

1 For the Patent Owner  
2 Lead counsel: Richard Neifeld, Reg. No. 35,299  
3 Backup counsel: Bruce Margulies, Reg. No. 64,175  
4 Neifeld IP Law, PC  
5  
6

7 UNITED STATES PATENT AND TRADEMARK OFFICE  
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10 BEFORE THE PATENT TRIAL AND APPEAL BOARD  
11 \_\_\_\_\_

12  
13 KYOCERA INTERNATIONAL, INC.

14 Petitioner

15 v.

16 BLUE SPIKE, LLC

17 Patent Owner  
18 \_\_\_\_\_

19  
20 Case IPR2017-01061

21 Patent 5,745,569  
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24  
25 Patent Owner Motion for District Court Type Claim Construction  
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1 Pursuant to 37 CFR 42.100(b), Patent Owner requests a district court-type  
2 claim construction approach to be applied.

3 Pursuant to 37 CFR 42.100(b) and 42.20, Patent Owner certifies that the  
4 involved patent will expire within 18 months from the filing date of the petition.

5 Pursuant to 35 USC 154(a)(2), patent term is 20 years from date on which the  
6 application for patent was filed. USP 5,745,569 is Exhibit 1001. Exhibit 1001  
7 shows that USP 5,745,569 issued from an application filed January 17, 1996 and  
8 has no patent term adjustment. This patent has a term that ended 20 years from  
9 January 16, 1996, which occurred on January 16, 2016.

10

11 /RichardNeifeld/

12 Richard Neifeld, Registration No. 35,299

13 Lead counsel for patent owner

1 42.6(e) CERTIFICATE OF SERVICE

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3 I certify that this document was served or simultaneously is being served on  
4 each opposing party with the filing of this document. According to the Petition,  
5 Petitioner consents to electronic service. I certify that the following exhibits being  
6 filed along with this document, if any, have been or simultaneously are being  
7 served on each opposing party: **N/A**

8

9 42.6(e)(4) (iii)(A) The date and manner of service:

10

11 Manner of service: Email to npisano@foley.com and skaspar@foley.com

12

13 **Date of Service: 4/21/2017**

14

15 42.6(e)(4)(iii)(B) The name and address of every person served are:

16

17 Lead Counsel for petitioner, telephone and email:

18 Nicola A. Pisano (Reg. No. 34,408) Tel: 858.847.6877; Email at

19 npisano@foley.com

20 Backup Counsel for petitioner, telephone and email:

21 Scott R. Kaspar (Reg. No. 54,583) Tel: 312.832.5113; Email at

22 skaspar@foley.com

23 Postal Address for lead and backup counsel for petitioner:

24 Foley & Lardner LLP, 3579 Valley Centre Drive, San Diego, CA 92130

25 Fax Address for lead and backup counsel for petitioner: 858.792.6773

26

27 /RichardNeifeld/

28 Richard Neifeld, Reg. No. 35,299

29 Lead Counsel for the Patent Owner

30 Neifeld IP Law, PC

31 5400 Shawnee Road, Suite 310,

32 Alexandria, VA 22312

33 Tel: 1-703-415-0012 Ext. 100

34 Fax: 1-703-415-0013

35 Email: Rneifeld@neifeld.com

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