

Petition for *Inter Partes* Review of  
Patent No. 6,628,314

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MATCH.COM LLC and PEOPLE MEDIA, INC.  
Petitioners

v.

B.E. TECHNOLOGY, L.L.C.  
Patent Owner

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IPR Case No.: To be Assigned

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**PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 6,628,314  
UNDER 35 U.S.C §§ 311-319 AND 37 C.F.R. §§ 42.1-80, 42.100-.123**

Mail Stop **Patent Board**  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

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## List of Exhibits

- Exhibit 1001: U.S. Patent No. 6,628,314 to Hoyle (“the ‘314 patent”)
- Exhibit 1002: Excerpted File History of the ‘314 Patent
- Exhibit 1003: U.S. Patent No. 5,933,811 to Angles et al., filed on August 20, 1996 and issued on August 3, 1999 (“Angles”)
- Exhibit 1004: U.S. Patent No. 5,809,242 to Shaw et al., filed on April 19, 1996 and issued on September 15, 1998 (“Shaw”)
- Exhibit 1005: Declaration of Robert J. Sherwood In Support Of This Petition (“Sherwood Decl.”)
- Exhibit 1006: U.S. Patent No. 7,225,142 to Apte et al., filed on August 1, 1996 and issued on May 29, 2007
- Exhibit 1007: U.S. Patent No. 6,141,010 to Hoyle, filed on July 17, 1998, and issued on October 31, 2000
- Exhibit 1008: Excerpted File History of U.S. Patent No. 6,141,010
- Exhibit 1009: The American Heritage Dictionary of the English Language (Anne H. Soukhanov et al., 3rd ed. 1992)

Match.com LLC and People Media, Inc. (“Petitioners”) petition for *inter partes* review under 35 U.S.C. §§ 311-319 and 37 C.F.R. § 42 of claims 11-13, 15, 18, and 20 of U.S. Patent No. 6,628,314 (“the ’314 Patent”) (PM - 1001 “Ex. 1001”) based on identical grounds as the pending IPR proceeding, IPR2014-00053.

For the exact same reasons previously considered by the Board, on the exact same schedule, Petitioners respectfully seek to join IPR2014-00053. In this petition, Petitioners assert verbatim only the arguments that the Board has already instituted in IPR2014-00053.

This petition does not add or alter any arguments that have already been considered by the Board, and this petition does not seek to expand the grounds of invalidity that the Boards has already found support institution of an IPR proceeding. Because this petition is filed within 30 days of the institution of IPR2013-00053, and because this petition is accompanied by a motion for joinder to the IPR, this petition is timely and proper under 35 U.S.C. § 315(c).

**I. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(A)(1)**

**A. Real Party-In-Interest under 37 C.F.R. § 42.8(b)(1)**

Match.com LLC and People Media, Inc. are the real parties-in-interest for this Petition.

**B. Related Matters under 37 C.F.R. § 42.8(b)(2)**

### **Current Litigation**

The '314 Patent is presently the subject of litigation in the following cases which may affect or be affected by a decision in this proceeding: *B.E. Technology, LLC v. Google Inc.*, W.D. Ten., No 2:12-cv-02830; *B.E. Technology, LLC v. Microsoft Corp.*, W.D. Ten., No 2:12-cv-02829; *B.E. Technology, LLC v. Apple, Inc.*, W.D. Ten., No 2:12-cv-02831; *B.E. Technology, LLC v. Twitter, Inc.*, W.D. Ten., No 2:12-cv-02783; *B.E. Technology, LLC v. People Media, Inc.*, W.D. Ten., No 2:12-cv-02833; *B.E. Technology, LLC v. Match.com LLC*, W.D. Ten., No 2:12-cv-02834; *B.E. Technology, LLC v. Pandora Media, Inc.*, W.D. Ten., No 2:12-cv-02782; *B.E. Technology, LLC v. LinkedIn Corp.*, W.D. Ten., No 2:12-cv-02772; *B.E. Technology, LLC v. Facebook, Inc.*, W.D. Ten., No 2:12-cv-02769; and *B.E. Technology, LLC v. Groupon, Inc.*, W.D. Ten., No 2:12-cv-02781.

### **Administrative Proceedings**

The '314 Patent is presently the subject of four instituted *inter partes* reviews: (1) *Facebook v. B.E. Technology, L.L.C.* (Case No. IPR2014-00053); (2) *Microsoft Corporation v. B.E. Technology, L.L.C.* (Case No. IPR2014-00039); (3) *Facebook v. B.E. Technology, L.L.C.* (Case No. IPR2014-00052); and (4) *Google Inc. v. B.E. Technology, L.L.C.* (Case No. IPR2014-00038). For the reasons expressed in the concurrently filed Motion for Joinder under 35 U.S.C. 315(c), 37 C.F.R. §§ 42.22 and 42.122(b), Petitioners seek joinder with IPR2014-00053.

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