

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KYOCERA CORPORATION
Petitioner

v.

SOFTVIEW LLC
Patent Owner

CASE IPR2013-00007
Patent 7,461,353.

PATENT OWNER'S LIST OF PROPOSED MOTIONS

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The Patent Trial and Appeal Board ("Board") issued a decision on March 29, 2013 instituting Inter Partes Review of U.S. Patent No. 7,461,353, assigned Case IPR2013-00007. The Board scheduled an initial conference call for Wednesday, May 1, 2013 at 3 PM Eastern Time. Pursuant to the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 48765-66 (Aug. 14, 2012), Patent Owner ("SoftView") submits the following list of proposed motions it is currently considering filing. This list is provided without prejudice to SoftView's right to seek authorization to file additional motions or to decide not to file motions listed.

I. Motion to Exclude Evidence

Pursuant to 37 CFR § 42.64(c), SoftView reserves the right to file a motion to exclude evidence. While such a motion is automatically authorized, SoftView identifies such a motion to preserve its right to file it.

II. Motion For Observations on Cross-Examination

Pursuant to 37 CFR § 42.20(a), SoftView reserves the right to file a motion for observations on cross-examination. SoftView identifies potentially filing such a motion to preserve its right.

III. Additional Topics for Discussion at Initial Conference Call

A. Joint Stipulation to Modify Due Dates 1-3 In Scheduling Order

On March 29, 2013, the Board issued a Scheduling Order for the above-referenced Inter Partes Review. The Scheduling Order noted that the parties may stipulate to different dates for Due Dates 1 through 3. On April 16, 2013, SoftView filed a Joint Stipulation to Modify Due Dates 1-3 in the Scheduling Order in which both SoftView and Kyocera agreed to modify Due Dates 1 through 3 to corresponding dates June 28, 2013, September 21, 2013, and October 30, 2013. SoftView would like to confirm with the Board that Due Dates 1 through 3 have been changed according to the parties' stipulation.

B. Deposition of Kyocera's Expert

With its Petition for Inter Partes Review, Kyocera submitted two expert declarations from their expert, Jack D. Grimes, Ph.D. (Exhibits PX1021 and PX1022). SoftView has requested dates from Kyocera to take the deposition of Dr. Grimes, but to date has not received any dates from Kyocera. SoftView would like to confirm that Kyocera will in fact offer Dr. Grimes for deposition and that Kyocera will offer dates for his deposition. SoftView would also like clarification on who may attend and/or defend Dr. Grimes' deposition. During the April 23, 2013 telephonic hearing, Apple represented to the Board that Dr. Grimes is their expert. While Dr. Grimes appears to be Apple's expert in the pending litigation, *SoftView LLC v. Apple, Inc. et al.*, Case No. 10-389-LPS (D. DE) and the Inter Partes Reexaminations (Control Nos. 95/000,634 and 95/000,635), Kyocera has offered Dr. Grimes as its expert for purposes of the current Inter Partes Review.

Case IPR2013-00007

Patent 7,461,353

As such, SoftView would like clarification that Apple cannot attend and/or defend

Dr. Grimes' deposition in the current Inter Partes Review.

Respectfully submitted,

Dated: April 29, 2013

By: */Ben Yorks/*

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on April 29, 2013, a copy of the foregoing document "PATENT OWNER'S LIST OF PROPOSED MOTIONS" was served by electronic mail, as agreed to by the parties, upon the following:

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