## UNITED STATES PATENT AND TRADEMARK OFFICE

## BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner,

v.

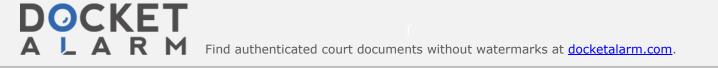
SMARTFLASH LLC,

Patent Owner.

Case CBM2015-00032

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 noninfringement 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 Case CBM2015-00032 Patent 8,336,772 B2 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 Case CBM2015-00032 Patent 8,336,772 B2

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this PATENT OWNER'S LIST OF PROPOSED MOTIONS in CBM2015-00032 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

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RM

/ 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