

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of: Farber et al.	§	
	§	
U.S. Patent No. 7,802,310	§	Petition for <i>Inter Partes</i> Review
	§	
Issued: September 21, 2010	§	Attorney Docket No.: 47015.136
	§	
Title: CONTROLLING ACCESS TO DATA IN A DATA PROCESSING SYSTEM	§	Customer No.: 116298
	§	
	§	Real Parties
	§	in Interest: Rackspace US, Inc. and Rackspace Hosting, Inc.
	§	

PETITION FOR INTER PARTES REVIEW

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to the provisions of 35 U.S.C. §§ 311-319, Rackspace US, Inc. and Rackspace Hosting, Inc. (each “Petitioner”) hereby petition the Patent Trial and Appeal Board to institute *inter partes* review of claims 1, 2, 5-8, 10-12, 14, 16-19, 24, 29, 32, 70, 81, 82 and 86 of US Patent No. 7,802,310 to Faber *et al.* (“the ‘310 Patent,” RACK-1001). PersonalWeb Technologies, LLC and Level 3 Communications, LLC have stated, in filings in the United States District Court for the Eastern District of the Texas that they each own an undivided fifty percent (50%) interest in the ‘310 Patent.

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I. Mandatory Notices by Petitioner (37 C.F.R. § 42.8(a)(1))

A. Real Parties-in-Interest (37 C.F.R. § 42.8(b)(1))

Rackspace US, Inc. and Rackspace Hosting, Inc.

B. Petitioner Notice of Related Matters (37 C.F.R. § 42.8(b)(2))

The '310 patent is part of an extensive family of related continuation and divisional applications. The '310 patent and other members of the patent family are asserted in related judicial matter *PersonalWeb Tech. LLC et al v. Rackspace US, Inc. et al.*, No. 6-12-cv-00659 (E.D. Tex., filed Sep. 17, 2012).

As of the filing date of this petition, additional 3rd party judicial matters asserting claims of patent infringement under the '310 patent or other members of the patent family are: *PersonalWeb Techs. LLC et al v. EMC Corp. et al.*, No. 5-13-cv-01358 (N.D. Ca., filed Mar. 26, 2013); *PersonalWeb Techs. LLC et al v. Facebook Inc.*, No. 5-13-cv-01356 (N.D. Ca., filed Mar. 26, 2013); *PersonalWeb Techs. LLC et al v. NetApp, Inc.*, No. 5-13-cv-01359 (N.D. Ca., filed Mar. 26, 2013); *PersonalWeb Techs. LLC v. Google, Inc. et al*, No. 5-13-cv-01317 (N.D. Ca., filed Mar. 25, 2013); *PersonalWeb Techs. LLC et al v. Int'l Bus. Mach. Corp.*, No. 6-12-cv-00661 (E.D. Tex, filed Sep. 17, 2012); *PersonalWeb Techs. LLC et al v. NetApp, Inc.*, No. 6-12-cv-00657 (E.D. Tex., filed Sep. 17, 2012); *PersonalWeb Techs. LLC et al v. Facebook, Inc.*, No. 6-12-cv-00662 (E.D. Tex., filed Sep. 17, 2012); *PersonalWeb Techs. LLC et al v. Apple Inc.*, No. 6-12-cv-00660 (E.D. Tex.,

filed Sep. 17, 2012); *PersonalWeb Techs. LLC et al v. Microsoft Corp.*, No. 6-12-cv-00663 (E.D. Tex., filed Sep. 17, 2012); *PersonalWeb Techs. LLC et al v. Yahoo! Inc.*, No. 6-12-cv-00658 (E.D. Tex., filed Sep. 17, 2012); *PersonalWeb Techs. LLC v. Autonomy, Inc.*, No. 6-11-cv-00683 (E.D. Tex., filed Dec. 19, 2011); *PersonalWeb Techs. LLC v. Google, Inc. et al*, No. 6-11-cv-00656 (E.D. Tex., filed Dec. 8, 2011); *PersonalWeb Techs. LLC v. NEC Corp. of America, Inc.*, No. 6-11-cv-00655 (E.D. Tex., filed Dec. 8, 2011); *PersonalWeb Techs. LLC v. NetApp, Inc.*, No. 6-11-cv-00657 (E.D. Tex., filed Dec. 8, 2011); *PersonalWeb Techs. LLC v. Caringo, Inc.*, No. 6-11-cv-00659 (E.D. Tex., filed Dec. 8, 2011); *PersonalWeb Techs. LLC v. Amazon Web Svcs. LLC et al*, No. 6-11-cv-00658 (E.D. Tex., filed Dec. 8, 2011); *PersonalWeb Techs. LLC v. EMC Corp. et al*, No. 6-11-cv-00660 (E.D. Tex., filed Dec. 8, 2011); and *Akamai Techs, Inc. v. Digital Island, Inc.*, No. 1-00-cv-11851 (D. Mass., filed Sep. 13, 2000).

In addition, the following instituted trials and/or 3rd party petitions for *inter partes* review are related:

- IPR2013-00082 (instituted for related patent 5,978,791, May 17, 2013)
- IPR2013-00083 (instituted for related patent 6,415,280, May 17, 2013)
- IPR2013-00084 (instituted for related patent 7,945,544, May 17, 2013)
- IPR2013-00085 (instituted for related patent 7,945,539, May 17, 2013)
- IPR2013-00086 (instituted for related patent 7,949,662, May 17, 2013)

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