

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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INTERNATIONAL BUSINESS MACHINES CORPORATION and  
ORACLE AMERICA, INC.  
Petitioners,

v.

ELECTRONICS AND TELECOMMUNICATIONS  
RESEARCH INSTITUTE,  
Patent Owner.

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Case IPR2014-00949  
Patent 6,978,346 B2

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**PETITIONERS INTERNATIONAL BUSINESS MACHINES  
CORPORATION AND ORACLE AMERICA, INC.'S UPDATED  
MANDATORY NOTICES PURSUANT TO 37 C.F.R. § 42.8(a)(3)**

Pursuant to 37 C.F.R. § 42.8(a)(3), Petitioners hereby submit the following updated Mandatory Notices in connection with the Petition for *Inter Partes* Review of U.S. Patent No. 6,978,346 (the “’346 patent”), Case No. IPR2014-00949.

**MANDATORY NOTICES UNDER 37 C.F.R. § 42.8 (a)(3)**

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

The real parties-in-interest are International Business Machines Corporation and Oracle America, Inc.

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

The ’346 patent is the subject of a number of civil actions in the District Court for Delaware: Civil Action Nos. 1-13-cv-01152; 1-13-cv-01151; 1-13-cv-01150; 1-13-cv-01088; 1-13-cv-01089; 1-13-cv-01090; 1-13-cv-00928; 1-13-cv-00927; 1-13-cv-00931; 1-13-cv-00932; 1-13-cv-00930; 1-13-cv-00929; 1-13-cv-00926; 1-12-cv-01629; 1-12-cv-01625; 1-12-cv-01627; 1-12-cv-01624; 1-12-cv-01628; and 1-12-cv-01626.

The ’346 patent is also the subject of IPR Case Nos. IPR2013-00635, IPR2014-00901, and IPR2014-00976.

**C. Lead and Back-up Counsel Under 37 C.F.R. § 42.8(b)(3)**

Petitioners provide the following designation of counsel.

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**D. Service Information Under 37 C.F.R. § 42.8(b)(4)**

Please address all correspondence to lead and back-up counsel.

Petitioners also consent to electronic service by email at [IBM-Safe-Storage-KEService@kirkland.com](mailto:IBM-Safe-Storage-KEService@kirkland.com).

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Dated: October 9, 2014

Respectfully submitted,

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### CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4)(i) *et seq.* and 42.105(b), the undersigned certifies that on October 9, 2014, a complete copy of this UPDATED MANDATORY NOTICES was provided by email, as consented to by counsel, to the Patent Owner by serving the counsel of record as follows:

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