

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TARGET CORPORATION,  
Petitioner

v.

DESTINATION MATERNITY CORPORATION,  
Patent Owner

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Case IPR2013-00533  
Patent RE43,531 E

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Filed: September 23, 2014

Before JENNIFER S. BISK, MICHAEL J. FITZPATRICK, and  
MITCHELL G. WEATHERLY *Administrative Patent Judges*.

**PETITIONER'S EXHIBIT LIST**

| <b>Exh. No.</b> | <b>Description</b>   | <b>Not Filed</b> | <b>Sealed/Public</b> |
|-----------------|--|------------------|----------------------|
| 1001            | US RE43,563 Hendrickson  |                  | Public               |
| 1002            | JCP Maternity Catalog Fall Winter 2005                                   |                  | Public               |
| 1003            | US 2004/0049834 A1 Stangle   |                  | Public               |
| 1004            | US 6,276,175 Browder   |                  | Public               |
| 1005            | Expecting Style catalog; Sara, Lauren                                    |                  | Public               |
| 1006            | DMC's Disclosure of Asserted Claims and Infringement Contentions         |                  | Public               |
| 1007            | Certified file history for RE43,563                                      |                  | Public               |
| 1008            | Certified file history for US 7,900,276                                  |                  | Public               |
| 1009            | US 7,900,276 Hendrickson   |                  | Public               |
| 1010            | Pulse, An Early Lesson in Prada; New York Times, Feb. 27, 2005           |                  | Public               |
| 1011            | Declaration of Frances Harder  |                  | Public               |
| 1012            | CV of Frances Harder   |                  | Public               |
| 1013            | List of materials considered by Frances Harder                           |                  | Public               |
| 1014            | Simplicity maternity sewing pattern                                      |                  | Public               |
| 1015            | McCalls maternity sewing pattern   |                  | Public               |
| 1016            | DMC's Objections & Responses to Defendants' First Set of Interrogatories |                  | Public               |
| 1017            | US 4,506,390 Stern   |                  | Public               |
| 1018            | US RE43,531 Hendrickson  |                  | Public               |
| 1019            | US 7,814,575 Hendrickson   |                  | Public               |
| 1020            | Certified file history for 7,814,575                                     |                  | Public               |
| 1021            | Certified file history for RE43,531                                      |                  | Public               |
| 1022            | US 7,181,775 Carney  |                  | Public               |
| 1023            | US 2006/0010571 Oakley   |                  | Public               |
| 1024            | US 6,311,333 Batra   |                  | Public               |
| 1025            | US 3,045,678 Geimer  |                  | Public               |
| 1026            | Reserved   |                  |                      |

| <b>Exh. No.</b> | <b>Description</b>                               | <b>Not Filed</b> | <b>Sealed/Public</b> |
|-----------------|--|------------------|----------------------|
| 1027            | IPR532 Institution Decision                      |                  | Public               |
| 1028            | Reserved   |                  |                      |
| 1029            | IPR531 Institution Decision                      |                  | Public               |
| 1030            | Reserved   |                  |                      |
| 1031            | IPR532 Institution Decision                      |                  | Public               |
| 1032            | Reserved   |                  |                      |
| 1033            | Reserved   |                  |                      |
| 1034            | Reserved   |                  |                      |
| 1035            | Reserved   |                  |                      |
| 1036            | Reserved   |                  |                      |
| 1037            | Reserved   |                  |                      |
| 1038            | Reserved   |                  |                      |
| 1039            | Reserved   |                  |                      |
| 1040            | Reserved   |                  |                      |
| 1041            | Reserved   |                  |                      |
| 1042            | Reserved   |                  |                      |
| 1043            | Reserved   |                  |                      |
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| 1047            | Reserved   |                  |                      |
| 1048            | Reserved   |                  |                      |
| 1049            | Reserved   |                  |                      |
| 1050            | Reserved   |                  |                      |
| 1051            | Reserved   |                  |                      |
| 1052            | Reserved   |                  |                      |
| 1053            | Reserved   |                  |                      |
| 1054            | Notice of Deposition of P. Green (IPR2013-00530) | X                | Public               |
| 1055            | Notice of Deposition of P. Green (IPR2013-00531) | X                | Public               |
| 1056            | Notice of Deposition of P. Green (IPR2013-00532) | X                | Public               |
| 1057            | Notice of Deposition of P. Green (IPR2013-00533) | X                | Public               |

