

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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KINGSTON TECHNOLOGY COMPANY INC.,

Petitioner

v.

POLARIS INNOVATIONS LTD.,

Patent Owner

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Case IPR2017-00116

Patent 7,334,150

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**PATENT OWNER'S REQUEST FOR DIRECTOR REVIEW  
PURSUANT TO *UNITED STATES v. ARTHREX*, 141 S. Ct. 1970 (2021)**

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## EXHIBIT LIST

2001	<i>Excerpt of Markman Hearing Transcript, IpLearn-Focus, LLC v. Microsoft Corp.</i> , No. 14-00151 (N.D. Cal. Dec. 12, 2014)
2002	<i>Excerpt from Joint Claim Construction Statement &amp; Appendix</i>
2003	<i>Excerpt from Kingston Preliminary Invalidity Contentions</i>
2004	Sample of Petition and Expert Declaration Mirror
2005	<i>Excerpt from Wiley Elec. &amp; Electronics Eng'g Dictionary (2004)</i>
2006	<i>Excerpt from The Illustrated Dictionary Of Electronics (8th ed. 2001)</i>
2007	<i>Excerpt from R. Graf, Modern Dictionary Of Electronics (7th ed. 1999)</i>
2008	<i>Excerpt from Newnes Dictionary Of Electronics (4th ed. 1999)</i>
2009	<i>Excerpt from Oxford English Dictionary (2d ed. 1989)</i>
2010	Micron Technical Note 4721
2011	Declaration of Nathan Nobu Lowenstein ISO Motion for PHV
2012	Subramanian Deposition Exhibit 2012 (Jun. 27, 2017)
2013	Subramanian Deposition Exhibit 2013 (Jun. 27, 2017)
2014	Subramanian Deposition Exhibit 2014 (Jun. 27, 2017)
2015	Subramanian Deposition Exhibit 2015 (Jun. 27, 2017)
2016	Subramanian Deposition Exhibit 2016 (Jun. 27, 2017)

2017	Subramanian Deposition Exhibit 2017 (Jun. 27, 2017)
2018	Transcript of Deposition of Vivek Subramanian, Ph.D. (Jun. 27, 2017)
2019	Declaration of Prof. Joseph Bernstein, Ph.D.
2020	Scott Mueller, “Upgrading and Repairing PCs: Memory,” InformIT (Jan. 6, 2010) <i>available at</i> <a href="http://www.informit.com/articles/article.aspx?p=1416688&amp;seqNum=4">http://www.informit.com/articles/article.aspx?p=1416688&amp;seqNum=4</a>
2021	Tomek Jasionowski, “RDIMMs Maximize Server Performance, Reliability, and Scalability,” EE Times (Mar. 26, 2012), <i>available at</i> <a href="http://www.eetimes.com/document.asp?doc_id=1279507&amp;print=yes">http://www.eetimes.com/document.asp?doc_id=1279507&amp;print=yes</a>
2022	<i>Ex parte Kim</i> , Appeal No. 2014-005357 (PTAB Jun. 24, 2016)
2023	<i>Ex parte Tapler</i> , Appeal No. 2013-004822 (PTAB Jun. 22, 2015)
2024	<i>Arteris, Inc. v. Sonics, Inc.</i> , Appeal No. 2014-006504 (PTAB Oct. 8, 2014)
2025	U.S. Patent Pub. No. 2005/0008114 A1 (“Moon”)
2026	European Patent No. 1,046,996 A1 (“Scherzer”)
2027	U.S. Patent No. 7,266,786 B2 (“Chou”)
2028	Julio Sanchez and Maria P. Canton, <i>Embedded Systems Circuits and Programming</i> (2012)
2029	PC2-4300 Specification Sheet
2030	PC4 Diagram
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