

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ZTE CORPORATION AND ZTE (USA) INC.  
Petitioners

v.

IPR LICENSING, INC.  
Patent Owner

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Case IPR2014-00525  
U.S. Patent No.: 8,380,244

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**MOTION TO CORRECT CLERICAL ERRORS AND RESUBMIT  
EXHIBITS IN THE PETITION FOR *INTER PARTES* REVIEW**

Petitioners respectfully submit this motion under 37 C.F.R. 104(c) to correct clerical errors in the petition and resubmit two exhibits. The motion is supported by the contemporaneously filed Affidavit of Charles M. McMahon in support of the motion (“Affidavit”). Submitted concurrently with this motion are corrected Exhibit 1010 (337-TA-800 Comm’n Opinion (Public)), corrected Exhibit 1011 (337-TA-800 ALJ’s Initial Determination (Public)), and a Second Corrected Petition. Corrected Exhibits 1010 and 1011 have been resubmitted because they

were incorrectly captioned and one of the exhibits was inadvertently truncated.

The Second Corrected Petition corrects a single citation to Exhibit 1011.

On August 5, 2014, counsel for the parties received an email from the Trial Paralegal, Ms. Althea Wilburn, notifying Petitioner that the uploaded version of the exhibit labeled Exhibit 1010 (337-TA-800 Comm'n Opinion (Public)) had been truncated, and requesting that Petitioner resubmit the complete exhibit. Affidavit ¶ 3. After investigating the truncated exhibit, counsel for Petitioners learned that the exhibit label for Exhibit 1010 (337-TA-800 Comm'n Opinion (Public)) was mistakenly reversed with the label for Exhibit 1011 (337-TA-800 ALJ's Initial Determination (Public)) and that a citation on page one of the Petition was incorrectly listed as Exhibit 1010 instead of Exhibit 1011. Affidavit ¶ 4.

Pursuant to instructions subsequently received from the Trial Paralegal, counsel for Petitioners is filing and serving three items today: (1) the present Motion to Correct Clerical Errors along with a supporting affidavit; (2) the complete versions of Exhibit 1010 and 1011 with corrected labels; and (3) the Second Corrected Petition. Affidavit ¶ 6.

To conform the numbering of these two exhibits with the Table of Exhibits and citations, Petitioner has resubmitted complete versions of Exhibit 1010 (337-TA-800 Comm'n Opinion (Public)) and Exhibit 1011 (337-TA-800 ALJ's Initial Determination (Public)) with corrected labels. Affidavit ¶ 8. In addition,

Petitioner has submitted a Second Corrected Petition to correct the citation error on page one of the petition. Affidavit ¶ 7. No other changes were made to the Petition. *Id.*

Neither the Patent Owner nor its counsel will be prejudiced by granting this motion to correct clerical errors. Counsel for Patent Owner was served complete, confidential versions of these publicly available documents in June and December of last year, long before this IPR was filed. Affidavit ¶ 9. In addition, the corrected petition contains no new arguments or evidence, makes no substantive changes to the petition, and corrects only a clerical error for the convenience of the Board and the parties. Affidavit ¶¶ 7-8. For the reasons stated above, Petitioner respectfully requests that this motion be granted.

Dated: Aug. 6, 2014

Respectfully submitted,  
/Charles M. McMahon/  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing **MOTION TO CORRECT CLERICAL ERRORS AND RESUBMIT EXHIBITS IN THE PETITION FOR *INTER PARTES* REVIEW** along with corrected Exhibits 1010 and 1011 have been served in their entirety on August 6, 2014, by electronic mail on the following counsel of record for Patent Owner IPR Licensing, Inc.:

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/s/ Charles M. McMahon  
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