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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WAVEMARKET, INC. D/B/A LOCATION LABS
Petitioner

v.

LOCATIONNET SYSTEMS, LTD.
Patent Owner

Case No. IPR2014-00199
U.S. Patent 6,771,970

**PATENT OWNER'S FIRST PROPOSED DISCOVERY REQUESTS
TO PETITIONER**

Pursuant to the Board's June 16, 2014 Order (Paper 28), Patent Owner, LocationNet Systems, Ltd., hereby submits its proposed document requests, interrogatory, and notice of deposition to Petitioner, Wavemarket, Inc. d/b/a Location Labs.

DEFINITIONS

1. The term "Petitioner" means Petitioner, Wavemarket, Inc. d/b/a Location Labs, its direct or indirect corporate parents, subsidiaries, affiliates, attorneys, agents, and representatives.
2. The term "Sprint" means Sprint Nextel Corporation, its direct or indirect corporate parents, subsidiaries, affiliates, attorneys, agents, and representatives.
3. The term "T-Mobile" means T-Mobile USA Inc., its direct or indirect corporate parents, subsidiaries, affiliates, attorneys, agents, and representatives.
4. The term "AT&T" means AT&T Mobility, LLC, its direct or indirect corporate parents, subsidiaries, affiliates, attorneys, agents, and representatives.
5. The term "IPR" means IPR2014-00199.
6. The term "District Court Actions" means actions styled (1) *CallWave Communications, LLC v. AT&T Mobility, LLC, and Google, Inc.*, Civil

Action No. 1:12-cv-01701-RGA (D. Del.); (2) *CallWave Communications, LLC v. Sprint Nextel Corp. and Google, Inc.*, Civil Action No. 1:12-cv-01702-RGA (D. Del.); and (3) *CallWave Communications, LLC v. T-Mobile USA Inc. and Google, Inc.*, Civil Action No. 1:12-cv-01703-RGA (D. Del.), in which CallWave asserted claims of infringement of U.S. Patent 6,771,970 at issue in the IPR2014-00199.

7. The term “Document” has the meaning accorded to that term by Federal Rule of Civil Procedure 34(a) and Federal Rule of Evidence 1001. In addition, the term “All Documents” means Documents that You can locate through a diligent search of the locations likely to contain Documents requested herein and through a reasonable inquiry of Persons most likely to know of the existence of Documents requested herein.
8. The term “Communications” shall mean the transmission or receipt of information through any means including voice, text, or any other telecommunication whether oral or visual.

DOCUMENT REQUESTS, INTERROGATORY, AND DEPOSITION NOTICE

DOCUMENT REQUESTS

1. All indemnification agreements and communications about the indemnification by and between Petitioner and AT&T related to the patent infringement claims raised in the respective District Court Action involving AT&T.

2. All indemnification agreements and communications about the indemnification by and between Petitioner and Sprint related to the patent infringement claims raised in the respective District Court Action involving Sprint.

3. All indemnification agreements and communications about the indemnification between Petitioner and T-Mobile related to the patent infringement claims raised in the respective District Court Action involving T-Mobile.

4. All joint defense and/or common interest agreements and communications about the joint defense and/or common interest agreements by and between Petitioner on the one hand and AT&T, Sprint, and/or T-Mobile on the other hand related to the District Court Actions.

5. Documents or things containing communications between Petitioner on the one hand and AT&T, Sprint, and/or T-Mobile on the other hand regarding preparation, filing, control, or funding of the IPR.

6. Copies of the engagement and/or retainer agreements between Dentons U.S. LLP and Petitioner, AT&T, Sprint, and T-Mobile.

INTERROGATORY

1. Identify any communication between Petitioner on the one hand and AT&T, Sprint, and/or T-Mobile on the other hand not reduced to a tangible form and not otherwise identified in any document or thing produced in response to Document Requests for Production Nos. 1-6, in which (i) indemnity, (ii) the preparation, filing, or funding of the IPR, or (iii) control or funding of the IPR was discussed. For any such communication, describe the topic, the individuals between whom the communications occurred, and the approximate date of the communication.

DEPOSITION NOTICE

Please produce for deposition individuals in the employ or control of Petitioner that authored or received documents or things produced in response to Document Requests Nos. 1-6 or who were identified in response to the Interrogatory. Any deposition conducted pursuant to this notice shall be at a time and place as may be agreed to by the parties or as may be ordered by the Board.

Dated: July 15, 2014

Respectfully submitted,
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