

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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RESEARCH IN MOTION CORP. and RESEARCH IN MOTION LIMITED

Petitioners

v.

MOBILEMEDIA IDEAS, LLC

Patent Owner

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Case IPR2013-00016 (JYC)

Patent U.S. 6,441,828

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**NOTICE OF PETITIONER'S REQUEST FOR AUTHORIZATION  
TO SUBMIT ADDITIONAL GROUNDS FOR UNPATENTABILITY**

At the April 1 initial conference call, Petitioner Research In Motion Corporation intends to seek the Board's authorization to submit additional grounds for unpatentability. In concurrent litigation styled *MobilMedia Ideas, LLC v. Apple Inc.*, Case No. 10-cv-258-SLR (D. Del.) ("Apple Litigation"), the District Court of Delaware granted summary judgment of invalidity of dependent claims 17 and 18 of the '828 patent as anticipated by U.S. Patent No. 6,563,535 ("Anderson '535"). *See* Ex. 1007, Mem. Op. at 65-67 (Nov. 8, 2012), submitted herewith. By definition, invalidated dependent claims 17 and 18 include all of the limitations of independent claim 6 from which they depend. The invalidity decision from the

Apple Litigation occurred after the filing of the petition for *inter partes* review in this proceeding, which was filed on October 12, 2012.

Petitioner Research In Motion Corporation proposes to add the same grounds from the decision in the Apple Litigation (*i.e.*, that claims 17 and 18 of the '828 patent are invalid as anticipated by Anderson '535), to this *inter partes* review.

Accordingly, Petitioner Research In Motion Corporation requests authorization to: (i) submit the additional grounds for unpatentability in a supplemental paper along with the requisite analysis under 37 C.F.R. § 42.104(b)(4)-(5), or, alternatively, (ii) file a motion to submit supplemental information under 37 C.F.R. § 42.123(a) to present the additional grounds for unpatentability. Petitioner respectfully submits that the first option will require the least adjustment to the schedule, as the Petitioner can submit a supplemental paper with the additional grounds for unpatentability by April 5, 2012.

Respectfully submitted,

Research In Motion Corp.,  
Petitioner

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## EXHIBIT APPENDIX

Exhibit 1001 - U.S. Patent No. 6,441,828 (for *inter partes* review)

Exhibit 1002 - U.S. Patent No. 6,262,769 (“Anderson”), issued July 17, 2001, and filed July 31, 1997

Exhibit 1003 - U.S. Patent No. 5,760,760 (“Helms”), issued June 2, 1998, and filed July 17, 1995

Exhibit 1004 - European Patent Application Pub. No. 0587161A2 (“Nagasaki”), published March 16, 1994.

Exhibit 1005 - U.S. Patent No. 6,148,149 (“Kagle”), issued November 14, 2000, and filed May 26, 1998

Exhibit 1006 - U.S. Patent No. 6,396,472 (“Jacklin”), issued May 28, 2002, and filed October 28, 1996

Exhibit 1007 - *MobileMedia Ideas, LLC v. Apple, Inc.*, Civ. No. 10-258-SLR, Memorandum Opinion filed November 8, 2012

**CERTIFICATE OF SERVICE**

I hereby certify that, on March 29, 2013, I caused a true and correct copy of the foregoing **NOTICE OF PETITIONER'S REQUEST FOR AUTHORIZATION TO SUBMIT ADDITIONAL GROUNDS FOR UNPATENTABILITY** and **EXHIBIT 1007** to be served electronically on:

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