

Paper No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KYOCERA INTERNATIONAL, INC.

Petitioner

v.

BLUE SPIKE, LLC

Patent Owner

Patent No. 8,930,719

Issue Date: January 6, 2015

Title: DATA PROTECTION METHOD AND DEVICE

Inter Partes Review No. IPR2017-01109

**PETITION FOR *INTER PARTES* REVIEW
UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.100 *ET. SEQ.***

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 Ground 2. Claims 1, 10, 21, 22, 29, and 36 of the '719 Patent are unpatentable as obvious over the combination of Forrest (Ex. 1005) and the '569 Patent (Ex. 1003). 19

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EXHIBIT LIST

Ex. #	Exhibit
1001	U.S. Patent No. 8,930,719 (“the ’719 Patent”)
1002	Image File Wrapper for ’719 Patent
1003	U.S. Patent No. 5,745,569 (“the ’569 Patent”)
1004	Intentionally Omitted
1005	Stephanie Forrest et al., <i>Building Diverse Computer Systems</i> , The Sixth Workshop on Hot Topics in Operating Systems, 67-71 (IEEE, May 1997) (“Forrest”)
1006	Claim Construction Order entered May 16, 2016 in an unrelated litigation, <i>Blue Spike, LLC v. Huawei Techs. Co. et al.</i> , Case No. 6:13-cv-00679, Dkt. 194.
1007	<i>Curriculum Vitae</i> of Rafail Ostrovsky, Ph.D.
1008	Expert Declaration of Rafail Ostrovsky, Ph.D.

NOTICE OF LEAD AND BACKUP COUNSEL

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NOTICE OF EACH REAL-PARTY-IN-INTEREST

The real-parties-in-interest are: Kyocera International, Inc. is a wholly-owned subsidiary of Kyocera Corporation, a publicly-traded Japanese entity.

NOTICE OF RELATED MATTERS

Patent Owner asserted the '719 Patent against Kyocera International, Inc. in the Eastern District of Texas in a case captioned *Blue Spike, LLC v. Archos, Inc. et al.*, Case No. 6:16-cv-1142, filed September 2, 2016. Patent Owner voluntarily dismissed the action on February 9, 2017. On February 10, 2017, Kyocera International, Inc. filed a complaint for declaratory judgment of non-infringement only in the Southern District of California in a case captioned *Kyocera International, Inc. v. Blue Spike, LLC*, Case No. 3:17-cv-0262-BTM-JMA, which is now pending before the Hon. Barry T. Moskowitz.

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