

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CARDIOCOM, LLC

Petitioner

v.

ROBERT BOSCH HEALTHCARE SYSTEMS, INC.

Patent Owner

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CASE NO.: IPR2013-00468

Patent No. 7,516,192

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**UNOPPOSED MOTION TO EXPUNGE AND FILE CORRECTED  
PATENT OWNER'S RESPONSE**

## **I. RELIEF REQUESTED**

Pursuant to 37 C.F.R. § 42.22(a)(1) and for the reasons set forth below, Robert Bosch Healthcare Systems, Inc. (“Patent Owner”) respectfully: (1) requests the Board expunge Patent Owner’s Response, Paper 36, filed on April 1, 2014, from the record; and (2) files in its place a Corrected Patent Owner’s Response.

## **II. STATEMENT OF MATERIAL FACTS**

1. Patent Owner filed its Response to the Petition and related Exhibits on April 1, 2014.
2. Shortly after filing, Patent Owner noticed a clerical error in the Patent Owner’s Response.
3. Patent Owner contacted Counsel for Petitioner informing them of the error. Counsel for Petitioner stated that they would not oppose the present Motion.
4. On April 18, 2014, the Patent Owner emailed the Board, requesting authorization to file this Unopposed Motion to Expunge and File a Corrected Patent Owner’s Response.
5. On April 21, 2014, the Board authorized such a filing in an email to Don Daybell, the lead counsel for Patent Owner.

6. Patent Owner submits herewith, as an attachment to the present Motion, the Corrected Patent Owner's Response for filing into the record should the Board grant the present Motion.

7. Patent Owner certifies that the Corrected Patent Owner's Response only replaces an incorrect citation to IPR2014-00488 with the correct citation to IPR2014-00436.

### **III. STATEMENT OF THE REASONS FOR RELIEF REQUESTED**

Patent Owner files the present Motion in accordance with the Board's email authorization dated April 21, 2014. The Corrected Patent Owner's Response serves to clarify and complete the record before the Board and does not introduce new material into the proceeding. For the foregoing reason, Patent Owner respectfully: (1) requests that the Board expunge the Patent Owner's Response, Paper 36 from the record; and (2) files in its place the Corrected Patent Owner's Response.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: April 25, 2014

By: /Don Daybell/

Don Daybell, Reg. No. 50,877

Attorney for Patent Owner Robert Bosch  
Healthcare Systems, Inc.

