

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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.

Case IPR2015-01996¹
Patent No. 6,829,634 B1

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**

¹ Bungie, Inc., who filed a Petition in IPR2016-00964, has been joined as a
petitioner in this proceeding.

Pursuant to the Board's October 25, 2016 Order (Pap. 60), Petitioners identify the following portions of the Petition (Pap. 2, "Pet.") and Patent Owner Response (Pap. 33, "POR"),² as applicable, that caused Petitioners to include in their Reply the items identified by Patent Owner (Pap. 65).³

- (1) *E.g.*, Pet., 17:17; POR, 1:2-13, 16:9-17:4, 17:17-20.
- (2) *See* (1), above.
- (3) *E.g.*, POR, 2:12-14, 5:6-10, 8:17-9:6, 12:13-15, 22:12-15, 26:4-7, 27:14-28:2, 28:9-12, 14-17, 42:1-6, 48:7-9, 52:15-53:5, 63:14-15.
- (4) *E.g.*, POR, 2:10-12, 22:5-10, 26:8-18; *see also* (3), above.
- (5) *E.g.*, Pet., 56:25-57:4; POR, 30:18-32:6.
- (6) *E.g.*, POR, 2:10-12, 22:5-10, 30:18-32:6.
- (7) *E.g.*, Pet., 57:14-58:3; POR, 33:3-11.
- (8) *E.g.*, POR, 34:3-11.
- (9) *E.g.*, POR, 34:12-35:7; *see also* Pet., 19:4-6.
- (10) *E.g.*, Pet., 32:14-18, 37:16; POR, 33:3-5.

² Citations to Pet. and POR are formatted as page:line number.

³ 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.

- (11) *E.g.*, POR, 41:15-42:6, 44:3-9.
- (12) *E.g.*, POR, 48:16-49:7, 51:7-12; *see also* (7), above.
- (13) *See* (3), above.
- (14) *E.g.*, Pet., 1:17-2:2; 18:6-19:20, 21:1-6, 21:17-20, 23:15-18, 24:2-3, 24:7-19;
POR, 52:5-14, 53:2-12.
- (15) *E.g.*, POR, 53:12-54:2.
- (16) **Exs1126, 1136-38, 1141**: *see* (1), above; **Exs1128, 1130-33, 1144, 1149-51**:
see (3), above; **Ex1129**: *see* (11), above; **Ex1134**: *see* (1), above (re:
Exs1126, 1136-38, 1141), *see* (3), above (re: Exs1128, 1130-33, 1144, 1149-
51), *see* (11), above (re: Ex1129), *see* (9), above (re: Ex1139); **Ex1139**: *see*
(9), above; **Exs1142-43**: not exhibits in this proceeding.

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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