

Petition re U.S. Pat. 6,771,290 (Claims 2-3)

Paper No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Samsung Electronics America, Inc.
Petitioner,

v.

B.E. Technology, LLC
Patent Owner

Patent No. 6,771,290 (Claims 2-3)

Issued: August 3, 2004

Filed: April 11, 2001

Inventors: Martin David Hoyle

Title: COMPUTER INTERFACE METHOD AND APPARATUS WITH
PORTABLE NETWORK ORGANIZATION SYSTEM AND TARGETED
ADVERTISING

Inter Partes Review No. 2014-00044

PETITION FOR INTER PARTES REVIEW

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I. Compliance with Requirements of an *Inter Partes* Review Petition

A. Certification that the Patent May Be Contested via *Inter Partes* Review by the Petitioner (37 CFR §§ 42.101 and 42.104)

Petitioner certifies that U.S. Patent No. 6,771,290 (“the ’290 patent”, [Ex. 1001]) is available for review and that Petitioner is not barred or estopped from requesting *inter partes* review of any of the claims of the ’290 patent. Neither Petitioner, nor Petitioner’s real party in interest, nor any privy of Petitioner: (a) has filed a civil action challenging the validity of any of the claims of the ’290 patent; (b) has been served a complaint alleging infringement of the ’290 patent more than a year prior to the present date; or (c) is estopped from challenging any of the claims of the ’290 patent.

B. Fee for *Inter Partes* Review (37 CFR § 42.15(a))

The Director is authorized to charge the fee specified by 37 CFR § 42.15(a) to Deposit Account No. 50-2775, which fee is believed to be \$23,000. Any necessary additional fees may be charged to Deposit Account No. 50-2775.

C. Mandatory Notices (37 CFR § 42.8(b))

1. Real Party in Interest (37 CFR § 42.8(b)(1))

The real party of interest of this petition is *Samsung Electronics America, Inc.* having an address of 85 Challenger Road, Ridgefield Park, NJ, 07660, United States, (“Samsung”). Samsung is in privity with *Samsung Telecommunications America, LLC*, having an address of 1301 East Lookout Drive, Richardson, TX

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75082, United States. No other entity is a real party of interest or a privy for purposes of this petition.

2. Other Proceedings (37 CFR § 42.8(b)(2))

The '290 patent has been asserted in the United States District Court for the Western District of Tennessee (the "Tennessee litigation") as shown below:

- B.E. Technology, LLC v. Samsung Electronics America, Inc. (Civil Action No. 2:12-cv-2825- JMP-tmp)
 - Complaint served on Samsung Electronics America, Inc. on October 9, 2012. [Ex. 1003]
- B.E. Technology, LLC v. Samsung Telecommunications America, LLC (Civil Action No. 2:12-cv-2824- JMP-tmp)
 - Complaint served on Samsung Telecommunications America, LLC on October 9, 2012. [Ex. 1004]
- B.E. Technology, LLC v. Amazon Digital Services, Inc. (Civil Action No. 2:12-cv-2767-JMP-tmp)
- B.E. Technology, LLC v. Barnes & Noble, Inc. (Civil Action No. 2:12-cv-2823- JMP-tmp)
- B.E. Technology, LLC v. Sony Computer Entertainment America LLC (Civil Action No. 2:12-cv-2826- JMP-tmp)

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