAMSUNG 1027	RESERVED
SAMSUNG 1028	RESERVED
SAMSUNG 1029	RESERVED
SAMSUNG 1030	RESERVED
SAMSUNG 1031	RESERVED
SAMSUNG 1032	RESERVED
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SAMSUNG 1036	RESERVED
SAMSUNG 1037	RESERVED
SAMSUNG 1038	RESERVED
SAMSUNG 1039	RESERVED

Three sister companies, Samsung Electronics America, Inc., Samsung Electronics Co., Ltd., and Samsung Telecommunications America, LLC (“Petitioner” or “Samsung”) petition for *Covered Business Method Patent Review* (“CBM”) under 35 U.S.C. §§ 321 and § 18 of the Leahy-Smith American Invents Act of claims 2, 11, and 32 (“the Challenged Claims”) of U.S. Patent No. 8,118,221. As explained in this petition, there exists a reasonable likelihood that Samsung will prevail in demonstrating unpatentability with respect to at least one of the Challenged Claims based on teachings set forth in at least the references presented in this petition. Samsung respectfully submits that a CBM review should be instituted, and that the Challenged Claims should be canceled as unpatentable.

**I. MANDATORY NOTICES UNDER 37 C.F.R § 42.8(a)(1)**

**A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1)**

Samsung Electronics America, Inc., Samsung Electronics Co., Ltd., and Samsung Telecommunications America, LLC are jointly filing this Petition, and are the real parties-in-interest.

**B. Related Matters Under 37 C.F.R. § 42.8(b)(2)**

Samsung is not aware of any disclaimers or reexamination certificates for the ‘221 Patent. The ‘221 Patent is the subject of a number of civil actions including: Smartflash LLC et al. v. Apple, Inc., Case No. 6:13-cv-00447 and Smartflash

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