

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARRIS GROUP, INC.
Petitioner

v.

C-CATION TECHNOLOGIES, LLC
Patent Owner

CASE IPR2015-00635
Patent 5,563,883

PATENT OWNER'S MOTION FOR DISCOVERY FROM PETITIONER

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Exhibit List

Exhibit #	Exhibit Description
C-Cation 2001	C-Cation Technologies, LLC's Proposed Discovery Request to Arris Group, Inc.
C-Cation 2002	Complaint, <i>C-Cation Techs., LLC v. Comcast Corp.</i> , No 2:11-cv-00030 (filed Jan. 21, 2011), D.I. 1.
C-Cation 2003	FORM 10-K for the fiscal year ended December 31, 2013 of Arris Group, Inc.
C-Cation 2004	Scheduling and Discovery Order, <i>C-Cation Techs., LLC v. Comcast Corp.</i> , No 2:11-cv-00030 (filed Oct. 3, 2012), D.I. 145.
C-Cation 2005	Defendant Comcast Cable's Supplemental Initial Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1), <i>C-Cation Techs., LLC v. Comcast Corp.</i> , No 2:11-cv-00030.
C-Cation 2006	"Arris Acquires Motorola Home: Creates Premier Video Delivery and Broadband Technology Company" (April 17, 2013), available at http://ir.arrisi.com/phoenix.zhtml?c=87823&p=irol-newsArticle&ID=1807670 .
C-Cation 2007	"Corporate Terms and Conditions of Sale," March 2012, available as of July 7, 2014 at http://moto.arrisi.com/_docs/EULA_Warranty.pdf .
C-Cation 2008	Transcript of June 26, 2014 Conference Call, IPR2014-00746.

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I. PRECISE RELIEF REQUESTED

Patent Owner C-Cation Technologies, LLC (“Patent Owner”) requests that the Board authorize certain narrowly targeted discovery from Petitioner Arris Group, Inc. (“Petitioner”) contained in Exhibit 2001, which consists of a single document request. *See* 37 C.F.R. §§ 42.51 (b)(2), 42.52(a). This motion is filed in accordance with the Board’s April 2, 2015 Order. (Paper No. 6.)

II. FACTUAL BACKGROUND

A. Patent Owner Seeks the Same Additional Discovery that the Board Already Ordered Petitioner to Provide in an Earlier Proceeding Initiated by Petitioner Concerning the Same Patent

This is the second request for *inter partes* review that Petitioner has filed against claims 1, 3, and 4 of U.S. Patent No. 5,563,883 (“the ’883 patent”).¹ On May 13, 2014, Petitioner filed IPR2014-00746, which requested review of claims 1, 3, 4, and 14. During the time period allotted for Patent Owner to prepare a preliminary response, Patent Owner sought limited additional discovery from Petitioner relating to whether the petition was time barred due to the Petitioner’s privity with an earlier litigant. The Board granted Patent Owner permission to file a motion for additional

¹ Overall, this is the third request for *inter partes* review that has been filed against the ’883 patent by the defendants in a co-pending district court litigation filed on February 4, 2014 and captioned *C-Cation Techs. v. Time Warner Cable Inc. et al.*, 14-cv-00059 (E.D. Tex.) (“Second Texas Action”).

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