

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LIVEPERSON, INC.

Petitioner

v.

24/7 CUSTOMER, INC.

Patent Owner

Case IPR2017-00609, -00610, -00612, -00613, -00614, -00615, and -00616
Patent Nos. 6,970,553, 9,077,804, 7,751,552, 7,027,586, 6,975,719, 7,245,715,
6,798,876

Panel: To Be Determined

STIPULATION ON DISCOVERY OF EXPERT MATERIALS

Patent Owner 24/7 Customer, Inc. (“[24]7”) and Petitioner LivePerson, Inc. (“LivePerson”), each a “Party” to the following litigations—*24/7 Customer, Inc. and 24/7 Customer International Holdings, Ltd. v. LivePerson, Inc.*, 3:15-CV-05585-JST (N.D. Cal.), *24/7 Customer, Inc. and 24/7 Customer International Holdings, Ltd v. LivePerson, Inc.*, 3:15-CV-02897-JST (N.D. Cal.), and *LivePerson, Inc. v. 24/7 Customer, Inc.*, 3:17-cv-01268-JST (N.D. Cal.), collectively (the “Related District Court Proceedings”)—and to *inter partes*

review proceedings Nos. IPR2017-00609, -00610, -00612, -00613, -00614, -00615, and -00616 (the “Related IPR Proceedings”), stipulate as follows:

All discovery in the Related District Court Proceedings and/or the Related IPR Proceedings with respect to experts or consultants retained by either Party for the Related IPR Proceedings shall be governed by the Federal Rules of Civil Procedure as if the expert were providing testimony and/or expert consulting services as provided by Federal Rule of Civil Procedure 26.

All discovery in the Related District Court Proceedings and/or the Related IPR Proceedings with respect to expert declarations prepared by either Party for the Related IPR Proceedings shall be governed by the Federal Rules of Civil Procedure as if the expert declaration was an expert report or disclosure as provided by Federal Rule of Civil Procedure 26.

Dated: April 24, 2017

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CERTIFICATE OF SERVICE

The undersigned certifies pursuant to 37 C.F.R. § 42.6(e) and § 42.105 that on April 24, 2017, a true and correct copy of **STIPULATION ON DISCOVERY OF EXPERT MATERIALS** for Case IPR2017-00609, -00610, -00612, -00613, -00614, -00615, and -00616 (Patent Nos. 6,970,553, 9,077,804, 7,751,552, 7,027,586, 6,975,719, 7,245,715, 6,798,876) was served electronically on the following counsel of record for Petitioner at the following email addresses:

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