

Filed on behalf of SurfCast, Inc.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION

Petitioner

v.

SURFCAST, INC.

Patent Owner

Case IPR2013-00292¹

Patent 6,724,403

SURFCAST, INC.'S
MANDATORY INITIAL DISCLOSURES
UNDER 37 C.F.R. § 42.51(A)(1) OPTION 1

¹ Cases IPR2013-00293, IPR2013-00294, and IPR2013-00295 have been consolidated with the instant proceeding.

Pursuant to Agreement on Mandatory Discovery dated August 26, 2013
(Paper 17 of IPR2013-00292; Paper 12 of each of IPR2013-00293, IPR2013-00294, and IPR2013-00295), Patent Owner SurfCast, Inc. submits the following disclosures pursuant to 37 C.F.R. § 42.51(a)(1), Option 1.

1. List of Individuals Likely to Have Discoverable Information

Patent Owner identifies the following persons as individuals who are likely to have discoverable information that Patent Owner may use to support its claims or defenses.

The below identified person has been retained by Patent Owner as an expert witness in connection with this proceeding and may only be contacted through Patent Owner's counsel at VLP Law Group LLP, 2225 E. Bayshore Rd, Suite 200, Palo Alto, CA 94303, or at DLA Piper LLP (US), One Fountain Square, 11911 Freedom Drive, Suite 300, RESTON, Virginia 20190-5602.

Name	Potential Subject Matter
Glenn E. Weadock	(1) Prior art related to U.S. Patent No. 6,724,403 ("the '403 patent") (2) Challenges to validity of the '403 patent advanced by Petitioner (3) Background of the technologies at issue (4) The level of skill of those practicing the art of the '403 patent (5) Evidence relating to non-obviousness of the claims of the '403 patent (6) Construction of the claims of the '403 patent

Name	Potential Subject Matter
	(7) Proposed amendments to claims of the '403 patent

The following additional individuals are likely to have discoverable information that Patent Owner may use to support its claims or defenses. They may only be contacted through Patent Owner's counsel at VLP Law Group LLP, 2225 E. Bayshore Rd, Suite 200, Palo Alto, CA 94303, or at DLA Piper LLP (US), One Fountain Square, 11911 Freedom Drive, Suite 300, RESTON, Virginia 20190-5602.

Name	Potential Subject Matter
Ovid Santoro	(1) Inventive/diligence activity related to the '403 patent (2) Construction of the claims of the '403 patent (3) Background of the technologies at issue
Klaus Lagermann	(1) Inventive/diligence activity related to the '403 patent (2) Construction of the claims of the '403 patent (3) Background of the technologies at issue
Tom Dechaene	(1) Inventive/diligence activity related to the '403 patent
Richard Bone	(1) Inventive/diligence activity related to the '403 patent (2) Construction of the claims of the '403 patent
David Karger	(1) Construction of the claims of the '403 patent (2) Challenges to validity of the '403 patent advanced by Petitioner

To the extent permitted by the Board, Patent Owner reserves the right to supplement or amend the above lists in response to evidence or testimony introduced in this or related proceedings by Petitioner.

2. List of Documents

A list of documents in Patent Owner's possession, custody, or control that it may use to support its claims or defenses is being provided herewith as an "Exhibit List".

Patent Owner also may rely on any exhibits or other evidence filed or relied upon by Petitioner.

3. Other items

Patent Owner may also rely on the following items:

Item	Potential Subject Matter
Ovid Santoro, deposition transcript*	(1) Inventive activity related to the '403 patent (2) Construction of the claims of the '403 patent (3) Background of the technologies at issue
Klaus Lagermann, deposition transcript*	(1) Inventive activity related to the '403 patent (2) Construction of the claims of the '403 patent (3) Background of the technologies at issue
Tom Dechaene, deposition transcript*	(1) Inventive activity related to the '403 patent
Richard Bone, deposition transcript*	(1) Inventive activity related to the '403 patent (2) Construction of the claims of the '403 patent
MSIE Kit, CD-Rom	(1) Executable software and other documentation

* From *SurfCast, Inc. v. Microsoft Corp.*, in U.S. District Court for the District of Maine, Docket No. 2:12-cv-00333-JAW

4. Summary

Patent Owner also reserves the right to supplement or amend the above lists

to identify any relevant evidence from any related proceedings or civil actions involving the '403 patent in response to assertions made or evidence introduced by Petitioner in this proceeding. Such evidence may include pleadings, transcripts, orders, or other documents relating to the concurrent litigation in U.S. District Court for the District of Maine involving the '403 patent, evidence pertinent to obviousness or allegations made by Petitioner of non-obviousness, or evidence establishing the authenticity, publication date, or public disclosure of any reference identified by Petitioner as prior art to the '403 patent.

Respectfully submitted by:

/Richard G. A. Bone/

Dated: January 31, 2014

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