

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC.

Petitioner

v.

SMARTFLASH LLC

Patent Owner

Case CBM2015-00016

Patent 8,033,458

PATENT OWNER'S MANDATORY NOTICE INFORMATION

UNDER 37 CFR 42.8

Pursuant to Rule 42.8, Patent Owner hereby submits its mandatory notice information. This information is being filed and served within 21 days of service of the Petition.

I. NOTICE OF REAL PARTY-IN-INTEREST

The real party-in-interest is Smartflash LLC, 100 E. Ferguson, First Place, Suite 406, Tyler, Texas 75702. A Power of Attorney from the real party-in-interest has previously been filed in the patent.

II. STATUS OF RELATED PROCEEDINGS

Patents claiming priority back to a common series of applications (U.S. Application No. 10/111,716, its PCT application and the GB priority application) are currently the subject of four instituted CBM reviews (CBM2014-00102, CBM2014-00106, CBM2014-00108 and CBM2014-00112) filed by Apple Inc., and four additional petitions (including the one in this case) have been filed by Apple in CBM2015-00015 to CBM2015-00018, but not instituted. In addition, ten other petitions were filed by Samsung Electronics America, Inc., Samsung Electronics Co., Ltd., and Samsung Telecommunications America, LLC on September 26, 2014 in CBM2014-00190, -00192, -00193, -00194, -00196, -00197,

-00198, -00199, -00200 and -00204), but preliminary responses have not yet been filed by Patent Owner.

In addition, those patents are involved in patent litigation in: Case No. 6:13-cv-447, *Smartflash LLC and SmartFlash Tehnologies Limited v. Apple Inc., Robot Entertainment, Inc., Kingsisle Entertainment, Inc., and Game Circus LLC*, Case No.6:13-cv-448, *Smartflash LLC and SmartFlash Tehnologies Limited v. Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Samsung Telecommunications America, LLC, HTC Corporation, HTC America, Inc., Exedea, Inc., and Game Circus LLC*, and Case No. 6:14-cv-435, *Smartflash LLC and SmartFlash Tehnologies Limited v. Google, Inc., Gearbox Software LLC, and Bonus XP, Inc.*, all pending in the U.S. District Court for the Eastern District of Texas (E.D. Tex.).

III. Notification of Lead and Backup Counsel

Lead counsel:

Michael R. Casey

Davidson Berquist Jackson & Gowdey, LLP

4300 Wilson Blvd, Suite 700

Arlington, VA 22203

Telephone/Fax: (703) 894-6406/(703) 894-6430

Email: mcasey@dbjg.com

Registration No. 40,294

Backup counsel:

J. Scott Davidson

Davidson Berquist Jackson & Gowdey, LLP

4300 Wilson Blvd, Suite 700

Arlington, VA 22203

Telephone/Fax: (703) 894-6401/(703) 894-6430

Email: jsd@dbjg.com

Registration No. 33,489

IV. SERVICE INFORMATION

Michael R. Casey

Davidson Berquist Jackson & Gowdey, LLP

4300 Wilson Blvd, Suite 700

Arlington, VA 22203

Telephone/Fax: (703) 894-6406/(703) 894-6430

mcasey@dbjg.com; docket@dbjg.com

V. PATENT OWNER PRELIMINARY RESPONSE

The Patent Owner reserves the right to file a preliminary response at a later time.

Dated: November 18, 2014

/ Michael R. Casey /

Michael R. Casey
Registration No. 40,294
Davidson Berquist Jackson &
Gowdey, LLP
4300 Wilson Blvd, Suite 700
Arlington, VA 22203
Telephone: (703) 894-6406
Fax: (703) 894-6430
Email: mcasey@dbjg.com

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