

Patent No. 6,034,623
Corrected Petition For *Inter Partes* Review

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CYPRESS SEMICONDUCTOR CORP.
Petitioner

v.

BLACKBERRY LTD.
Patent Owner

Case IPR2014-00400

**CORRECTED PETITION FOR *INTER PARTES* REVIEW OF U.S.
PATENT NO. 6,034,623 UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42**

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Cypress Semiconductor Corp. (“Petitioner”) petitions for *inter partes* review (“IPR”) under 35 U.S.C. §§ 311–319 and 37 C.F.R. § 42 of claims 1-4 of U.S. 6,034,623 (CSC 1001, “‘623 Patent”).

I. MANDATORY NOTICES (37 C.F.R. § 42.8(a)(1))

A. REAL PARTY-IN-INTEREST

Petitioner certifies that it is the real party-in-interest.

B. RELATED MATTERS

Petitioner is not aware of any pending prosecution concerning the ‘623 Patent. Petitioner is a defendant in a pending litigation concerning the ‘623 Patent. *BlackBerry Limited v. Cypress Semiconductor Corp.*, 3:13-cv-04431 (N.D. Tex. Nov. 4, 2013). Petitioner is not aware of any other past or present litigation concerning the ‘623 Patent.

C. DESIGNATION OF LEAD AND BACK-UP COUNSEL

Lead Counsel	Back-Up Counsel
James Hannah (Reg. No. 56,369) Kramer Levin Naftalis & Frankel LLP, 990 Marsh Road, Menlo Park, CA 94025 Tel: 650.752.1700 Fax: 212.715.8000	Paul Andre <i>Pro hac vice appearance to be requested upon grant of petition</i> Kramer Levin Naftalis & Frankel LLP, 990 Marsh Road, Menlo Park, CA 94025 Tel: 650.752.1700 Fax: 212.715.8000 Aaron M. Frankel (Reg. No. 52,913) Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, NY 10036 Tel: 212.715.9100 Fax: 212.715.8000

D. SERVICE INFORMATION

Please address all correspondence to the lead counsel at the address provided in Section I(C) of this Petition. Petitioner also consents to service by email to: jhannah@kramerlevin.com with copies to pandre@kramerlevin.com and afrankel@kramerlevin.com.

II. PAYMENT OF FEES (37 C.F.R. § 42.103)

Petitioner authorizes the U.S. Patent and Trademark Office to charge Deposit Account No. 50-0540 for the fee set in 37 C.F.R. § 42.15(a) for this petition for *inter partes* review, and further authorizes payment for any additional fees to be charged to this Deposit Account.

III. REQUIREMENTS FOR *INTER PARTES* REVIEW UNDER 37 C.F.R. §§ 42.104

A. GROUNDS FOR STANDING (37 C.F.R. § 42.104(A))

Petitioner certifies that the '623 Patent is eligible for *inter partes* review and further certifies that it is not barred or estopped from requesting *inter partes* review challenging the identified claims on the grounds set forth herein. The original complaint against Petitioner was filed on November 4, 2013. Therefore, the present petition is being filed within one year of the filing of the original complaint and of the first assertion of the '623 Patent against Petitioner.

B. IDENTIFICATION OF CHALLENGED CLAIMS (37 C.F.R. § 42.104(B)(1))

Petitioner requests *inter partes* review of claims 1-4 of the '623 Patent on

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