

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

B.E. TECHNOLOGY, L.L.C.,

Plaintiff,

v.

SAMSUNG TELECOMMUNICATIONS
AMERICA, LLC,

Defendant.

Civil Action No. 12-cv-02824-JPM-cgc

JURY TRIAL DEMANDED

B.E. TECHNOLOGY, L.L.C.,

Plaintiff,

v.

SAMSUNG ELECTRONICS AMERICA
INC.,

Defendant.

Civil Action No. 12-cv-02825-JPM-tmp

JURY TRIAL DEMANDED

NOTICE OF CORRECTION

Defendants Samsung Electronics America, Inc. (“SEA”) and Samsung Telecommunications America, LLC (“STA”, collectively, with SEA, “Samsung”) notify the Court that the Memorandum in Support of their Motion to Stay Pending *Inter Partes* Review filed with the Court on November 22, 2013 [Case No. 2:12-cv-2824 (Doc. 63-1); Case No. 2:12-cv-2825 (Doc. 66-1)] contains a time-period miscalculation that warrants correction. The miscalculation was made in the following two sentences of the Memorandum:

- “If B.E. chooses to file a preliminary response to any of the petitions against the ’290 patent, B.E. must file such a response *within three months of being served with the petition—i.e., between January 7 and January 9, 2014*, depending on the petition. See 35 U.S.C. § 313; 37 C.F.R. § 42.107(b).” (Samsung’s Memo. in Support of Mot. to Stay Pending *Inter Partes* Review, at 4 (emphasis added));

- “[t]he PTO is statutorily obligated to grant or deny each of Defendants’ petitions within six months of its filing—i.e., *between April 7 and April 9, 2014*. 35 U.S.C. § 314(b).” (*Id.* (emphasis added)).

The corrected Memorandum—attached hereto—will replace those statements with a statement that B.E.’s response is due “no later than three months after the date of a notice indicating that the request to institute an *inter partes* review has been granted a filing date.” 37 CFR 42.107(b).

It will also state that B.E.’s response is thus due on January 15, 2014, and that, as a result, the PTO’s decision granting or denying the petitions is due by April 15, 2014.

Samsung hereby re-files the Memorandum in Support of their Motion to Stay Pending *Inter Partes* Review (attached hereto).

DATE: November 29, 2013

Respectfully submitted,

/s/ Jonathan E. Nelson

Shepherd D. Tate (TN BPR #05638)
Jonathan E. Nelson (TN BPR #028029)
BASS, BERRY & SIMS, PLC
100 Peabody Place, Suite 900
Memphis, Tennessee 38103
Telephone: (901) 543-5900
Facsimile: (901) 543-5999
Email: state@bassberry.com
jenelson@bassberry.com

Richard C. Pettus (admitted *pro hac vice*)
Joshua Raskin (admitted *pro hac vice*)
Justin A. MacLean (admitted *pro hac vice*)
GREENBERG TRAUERIG, LLP
200 Park Avenue
New York, NY 10166
Telephone: (212) 801-9200
Facsimile: (212) 801-6400
Email: pettusr@gtlaw.com
raskinj@gtlaw.com
macleanj@gtlaw.com

Nicholas A. Brown (admitted *pro hac vice*)
GREENBERG TRAUERIG, LLP

4 Embarcadero Center, Suite 3000
San Francisco, CA 94111
Telephone: (415) 655-1300
Facsimile: (415) 707-2010
Email: brownn@gtlaw.com

*Attorneys for Defendants, Samsung Electronics
America, Inc. and Samsung Telecommunications
America, LLC*

CERTIFICATE OF SERVICE

The foregoing document was filed under the Court's CM/ECF system, automatically effecting service on counsel of record for all other parties who have appeared in this action on the date of such service.

/s/ Jonathan Nelson _____

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