| <b>Exh. No.</b> | <b>Description</b>  | <b>Not Filed</b> | <b>Sealed/Public</b> |
|-----------------|---|------------------|----------------------|
| 1058            | Crocs, Inc. v. International Trade Commission, 598 F. 3d 1294 (Fed. Cir. 2010)  |                  | Public               |
| 1059            | Target's Notice of Rule 30(b)(6) Deposition of DMC (district court Exhibit 41)  |                  | Public               |
| 1060            | Notice of Deposition of D. Brookstein (IPR2013-00530)   | X                | Public               |
| 1061            | Notice of Deposition of D. Brookstein (IPR2013-00531)   | X                | Public               |
| 1062            | Notice of Deposition of D. Brookstein (IPR2013-00532)   | X                | Public               |
| 1063            | Notice of Deposition of D. Brookstein (IPR2013-00533)   | X                | Public               |
| 1064            | Annotated version of Declaration of David Brookstein, Sc.D. (Ex 2017)   |                  | Public               |
| 1065            | Updated Brookstein CV   | X                | Public               |
| 1066            | Annotated version of US RE43,531 Hendrickson (Ex. 1018)   |                  | Public               |
| 1067            | Annotated version of U.S. Patent 4,590,624 (2034)   |                  | Public               |
| 1068            | Belly panel notes (DMC0110376 - 77; Hendrickson 51)   |                  | Sealed               |
| 1069            | Annotated excerpt from JCP Fall/Winter 2005 (JCP000167 – 169, Ex 1002)  |                  | Public               |
| 1070            | Annotated print out from Target website - Liz Lange for Target Maternity Extended-Sizes Straight Leg (DMC0116314 – 320) |                  | Sealed               |
| 1071            | DL1961 Website Milano Bootcut Jeans Review  |                  | Sealed               |

| <b>Exh. No.</b> | <b>Description</b>   | <b>Not Filed</b> | <b>Sealed/Public</b> |
|-----------------|--|------------------|----------------------|
| 1072            | Annotated Being Pregnant US blog re Salsa Hope                               |                  | Sealed               |
| 1073            | Jessica Simpson black maternity corduroy pants (SKU 657107406428, Size S)    | X                | Public               |
| 1074            | M'Chic dark blue jean, black panel (Item #2103, size S-short                 | X                | Public               |
| 1075            | 5/19/2011 Letter from Taufer to N. Lehrer (DMC0116526)                       |                  | Public               |
| 1076            | Annotated 5/19/2011 Letter from Taufer to N. Lehrer                          |                  | Public               |
| 1077            | Annotated 6/20/2012 Letter to J. Kyle from Taufer re: Suits Your Belly       |                  | Public               |
| 1078            | Transcript of 7-16-2014 Brookstein Deposition                                |                  | Sealed               |
| 1079            | Transcript of 7-8-2014 Green Deposition                                      |                  | Sealed               |
| 1080            | 3/16/2011 Letter from Taufer to Hinrichs (TAR060 00000058)                   |                  | Sealed               |
| 1081            | Claim Chart: DMC-Target Liz Lange Pants (DMC0116321)                         |                  | Sealed               |
| 1082            | 3/10/2011 Email from Taufer to Budow re Salsa Jeans (DMC0116289)             |                  | Sealed               |
| 1083            | Claim Chart: DMC-Salsa Jeans (DMC0116307)                                    |                  | Sealed               |
| 1084            | Salsa Jeans product  | X                | Public               |
| 1085            | Suits Your Belly product   | X                | Public               |
| 1086            | 5/19/2011 Letter from Taufer to N. Lehrer - higher quality copy (DMC0116526) |                  | Public               |
| 1087            | 6/2/2011 Letter from Taufer to N. Lehrer (DMC0116548)                        |                  | Public               |

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