

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TOSHIBA CORPORATION; TOSHIBA AMERICA, INC.;  
TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.; AND  
TOSHIBA AMERICA INFORMATION SYSTEMS, INC.  
Petitioner

v.

INTELLECTUAL VENTURES II LLC  
Patent Owner

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Case IPR2014-00201  
Patent 6,618,788

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Mailed: December 17, 2013

Before Lawrence J. Banks, *Trial Paralegal*.

NOTICE OF FILING DATE ACCORDED TO PETITION  
AND  
TIME FOR FILING PATENT OWNER PRELIMINARY RESPONSE

The petition for *inter partes* review in the above proceeding has been accorded the filing date of November 27, 2013.

Administrative Patent Judge Kevin F. Turner has been designated to manage the proceeding. 37 C.F.R. § 42.5.

A review of the petition identified the following defect(s):

1.) Improper usages of claim charts: Although claim charts are permitted, the purpose of claim charts is to assist petitioners to specify where each claim limitation is found in the prior art references relied upon. Claim charts should be presented in a readable manner and be *free* from attorney argument.

Petitioner must correct the defect(s) within **FIVE BUSINESS DAYS** from this notice. Failure to correct the defect(s) may result in an order to show cause as to why the Board should institute the trial. No substantive changes (e.g., new grounds) may be made to the petition.

Patent Owner may file a preliminary response to the petition no later than three months from the date of this notice. The preliminary response is limited to setting forth the reasons why the requested review should not be instituted. Patent Owner may also file an election to waive the preliminary response to expedite the proceeding. For more information, please consult the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756 (Aug. 14, 2012), which is available on the Board Web site at <http://www.uspto.gov/PTAB>.

Patent Owner is advised of the requirement to submit mandatory notice information under 37 C.F.R. § 42.8(a)(2) within 21 days of service of the petition.

The parties are encouraged to use the heading on the first page of this Notice for all future filings in the proceeding.

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The parties are advised that under 37 C.F.R. § 42.10(c), recognition of counsel *pro hac vice* requires a showing of good cause. The parties are authorized to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c). Such motions shall be filed in accordance with the “Order -- Authorizing Motion *for Pro Hac Vice* Admission” in Case IPR2013-00639, Paper 7, a copy of which is available on the Board Web site under “Representative Orders, Decisions, and Notices.”

The parties are reminded that unless otherwise permitted by 37 C.F.R. § 42.6(b)(2), all filings in this proceeding must be made electronically in the Patent Review Processing System (PRPS), accessible from the Board Web site at <http://www.uspto.gov/PTAB>.

If there are any questions pertaining to this notice, please contact Lawrence J. Banks at 571-272-3450 or the Patent Trial and Appeal Board at 571-272-7822.

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PETITIONER:

Brent Yamashita  
Gerald T. Sekimura  
DLA PIPER LLP (US)  
200 University Avenue  
East Palo Alto, CA 94303  
brent.yamashita@dlapiper.com  
gerald.sekimura@dlapiper.com

PATENT OWNER:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Washington, DC 20005