

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

**B.E. Technology, L.L.C.,**

**Plaintiff,**

**v.**

**Sony Computer Entertainment America,  
LLC,**

**Defendant.**

**Civil Action No. 12-cv-02826-JPM-  
tmp**

---

**B.E. Technology, L.L.C.,**

**Plaintiff,**

**v.**

**Sony Mobile Communications (USA) Inc.,**

**Defendant.**

**Civil Action No. 12-cv-02827-JPM-  
tmp**

---

**B.E. Technology, L.L.C.,**

**Plaintiff,**

**v.**

**Sony Electronics Inc.**

**Defendant.**

**Civil Action No. 12-cv-02828-JPM-  
tmp**

**JOINT MOTION AND SUPPORTING MEMORANDUM OF PLAINTIFF B.E.  
TECHNOLOGY, LLC AND DEFENDANTS SONY COMPUTER  
ENTERTAINMENT AMERICA, LLC, SONY MOBILE COMMUNICATIONS  
(USA) INC. AND SONY ELECTRONICS INC. TO MODIFY CERTAIN LOCAL  
PATENT RULES DEADLINES**

Plaintiff B.E. Technology, LLC (“plaintiff”) and defendants. Sony Computer Entertainment America, LLC, Sony Mobile Communications (USA) Inc. and Sony Electronics Inc. (“Sony” or “defendants”) jointly move the Court to enter the accompanying proposed Order, modifying the deadlines for four events under the Local Patent Rules (LPR’s) in this action. The same modifications are being jointly requested in the proposed case schedule that has been submitted at the Court’s direction for the July 26, 2013 initial case management conference.

Specifically, the parties move to modify deadlines for (a) service of non-infringement contentions as well as the production of related documents (LPR 3.3-3.4); (b) service of invalidity and unenforceability contentions and production of related documents (LPR 3.5-3.6); (c) service of validity and enforceability contentions (LPR 3.7); (d) and the parties’ exchange of preliminary patent claim terms to be construed (LPR 4.1(a)).

The parties respectfully request the following modifications to the Local Patent Rules schedule, measured from July 19, 2013, the date of entry of the last Order ruling on a motion to transfer venue in the respective B.E. Technology matters (the “Last Order”):

<b>Event</b>	<b>Proposed Deadline</b>	<b>Original Deadline (per Local Patent Rules)</b>
<b>Initial Non-Infringement Contentions &amp; Production</b>	August 19, 2013 (30 days from the Last Order)	LPR 3.3-3.4 (28 days after Initial Infringement contentions)
<b>Initial Invalidity and Unenforceability Contentions</b>	September 17, 2013 (60 Days after Last Order)	LPR 3.5-3.6 (90 days from Responsive Pleading)
<b>Prelim. ID of terms for construction</b>	September 23, 2013 (65 Days after Last Order)	LPR 4.1(a) (95 days from Responsive Pleading)
<b>Validity and Enforceability Contentions</b>	October 29, 2013 (102 Days after Last Order (i.e., 42 Days after Initial Invalidity & Unenforceability Contentions))	3.7 (21 days after Initial Invalidity and Unenforceability Contentions)

On January 7, 2013 Plaintiff served Initial Infringement Contentions. A stay of proceedings in the present matter was ordered on February 11, 2013. *See* Docket Entry Nos. 30, 31 and 35 in the respective dockets captioned above. On July 19, 2013, the stay in the present action was lifted. *See* Docket Entry Nos. 39, 40, and 44.

The present modifications are requested to harmonize the schedules in the co-pending B.E. Technology matters. The parties' request is consistent with modifications jointly requested by plaintiff and other defendants in previous motions in co-pending B.E. Technology matters before this Court. *See, e.g., B.E. Technology, LLC v. Google Inc.*, Case No. 2:12-cv-02830-JPM-tmp, Docket Entry #47 (June 19, 2013). As noted above, the same modifications are being jointly requested in the proposed case schedule that has been submitted at the Court's direction for the July 26, 2013 initial case management conference.

OF COUNSEL

/s/ John Flock (per Consent GGR)

John Flock  
jflock@kenyon.com  
Michael E. Sander  
msander@kenyon.com  
KENYON & KENYON LLP  
One Broadway  
New York, NY 10004-1007  
212.425.7200

***Attorneys for Defendants Sony Computer Entertainment America LLC, Sony Mobile Communications (USA) Inc., and Sony Electronics Inc.***

Respectfully submitted,

/s/ Glen G. Reid, Jr.

Glen G. Reid, Jr. (#8184)  
WYATT, TARRANT & COMBS, LLP  
1715 Aaron Brenner Drive, Suite 800  
Memphis, TN 38120-4367  
Phone: 901.537.1000  
Facsimile: 901.537.1010  
greid@wyattfirm.com

/s/ Mark Vorder-Bruegge, Jr. (per Consent GGR)

Mark Vorder-Bruegge, Jr. (#06389)  
WYATT, TARRANT & COMBS, LLP  
1715 Aaron Brenner Drive, Suite 800  
Memphis, TN 38120-4367  
Phone: 901.537.1000  
Facsimile: 901.537.1010  
mvorder-bruegge@wyattfirm.com

s/ Richard M. Carter (per Consent GGR)

Richard M. Carter (TN B.P.R. #7285)  
Adam C. Simpson (TN B.P.R. #24705)  
MARTIN, TATE, MORROW & MARSTON, P.C.  
6410 Poplar Avenue, Suite 1000  
Memphis, TN 38119-4839  
Telephone: (901) 522-9000  
Facsimile: (901) 527-3746  
rcarter@martintate.com  
asimpson@martintate.com

Attorneys for Plaintiff  
B.E. Technology, L.L.C.

**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/Glen G. Reid Jr.  
Glen G. Reid, , Jr.

60420714.2