

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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SIRIUS XM RADIO INC.,  
Petitioner,

v.

FRAUNHOFER-GESELLSCHAFT ZUR FÖRDERUNG DER  
ANGEWANDTEN FORSCHUNG E.V.,  
Patent Owner.

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Case IPR2018-00681  
Patent No. 7,061,997

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**PATENT OWNER'S MOTION FOR DISTRICT COURT-TYPE CLAIM  
CONSTRUCTION IN ACCORDANCE WITH 37 C.F.R. § 42.100(b)**

***Mail Stop "PATENT BOARD"***  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

## I. AUTHORIZATION AND RELIEF REQUESTED

Patent Owner respectfully requests a district-court type claim construction approach to be applied in this proceeding, in accordance with 37 C.F.R. § 42.100(b). The Board authorized Patent Owner to file this motion in an email dated June 6, 2018.

## II. CERTIFICATION

Patent Owner certifies that U.S. Patent No. 7,061,997 (“the ‘997 patent”) expires within 18 months from the entry of the Notice of Filing Date Accorded to Petition. The Notice of Filing Date Accorded to Petition was entered on March 8, 2018. Paper No. 4. The ‘997 patent expired on April 14, 2018.

Date: June 8, 2018

Respectfully submitted,

/s/ Ben J. Yorks

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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on June 8, 2018, a copy of the foregoing document **PATENT OWNER'S MOTION FOR DISTRICT COURT-TYPE CLAIM CONSTRUCTION IN ACCORDANCE WITH 37 C.F.R. § 42.100(b)** was served, by electronic mail, as agreed to by the parties, upon the following:

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By:     /s/ Susan Langworthy      
Susan Langworthy