UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS
AT&T MOBILITY LLC
Petitioners

V.

SOLOCRON MEDIA, LLC Patent Owner

Case IPR2015-00376 Patent No. 7,319,866

PETITION FOR INTER PARTES REVIEW OF U.S. PATENT NO. 7,319,866 UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.100 ET SEQ.

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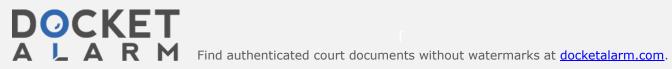
TABLE OF AUTHORITIES

	Page(s)
Cases	
Abbvie Inc. v. Mathilda & Terence Kennedy Inst. of Rheumatology, 764 F.3d 1366 (Fed. Cir. 2014)	24, 33
Bayer Schering Pharma AG v. Barr Labs., Inc., 575 F.3d 1341 (Fed. Cir. 2009)	33
Constant v. Advanced Micro-Devices, Inc., 848 F.2d 1560 (Fed. Cir. 1988)	2
Dystar Textilfarben GmbH & Co. Deutschland KG v. C.H. Patrick, 464 F.3d 1356 (Fed. Cir. 2006)	36
Geo M. Martin Co. v. Alliance Mach. Sys. Int'l LLC, 618 F.3d 1294 (Fed. Cir 2010)	11
In re Index Sys., 576 F. App'x 976 (Fed. Cir. 2014)	2, 24
KSR Int'l Co. v. Teleflex Co., 550 U.S. 398 (2007)	2, 33, 36
Leapfrog Enters., Inc. v. Fisher-Price, Inc., 485 F.3d 1157 (Fed. Cir. 2007)	5, 36
Lockwood v. Am. Airlines, Inc., 107 F.3d 1565 (Fed. Cir. 1997)	32
Monsanto Co. v. Mycogen Plant Sci., Inc., 261 F.3d 1356 (Fed. Cir. 2001)	21
<i>In re Mulder,</i> 716 F.2d 1542 (Fed. Cir. 1983)	22



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New Railhead Mfg., L.L.C. v. Vermeer Mfg. Co., 298 F.3d 1290 (Fed. Cir. 2002)	20
<i>In re NTP Inc.</i> , 654 F.3d 1268 (Fed. Cir. 2011)	20
Pfizer Inc. v. Teva Pharms. USA, Inc., 460 F. Supp. 2d 659 (D.N.J. 2006)	22
PowerOasis, Inc. v. T-Mobile USA, Inc., 522 F.3d 1299 (Fed. Cir. 2008)	7, 20, 32
Stored Value Solutions, Inc. v. Card Activation Techs. Inc., 499 F. App'x 5 (Fed. Cir. 2012)	9
Suffolk Techs., LLC v. AOL Inc., 752 F.3d 1358 (Fed. Cir. 2014)	10
Symantec Corp. v. Computer Assocs. Int'l, Inc., 522 F.3d 1279 (Fed. Cir. 2008)	16
Voter Verified, Inc. v. Premier Election Solutions, Inc., 698 F.3d 1374 (Fed. Cir. 2012)	10



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