

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RPX CORPORATION,
Petitioner

v.

APPLICATIONS IN INTERNET TIME LLC,
Patent Owner.

Case IPR2015-01750
US Patent No. 8,484,111

Case IPR2015-01751
Case IPR2015-01752
Patent 7,356,482 B2

PATENT OWNER'S REQUESTS FOR PRODUCTION TO RPX CORP.

Patent Owner Applications in Internet Time LLC (“AIT”) requests that Petitioner RPX Corporation (“RPX”) produce the following documents and things.

INSTRUCTIONS

In responding to and producing documents and things responsive to these Requests, RPX must comply with the instructions in the Office Patent Trial Practice Guide.

1. If RPX is aware of any responsive documents but cannot produce them because they have been lost or destroyed or are no longer in RPX’s possession, custody, or control, RPX should identify those documents. Identify any responsive documents of which RPX is aware but cannot produce because they have been lost or destroyed or are no longer in Petitioner’s possession, custody, or control.

2. If RPX finds the meaning of any term in the Requests unclear, RPX should assume a reasonable meaning, state what the assumed meaning is, and produce documents and things on the basis of that assumed meaning.

Unless otherwise stated, the requests seek documents and things created from 2013 to the present.

DEFINITIONS

1. “Document” has the broadest meaning accorded to it by FED. R. Civ. P. 34.
2. The term “Salesforce” means salesforce.com, inc.
3. The term “Related IPR Proceedings” means Case Nos. IPR2015-01750, IPR2015-01751 and IPR2015-01752.
4. The term “Challenged Patents” means the following patents which are the subject of the IPR proceedings: U.S. Patent Nos. 7,356,482 and 8,484,111.
5. The term “Salesforce Litigation” means the litigation styled *Applications in Internet Time LLC v. Salesforce.com, Inc.*, No. 3:13-cv-628-RCJ-VPC (D. Nev.).
6. The term “communications” means the transmission or receipt of information of any kind through any means (e.g. email, voicemail, audio, computer readable media, or orally).
7. The term *ParkerVision* means *Farmwald v ParkerVision, Inc.*, Case IPR2014-00946, Case IPR2014-00947 and Case IPR2014-00948 (February 20, 2015).

REQUESTS FOR PRODUCTION

Request No. 1: Documents sufficient to show Salesforce’s relationship to RPX, such as membership or client agreements, and renewals.

Request No. 2: Documents sufficient to show RPX's annual billings to Salesforce and the services associated with those billings.

Request No. 3: Communications between RPX and Salesforce, and their respective attorneys and agents, relating to the Challenged Patents, the Related IPR Proceedings, or the Salesforce Litigation, whether by name, code name or euphemism.

Request No. 4: Documents sufficient to show the names, dates, locations and times of any meetings or communications between Salesforce and RPX, or their attorneys, after the Salesforce Litigation began, unless produced under a prior request herein.

Request No. 5: Communications between RPX or its attorneys and any third party, dated prior to the filing of the petitions in the Related IPR Proceedings and related to the Challenged Patents. Excluded third parties: Salesforce, Salesforce's attorneys, and prospective expert witnesses.

Request No. 6: All documents showing why RPX decided to challenge the Challenged Patents, unless produced under a prior request herein.

Request No. 7: Documents, such as invoices, sufficient to show all funds or consideration provided to RPX with the purpose of funding the Related IPR Proceedings, including dates and source of funds, unless produced under a prior request herein.

Request No. 8: Documents sufficient to show how Sanford R. Robertson separates his fiduciary duties to RPX and Salesforce despite serving simultaneously as a Board Member of RPX and as a Board Member of Salesforce.

Request No. 9: Those portions of any deposition transcripts in *ParkerVision* relating to the issue of real party in interest (e.g., Mr. Brodsky).

Request No. 10: Documents discussing any efforts by RPX to shield its clients from being named as real parties in interest in *inter parte* reviews and covered business method patent reviews, after the Board denied the petitions in *RPX Corp. v. VirnetX, Inc.*, IPR2014-00171 (June 23, 2014) and before the filing of the petitions in the Related IPR Proceedings.

Date:

Respectfully Submitted,

By:

Steven Sereboff (Reg. No. 37,035)

ssereboff@socalip.com

M. Kala Sarvaiya (Reg. No. 58,912)

ksarvaiya@socalip.com

SoCal IP Law Group LLP

310 N. Westlake Boulevard, Suite 120

Westlake Village, CA 91362

Telephone: (805) 230-1350

Fax: (805) 230-1355

*Attorneys for Applications In Internet
Time LLC*

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