

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner,

v.

SMARTFLASH LLC,

Patent Owner.

Case CBM2015-00031

Patent 8,336,772 B2

PATENT OWNER'S LIST OF PROPOSED MOTIONS

The Patent Trial and Appeal Board (“Board”) has scheduled an initial conference call for Monday, June 29, 2015 at 2 PM. Paper 12 at 6. Pursuant to the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 48765-66 (Aug. 14, 2012), Patent Owner submits the following list of proposed motions it anticipates filing during the trial. This list is provided without prejudice to Patent Owner’s right to seek authorization to file additional motions or to decide not to file the motions listed.

1. Motion to Compel Routine Discovery

Patent Owner anticipates filing a Motion to Compel Routine Discovery to compel the production of Apple’s litigation filings and reports relating to non-infringement and non-infringing alternatives that should have been served by Petitioner Apple concurrently with its Corrected Petition under to 37 CFR § 42.51(b)(1)(iii).

2. Motion to Permit Coordination of Deposition Transcripts

Petitioner filed a declaration in this proceeding and in multiple other proceedings by the same declarant, Mr. Anthony J. Wechselberger. Patent Owner anticipates filing a Motion to Permit Coordination of Deposition Transcripts, if necessary, seeking the Board’s permission (as was permitted in earlier CBM proceedings on patents in the same patent family) to allow a single deposition to be

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taken of the declarant (and future declarants) such that a single deposition transcript can be used in all proceedings (albeit filed separately in each proceeding).

Dated: June 25, 2015

/ Michael R. Casey /

Michael R. Casey
Registration No. 40,294
Davidson Berquist Jackson & Gowdey, LLP
8300 Greensboro Drive
Suite 500
McLean, VA 22102
Telephone: (571) 765-7705
Fax: (571) 765-7200
Email: mcasey@dbjg.com

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that this PATENT OWNER'S LIST OF PROPOSED MOTIONS in CBM2015-00031 was served today, June 25, 2015, by agreement of the parties by emailing a copy to counsel for the Petitioner as follows:

J. Steven Baughman (steven.baughman@ropesgray.com)
Ching-Lee Fukuda (ching-lee.fukuda@ropesgray.com)
Megan Raymond (megan.raymond@ropesgray.com)
ApplePTABService-SmartFlash@ropesgray.com

Dated: June 25, 2015

/ Michael R. Casey /

Michael R. Casey
Registration No. 40,294
Davidson Berquist Jackson & Gowdey, LLP
8300 Greensboro Drive
Suite 500
McLean, VA 22102
Telephone: (571) 765-7705
Fax: (571) 765-7200
Email: mcasey@dbjg.com
Attorney for Patent Owner