UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION

Petitioner

v.

BRADIUM TECHNOLOGIES LLC

Patent Owner

CASE: To Be Assigned

Patent No. 7,908,343 B2

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 7,908,343 B2

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EXHIBIT LIST

Ex. 1001   U.S. Patent No. 7,908,343 B2 to Levanon et al. ("the 343 Patent")

Ex. 1002   Declaration of Judea d'Arnaud, attaching the article *Maps Alive: Viewing Geospatial Information on the WWW*, Michael Potmesil, Computer Networks and ISDN Systems Vol. 29, issues 8-13, pp. 1327-1342 ("Potmesil") as Exhibit A.

Ex. 1003   PCT Publication No. WO 99/41675 to Cecil V. Hornbacker, III ("Hornbacker")

Ex. 1004   *An Integrated Global GIS and Visual Simulation System* by P. Lindstrom *et al*., Tech. Rep. GIT-GVU-97-07, March 1997 ("Lindstrom").

Ex. 1005   U.S. Pat. No. 5,682,441 to Adrianus Ligtenberg et al ("Ligtenberg")

Ex. 1006   U.S. Pat. No. 6,650,998 to Charles Wayne Rutledge et al ("Rutledge")

Ex. 1007   U.S. Pat. No. 6,118,456 to David G. Cooper ("Cooper")

Ex. 1008   WO 98/15920 to David Kelly Austreng ("Austreng")

Ex. 1009   Declaration of Prof. William R. Michalson

Ex. 1010   Provisional Applications to which the 343 Patent claims priority

Ex. 1011   EP1070290 to Cecil V. Hornbacker, III

Ex. 1012   U.S. Pat. No. 5,940,117 to Amer Hassan et al ("Hassan")

Ex. 1013   Numbering of Claim Elements of Challenged Claims of the 343 Patent

Ex. 1014   Declaration of Dr. Peter Lindstrom (including Exhibits A, B and C) regarding the publication of the 1997 article entitled "An Integrated Global GIS and Visual Simulation System" which is Ex. 1004 ("Lindstrom")

Ex. 1015   Declaration of Mr. Charles Randall Carpenter (including Exhibits A, B, C and D) regarding the publication of 1997 article entitled "An Integrated Global GIS and Visual Simulation System" which is Ex. 1004 ("Lindstrom")

I.   INTRODUCTION

Pursuant to 35 U.S.C. § 311 and 37 C.F.R. § 42.100, Microsoft Corporation ("Microsoft" or "Petitioner") petitions for *inter partes* review ("IPR") of claims 1-20 of U.S. Pat. No. 7,908,343 B2 ("the 343 Patent," Ex. 1001), currently owned by Bradium Technologies LLC ("Bradium" or "Patent Owner"). This Petition shows there is a reasonable likelihood that Petitioner will prevail with respect to at least one of the claims 1-20 challenged under 35 U.S.C. § 314(a). As demonstrated by a preponderance of the evidence in this Petition in compliance with 35 U.S.C. § 316(e), claims 1-20 are unpatentable under pre-AIA 35 U.S.C. §103. Petitioner respectfully requests the Office to institute a trial for IPR and to cancel claims 1-20. This Petition is a remedial measure for correcting the issuance of invalid claims in the original examination and is necessitated by Patent Owner's improper enforcement of the invalid claims.

II.   MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(B)

REAL PARTY IN INTEREST: Pursuant to 35 U.S.C. §312(a)(2) and 37 C.F.R. §42.8(b)(1), Petitioner Microsoft constitutes all real parties in interest for this proceeding. RELATED MATTERS: The 343 Patent and two other patents in the same family, U.S. Patent Nos. 7,139,794 and 8,924,506, are being asserted against Petitioner in an on-going patent infringement lawsuit brought by Patent Owner in *Bradium Techs. LLC* v. *Microsoft Corp.*, 1:15-cv-00031-RGA, filed in

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