

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ACTIVISION BLIZZARD, INC.,  
ELECTRONIC ARTS INC.,  
TAKE-TWO INTERACTIVE SOFTWARE, INC.,  
2K SPORTS, INC., ROCKSTAR GAMES, INC., and  
BUNGIE, INC.,  
Petitioners,

v.

ACCELERATION BAY, LLC,  
Patent Owner.

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Case IPR2015-01972<sup>1</sup>  
Patent No. 6,701,344 B1

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Before the Honorable SALLY C. MEDLEY, LYNNE E. PETTIGREW, and  
WILLIAM M. FINK, *Administrative Patent Judges*.

**PETITIONERS' CONSOLIDATED RESPONSE TO  
PATENT OWNER'S IDENTIFICATION OF ARGUMENTS EXCEEDING  
THE PROPER SCOPE OF REPLY**

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<sup>1</sup> Bungie, Inc., who filed Petition IPR2016-00934, has been joined as a petitioner in  
this proceeding.

Pursuant to the Board's October 25, 2016 Order (Pap. 63), Petitioners identify the following portions of the Petition (Pap. 2, "Pet.") and Patent Owner Response (Pap. 31, "POR"),<sup>2</sup> as applicable, that caused Petitioners to include in their Reply the items identified by Patent Owner (Pap. 68).<sup>3</sup>

- (1) *E.g.*, Pet., 19:10; POR., 1:2-14, 23:13-24:7, 25:4-7.
- (2) *See* (1), above.
- (3) *See* (1), above.
- (4) *E.g.*, POR, 2:10-13, 10:14-11:3, 19:14-16, 20:12-14, 36:2-6, 38:22-39:2, 39:8-12, 40:12-13, 42:5-10, 43:14-15, 44:1-5, 44:19-45:1, 52:1-3, 52:7-10, 55:8-12, 64:7-9.
- (5) *E.g.*, POR, 42:16-43:6, 55:19-56:9.
- (6) *E.g.*, POR, 43:14-44:1, 44:19-45:1, 45:5-6.
- (7) *E.g.*, Pet., 58:6-11; POR, 47:19-48:1.
- (8) *E.g.*, Pet, 58:6-11; POR, 47:4-8, 47:19-48:11, 48:13-17, 49:1-6, 49:12-50:7, 50:12-14, 51:5-10.

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<sup>2</sup> Citations to papers are formatted as page:line number.

<sup>3</sup> Petitioners note that, pursuant to the Board's October 25, 2016 Order, Petitioners do not include citations identifying how the exhibits identified by Patent Owner ("PO") are responsive to PO's Contingent Motion to Amend.

- (9) *See* (8), above.
- (10) *See* (8), above.
- (11) *E.g.*, Pet., 58:12-17; POR, 15:15-16, 16:2-3, 51:19-52:2.
- (12) *E.g.*, POR, 51:14-16, 52:19-53:12; *see also* (11), above.
- (13) *E.g.*, Pet., 1:18-2:2, 20:6-21:13, 22:13-20, 23:6-10, 25:3-6, 25:10-11, 26:10-27:2; POR, 54:16-20.
- (14) **Exs1126, 1136-38, 1141**: *see* (1), above; **Exs1128, 1030-33, 1144, 1149-51**: *see* (4), above; **Ex1129**: *see* (6), above; **Ex1134**: *see* (1), above (re: Exs1126, 1136-38, 1141), *see* (4), above (re: Exs1128, 1130-33, 1144, 1149-51), *see* (6), above (re: Ex1129), *e.g.*, POR, 8:1, 10:11, 14:6, 14:11, 15:7, 15:10, 36:20, 37:3, 42:16, 48:8, 49:9, 55:19 (re: Ex1139); **Ex1139**: *e.g.*, POR, 8:1, 10:11, 14:6, 14:11, 15:7, 15:10, 36:20, 37:3, 42:16, 48:8, 49:9, 55:19.

Respectfully submitted, by: /J. Steven Baughman/  
J. Steven Baughman (lead counsel)

November 4, 2016

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing PETITIONERS' CONSOLIDATED RESPONSE TO PATENT OWNER'S IDENTIFICATION OF ARGUMENTS EXCEEDING THE PROPER SCOPE OF REPLY was served on November 4, 2016 in its entirety by causing the aforementioned document to be electronically mailed, pursuant to the parties' agreement, to the following attorneys of record:

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Dated: November 4, 2016

/s/ Ginny Blundell  
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