

Petition for *Inter Partes* Review of  
U.S. Patent No. 7,617,073

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ServiceNow, Inc.  
Petitioner

v.

BMC Software, Inc.  
Patent Owner

U.S. Patent No. 7,617,073  
Filing Date: February 28, 2003  
Issue Date: November 10, 2009

TITLE: SYSTEM AND METHOD FOR ASSESSING AND  
INDICATING THE HEALTH OF COMPONENTS

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**PETITION FOR *INTER PARTES* REVIEW  
OF U.S. PATENT NO. 7,617,073**

*Inter Partes* Review No. 2015-01211

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U.S. Patent No. 7,617,073

**List of Exhibits**

| <b>Ex. No</b> | <b>Description of Document</b>  |
|---------------|---|
| <b>1001</b>   | U.S. Patent No. 7,617,073 to Jean-Marie Trinon et al.   |
| <b>1002</b>   | Declaration of Tal Lavian, Ph.D.  |
| <b>1003</b>   | U.S. Patent No. 7,600,007 to Lundy Lewis  |
| <b>1004</b>   | International Patent Application Pub. No. WO 00/72183 A2 to Lundy Lewis   |
| <b>1005</b>   | RFC 1067, A Simple Network Management Protocol (August 1988)  |
| <b>1006</b>   | Excerpts from Jill Huntington-Lee et al., <i>HP OpenView: A Manager's Guide</i> (1997)  |
| <b>1007</b>   | Excerpts from Joint Claim Construction and Prehearing Statement filed on April 17, 2015 in <i>BMC Software, Inc. v. ServiceNow, Inc.</i> , Case No. 14-CV-903 JRG (E.D. Tex.) |

Petition for *Inter Partes* Review of  
U.S. Patent No. 7,617,073

ServiceNow, Inc. (“Petitioner”) submits this Petition for *Inter Partes* Review of claims 1-4 of U.S. Patent No. 7,617,073 (Ex. 1001) (“’073 patent”).

**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)**

The Petitioner, ServiceNow, Inc., is the real party-in-interest.

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

The ’073 patent is the subject of one pending litigation involving the Petitioner: *BMC Software, Inc. v. ServiceNow, Inc.*, Case No. 14-CV-00903 JRG (E.D. Tex. Sept. 23, 2014), in which the patent owner contends that the Petitioner infringes certain claims of the ’073 patent.

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

Petitioner provides the following designation of counsel.

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