

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION

Petitioner

v.

BRADIUM TECHNOLOGIES LLC

Patent Owner

PTAB Case No. IPR2016-00449

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. 7,908,343 B2 to Levanon et al. (“the 343 Patent”)
- Ex. 1002 U.S. Patent No. 8,924, 506 B2 to Levanon et al. (“the 506 Patent”)
- Ex. 1003 PCT Publication No. WO 99/41675 to Cecil V. Hornbacker, III (“Hornbacker”)
- Ex. 1004 Reddy *et al.*, “TerraVision II: Visualizing Massive Terrain Databases in VRML,” IEEE Computer Graphics and Applications March/April 1999, pp. 30-38 (“Reddy” with added paragraph numbers by Petitioner for ease of reference in the Petition)
- Ex. 1005 Declaration of Prof. William R. Michalson (“Michalson Decl.”) with Appendices
- Ex. 1006 EP1070290 to Cecil V. Hornbacker, III
- Ex. 1007 Printout of IEEE Explore citations to Reddy *et al.* (Ex. 1004)
- Ex. 1008 Printout of Google Scholar citations to Reddy *et al.* (Ex. 1004)
- Ex. 1009 Cover page and authenticating declaration of Reddy *et al.* (Ex. 1004) from British Library
- Ex. 1010 Cover page of Reddy *et al.* (Ex. 1004) from Linda Hall Library
- Ex. 1011 Proof of Service dated Jan. 12, 2015 in Case No. 15-cv-00031-RGA, *Bradium Technologies, LLC v. Microsoft Corp.*

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. 1002), currently owned by
5 Bradium Technologies LLC (“Bradium” or “Patent Owner”). This Petition shows that 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 this Petition, claims 1-21 are unpatentable under pre-AIA 35 U.S.C. §103.

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

10 REAL PARTY IN INTEREST: Petitioner is the only real party in interest and there are no other real parties in interest under 35 U.S.C. §312(a)(2) and 37 C.F.R. §42.8(b)(1).

RELATED MATTERS: The 506 Patent and two other patents in the same family, U.S. Patent Nos. 7,139,794 B2 and 7,908,343 B2, are being asserted
15 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 on Jan. 9, 2015. Petitioner previously filed petitions for IPR of the 343 Patent and 506 Patent, IPR2015-01434 and IPR2015-01435, respectively, which were denied on Dec. 23, 2015. This Petition is a second IPR petition on the 506 Patent. In addition,
20 Petitioner is pursuing separate IPR petitions for the 343 and 794 Patents.

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