

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ASML NETHERLANDS B.V., EXCELITAS TECHNOLOGIES CORP., AND
QIOPTIQ PHOTONICS GMBH & CO. KG,
Petitioners,

v.

ENERGETIQ TECHNOLOGY, INC.,
Patent Owner.

Case IPR2015-01362
Patent 8,969,841

**PATENT OWNER'S MOTION TO EXPUNGE
AND REPLACE EXHIBIT 2066**

I. Statement of Precise Relief Requested

Pursuant to 37 C.F.R. §§ 42.6(d) and 42.7, Patent Owner Energetiq Technology, Inc. (“Energetiq”) requests that the Board expunge Exhibit 2066 and replace it with the attached Replacement Exhibit 2066.

Energetiq recently learned that Exhibit 2066, which it submitted with its Patent Owner Response on March 1, 2016, is incomplete. Specifically, Exhibit 2066 was supposed to be a public presentation with 30 slides. However, Energetiq inadvertently submitted only one slide from that presentation along with an annotated version of that slide.

Patent Owner hereby seeks permission to substitute a complete Replacement Exhibit 2066, submitted herewith, and requests that the prior copy of this exhibit be expunged from the record. Counsel for the Petitioner does not oppose this motion. On March 4, 2016, the Board approved Patent Owner’s request to file this motion.

Patent Owner submits this motion promptly after learning of the basis for the correction. Patent Owner further submits that granting this motion would cause no undue prejudice and would increase the accuracy and completeness of the evidentiary record before the Board.

II. Conclusion

For the foregoing reasons, Energetiq respectfully requests that the Board GRANT this Motion to Expunge and Replace Exhibit 2066.

Respectfully submitted,
Proskauer Rose LLP

/s/ Joseph A. Capraro Jr.
Joseph A. Capraro Jr.,
Reg. No. 36,471
Attorney for Patent Owner

Date: March 4, 2016
PROSKAUER ROSE LLP
One International Place
Boston, Massachusetts 02110

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of March, 2016 copies of this Motion to Expunge And Replace Exhibit 2066 and a copy of Replacement Exhibit 2066 are being served pursuant to 37 C.F.R. § 42.6 electronically (by consent of the parties) on the following email addresses for Petitioner:

Don.Steinberg@wilmerhale.com
David.Cavanaugh@wilmerhale.com
MichaelH.Smith@wilmerhale.com

Respectfully submitted,
Proskauer Rose LLP

/s/ Gerald E. Worth
Gerald E. Worth, Reg. No. 45, 238
Attorney for Patent Owner

Date: March 4, 2016
PROSKAUER ROSE LLP
One International Place
Boston, Massachusetts 02110