

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SIPNET EU S.R.O.  
Petitioner

v.

Straight Path IP Group, Inc.  
Patent Owner

Case No. IPR2013-00246  
U.S. Patent No. 6,108,704

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Before KLAYAN K. DESHPANDE, THOMAS L. GIANNETTI, and  
TRENTON A. WARD, Administrative Patent Judges.

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**PETITIONER'S OBJECTIONS TO PATENT OWNER'S FIRST SET OF  
INTERROGATORIES**

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U.S. Patent No. 6,108,704

Pursuant to Federal Rules of Civil Procedure 26 and 33 and 37 C.F.R. 42.51, Petitioner SIPNET EU S.R.O. (“Petitioner”) responds to Patent Owner Straight Path IP Group, Inc.’s (“Patent Owner”) First Set of Interrogatories as follows:

### **GENERAL OBJECTIONS**

1. Unauthorized Discovery. Petitioner objects to each Interrogatory as the Board has not authorized discovery as is required under 37 C.F.R. 42.51(a)(2). Rule 42.51(b) specifically states that “[a] party is not entitled to discovery except as provided in paragraph (a) of this section, or as otherwise authorized in this subpart.” 37 C.F.R. 42.51(b). Petitioner objects to each Interrogatory as beyond the scope authorized by 37 C.F.R. 42.51(a), which in the absence of another agreement or Order authorizes discovery of only “the information identified in the initial disclosures.” 37 C.F.R. 42.51(a)(ii). The parties have not agreed to serve initial disclosures and neither Petitioner nor Patent Owner have served initial disclosures. The Board indicated in the Oct. 30, 2013 conference call that Board approval would be required. Petitioner’s counsel met and conferred with Patent Owner’s counsel on Nov. 6, 2013, but was apparently unable to satisfy Patent Owner’s counsel of the lack of need for this discovery. The Order issued

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November 22, 2013 did not authorize Patent Owner's Interrogatories and encouraged the parties to request a conference call with the Board. (Paper 22, pp. 2-3)

2. Irrelevant information. Petitioner objects to the Interrogatories to the extent they seek information not relevant to this proceeding and not likely to lead to relevant information.

3. Confidential, Attorney-Client Privileged. Petitioner objects to each Interrogatory to the extent that it calls for the disclosure and production of communications and documents that are protected by the attorney-client or any other privilege, fall within the scope of the work-product doctrine, or are otherwise protected from discovery. Petitioner objects to each Interrogatory to the extent it seeks information that is confidential or proprietary.

4. Overly Broad. Petitioner objects to each Interrogatory to the extent that it is vague, overly broad, unduly burdensome, oppressive, or constitutes an abuse of process, particularly when viewed in light of the cost necessary to investigate compared to Patent Owner's need for the information.

**OBJECTIONS TO PATENT OWNER'S DEFINITIONS**

1. Petitioner objects to the definition of “Anyone” as overly broad, unduly burdensome, vague, and ambiguous to the extent it would include entities other than SIPNET EU S.R.O., the sole petitioner in this proceeding, or entities over which Petitioner has no ability to exercise control.

2. Petitioner objects to the definition of the terms “Sipnet,” “you,” “your,” and “Petitioner” as overly broad, unduly burdensome, vague, and ambiguous to the extent it would include entities other than SIPNET EU S.R.O., the sole petitioner in this proceeding, or entities over which Petitioner has no ability to exercise control. Petitioner’s use of these terms will refer only to SIPNET EU S.R.O.

3. Petitioner objects to the definition of “Stalker Software” as overly broad, unduly burdensome, vague, and ambiguous and not reasonably calculated to lead to discoverable information.

**OBJECTIONS TO SPECIFIC INTERROGATORIES**

**INTERROGATORY NO. 1**

Please identify anyone other than counsel at Kilpatrick Townsend & Stockton LLP, who contributed to, participated in, or were otherwise involved in the preparation of any filings in the present Inter Partes Review in any way.

**Objection**

Petitioner incorporates all of its general objections above. In particular, this Interrogatory seeks confidential and attorney-client privileged information, seeks information not relevant to the conduct of this proceeding, and is overly broad.

**INTERROGATORY NO. 2**

Please identify anyone who provided or is currently providing payment, funding, financial assistance, or other monetary contributions to Petitioner and/or Petitioner's counsel in connection with any filings in the present Inter Partes Review.

**Objection**

Petitioner incorporates all of its general objections above. In particular, this

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