

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. 8,924,506 B2

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 8,924,506 B2**

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EXHIBIT LIST

- Ex. 1001 U.S. Patent No. 8,924,506 B2 to Levanon et al. (“the 506 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 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 U.S. Pat. No. 5,940,117 to Amer Hassan et al (“Hassan”)
- Ex. 1009 Declaration of Prof. William R. Michalson
- Ex. 1010 Provisional Applications to which the 506 Patent claims priority
- Ex. 1011 EP1070290 to Cecil V. Hornbacker, III
- Ex. 1012 Numbering of Claim Elements of Challenged Claims of the 506 Patent
- Ex. 1013 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. 1014 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 1-21 of U.S. Pat. No. 8,924,506 B2 (“the 506 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 1-21 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 1-21 are unpatentable under pre-AIA 35 U.S.C. §103. Thus, Petitioner respectfully requests the Office to institute a trial for *inter partes* review and to cancel claims 1-21. 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 506 Patent and two other patents in the same family, U.S. Patent Nos. 7,139,794 and 7,908,343, are being asserted against Petitioner in an on-going patent infringement lawsuit in *Bradium Techs. LLC v.*

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