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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 MOTION FOR OBSERVATIONS
REGARDING CROSS-EXAMINATION OF PETITIONER'S
REPLY WITNESS DR. CRAIG ROSENBERG**

PATENT OWNER'S EXHIBIT LIST

Previously Filed

Ex. No	Description
2001	Pro Hac Vice Motion of Mark Hogge entering an appearance on behalf of T-Mobile USA Inc. in <i>Callwave Communications, LLC v. T-Mobile USA Inc. and Google Inc.</i> , Civil Action No. 12-cv-1703-RGA, D.I. 23 (D. Del.)
2002	Pro Hac Vice Motion of Mark Hogge entering an appearance on behalf of Sprint Nextel Corp. in <i>Callwave Communications, LLC v. Sprint Nextel Corp.</i> , Civil Action No. 12-cv-1702-RGA, D.I. 18 (D. Del.)
2003	A page of Location Labs' website indicating partnering with T-Mobile and Sprint to provide subscription-based, mobile device management and location services
2004	Patent Owner's First Proposed Discovery Requests to Petitioner in <i>Wavemarket, Inc. d/b/a Locations Labs v. Locationet Systems, Ltd.</i> , Case No. IPR2014-00199, U.S. Patent 6,771,970
2005	Sprint's Answer to Callwave's Second Amended Complaint in <i>Callwave Communications, LLC v. Sprint Nextel Corp. and Google, Inc.</i> , Civil Action No. 1:12-cv-01702-RGA, D.I. 71 (D. Del.)
2006	T-Mobile USA Inc.'s Answer to Callwave's Complaint in <i>Callwave Communications, LLC v. T-Mobile USA Inc. and Google, Inc.</i> , Civil Action No. 1:12-cv-01703-RGA, D.I. 68(D. Del.)
2007	Defendants' Opening Brief in Support of Motion To Stay Proceedings on the '970 Patent Pending <i>Inter Partes</i> Review by the Patent Trial and Appeal Board in Civil Action Nos. 12-1701-RGA, 12-1702-RGA, 12-1703-RGA, 12-1704-RGA AND 12-1788-RGA, (D. Del.)
2008	Subpoena to Wavemarket, Inc., d/b/a Location Labs in the matter of <i>Callwave Communications, LLC v. AT&T Inc., AT&T Mobility, LLC and Google, Inc.</i> , Case No. 4:14-mc-80112-JSW, D.I. 17-2 (D. Del.)
2009	April 8, 2014 letter to Leah R. McCoy from Sarah Eskandari, counsel for Petitioner with objections and responses to Petitioner's subpoena
2010	Wavemarket, Inc., d/b/a Location Labs' Objections and Responses to Plaintiff's Subpoena in <i>Callwave Communications, LLC v. AT&T Mobility, LLC, and Google, Inc.</i> , Civil Action No. 1:12-cv-01701-RGA (D. Del.)
2011	April 9, 2014, Hearing Transcript in in Civil Action Nos. 12-1701-

Ex. No	Description
	RGA, 12-1702-RGA, 12-1703-RGA, 12-1704-RGA AND 12-1788-RGA, (D. Del.)
2012	April 17, 2013 email from Edward M. Abbati, Vice President of Finance for Petitioner, to Richard Sanders, Chief Executive Officer (“CEO”) of Callwave Communications, LLC
2013	Proposed Protective Order submitted in Civil Action Nos. 12-1701-RGA, 12-1702-RGA, 12-1703-RGA, 12-1704-RGA AND 12-1788-RGA, (D. Del.)
2014	AT&T Answer to Callwave’s Second Amended Complaint in <i>Callwave Communications, LLC v. AT&T Mobility, LLC, and Google, Inc.</i> , Civil Action No. 12-cv-01701-RGA (D. Del.)
2015	Defendants’ Reply Brief In Support of Their Motion to Stay Proceedings on the ’970 Patent Pending <i>Inter Partes</i> Review by the Patent Trial and Appeal Board in Civil Action Nos. 12-1701-RGA, 12-1702-RGA, 12-1703-RGA, 12-1704-RGA AND 12-1788-RGA, (D. Del.)
2016	Declaration of Dr. Narayan Mandayam in Support of LocationNet Systems, Ltd.’s Patent Owner Response in <i>Wavemarket, Inc. d/b/a Locations Labs v. Locationet Systems, Ltd.</i> , Case No. IPR2014-00199, U.S. Patent 6,771,970
2017	Definition of “database,” Dictionary of Computer Words, Houghton Mifflin Company (1998), p. 61
2018	Definition of “database,” Personal Computer Dictionary, Random House (2nd ed. 1996), p. 126
2019	Definition of “engine,” Webster’s New World Dictionary of Computer Terms, Macmillan (5th ed. 1994), p. 208
2020	Patent Owner’s Evidentiary Objections Pursuant To 37 C.F.R. § 42.64, served on November 17, 2014 in <i>Wavemarket, Inc. d/b/a Locations Labs v. Locationet Systems, Ltd.</i> , Case No. IPR2014-00199, U.S. Patent 6,771,970
2021	Supplemental Declaration of Craig Rosenberg, Ph.D. In Support of Petitioner’s Reply, served on December 1, 2014 in <i>Wavemarket, Inc. d/b/a Locations Labs v. Locationet Systems, Ltd.</i> , Case No. IPR2014-00199, U.S. Patent 6,771,970

New Exhibit

Ex. No	Description
2022	December 8, 2014 Videotaped Deposition Transcript of Craig Rosenberg, Ph.D

As authorized by the Board’s May 9, 2014 Scheduling Order (Paper 19), LocationNet Systems, Ltd. (“Patent Owner”) respectfully submits the following observations on the December 8, 2014 deposition testimony of Craig Rosenberg, and requests that the Board enter this Motion for Observations Regarding Cross-Examination of Petitioner’s Reply Witness, Dr. Craig Rosenberg. Office Patent Trial Practice Guide, 77 Fed. Reg. 48756 at 48767–68 (August 14, 2012).

1. Observation #1

In Exhibit 2022, page 19, line 4 through page 20, line 9, Dr. Rosenberg testified that the “associated files” described in Exhibit 1003 (“Elliot”) are “[s]ource code, programs, executables,” but he also testified that Elliot does not describe source code, programs, or executables as the “associated files.” This testimony is relevant to Dr. Rosenberg’s opinion on page 7, paragraph 13 of Exhibit 1020 and Petitioner’s reply argument on pages 3 to 6 of Paper 39. The testimony is relevant because it contradicts Dr. Rosenberg’s opinion and Petitioner’s argument that “associated files” satisfies the “map database” element in claim 18 of the ‘970 Patent.

2. Observation #2

In Exhibit 2022, page 20, line 10 through page 21, line 8, Dr. Rosenberg testified that the “associated files” described in Elliot reside on the “web server.” This testimony is relevant to Dr. Rosenberg’s opinion on pages 7 to 9, paragraphs

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