

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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**THE BOEING COMPANY,**

Petitioner

v.

**SEYMOUR LEVINE,**

Patent Owner

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Case No. **IPR2015-01341**

Patent No. RE39,618

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**PETITIONER'S LIST OF PROPOSED MOTIONS**

The Patent Trial and Appeal Board instituted an IPR trial in case number IPR2015-01341 on December 21, 2015 (Institution Decision, Paper 10). In advance of the initial conference call scheduled for Friday, January 15, 2016, Petitioner The Boeing Company hereby provides a list of the proposed motions it may file in the above-captioned *inter partes* review proceeding. Although motions to exclude evidence and motions for observation on cross examination have been authorized by the Board in the Scheduling Order (Paper 9 at 3–5), and motions for *pro hac vice* admission have been authorized in Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response (Paper 5 at 2), Petitioner identifies its proposed motions here to preserve the right to file them and to inform the Board of the motions it may file. Petitioner reserves the right to seek permission to file additional motions not listed below pursuant to the Board’s authorization.

### **PETITIONER’S PROPOSED MOTIONS**

1. Motions for *pro hac vice* admission<sup>1</sup>;

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<sup>1</sup> Petitioner filed motions for *pro hac vice* admission of Ted Dane and Peter Gratzinger of the law firm of Munger, Tolles & Olson LLP, along with the required updated Power of Attorney. *See* Papers 13–17. Messrs. Dane and Gratzinger represent The Boeing Company in concurrent litigation involving the same patent and technology, and they are familiar with the same as a result. Petitioner will attempt to confer with counsel for Patent Owner before the initial conference call regarding Patent Owner’s potential non-opposition to the admission of, and participation in the initial call by Messrs. Dane and Gratzinger.

2. Motion to submit supplemental information or, in the alternative, joinder;
3. Motions to exclude evidence;
4. Motions for observation on cross examination;
5. Motion to request oral argument/hearing;
6. Motions for additional discovery; and
7. Additional motions as permitted by the Board trial rules and procedures, or as authorized by the Board.

DATED: January 13, 2016

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the above-captioned PETITIONER THE BOEING COMPANY'S LIST OF PROPOSED MOTIONS, was served in its entirety on January 13, 2016, upon the following parties via email, pursuant to the parties' agreement concerning service:

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Dated: January 13, 2016

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