

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. IPR2016-01897

Patent No. 9,253,239 B2

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 9,253,239 B2**

Bromium Exhibit 2031

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EXHIBIT LIST

- Ex.1001 U.S. Patent No. 9,253,239 B2 to Levanon et al. (“the 239 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.”)
- 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 First Amended Complaint Dated March 14, 2016 in Case No. 15-cv-00031-RGA, *Bradium Technologies, LLC v. Microsoft Corp.*
- Ex.1012 U.S. Patent No. 7,908,343 (“the 343 Patent”)
- Ex.1013 File History of 239 Patent
- Ex.1014 U.S. Patent No. 6,728,960 (“Loomans”)
- Ex.1015 Provisional App. No. 60/109,077 (“Loomans Provisional”)
- Ex.1016 International Publication No. WO 98/15920 (“Austreng”)

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 1-25 of U.S. Patent No.9,253,239 (the “239 Patent,” Ex.1001), owned by Bradium Technologies LLC (“Bradium” or “Patent Owner”).

The 239 Patent attempts to broadly claim a well-known concept in the art of dividing large sets of imagery (such as geographic imagery) into “image parcels” at varying levels of detail to allow users to browse such imagery online. The cited Reddy and Hornbacker show how this concept was well-known and documented in detail before the priority date of the 239 Patent.

This Petition demonstrates that Claims 1-25 are unpatentable under pre-AIA 35 U.S.C. §103.

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

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 239 Patent and three other patents in the same family, U.S. Patent Nos.7,139,794 B2, 7,908,343 B2, and 8,924,506 B2, are being asserted against Petitioner in an on-going patent infringement lawsuit brought by Patent Owner in *Bradium Techs. v. Microsoft*, 1:15-cv-00031-RGA, filed January

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