

Filed on behalf of SurfCast, Inc.

By: Richard G. A. Bone ([RBone@VLPLawGroup.com](mailto:RBone@VLPLawGroup.com))

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MICROSOFT CORPORATION  
Petitioner

v.

SURFCAST, INC.  
Patent Owner

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Case IPR2013-00292<sup>1</sup>  
Patent 6,724,403

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TRANSMITTAL OF SURFCAST, INC.'S  
PATENT OWNER CORRECTED MOTION TO AMEND

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

Pursuant to authorization given during a conference call with the Board on May 20, 2014, Patent Owner submits herewith a corrected version (“Corrected Motion”) of Patent Owner’s Motion For Conditional Amendment Under 37 C.F.R. § 42.121, as originally filed on January 24, 2014 in the instant proceeding (Paper No. 28).

A mark-up showing changes in the Corrected Motion relative to Paper No. 28 is presented herewith as Exhibit 2091.

As is clear from Ex. 2091, the changes introduced by Patent Owner are limited to those discussed and authorized on the May 20, 2014 conference call, *i.e.*, changes to two instances of amended language in substitute claim 53; and identification of support under 35 U.S.C. § 112 for the corrected language. Patent Owner also conforms internal quotations to the corrected language where referenced elsewhere within the Corrected Motion (*see*, pages 4, 5, and 9 – 12 of the Corrected Motion).

Patent Owner believes, from a review of a transcript of the May 20, 2014 conference call, that the instant presentation of the Corrected Motion (accompanied by a mark-up as an exhibit) is consistent with the Board’s guidance for introducing it into the proceeding, even though the Board has yet to issue its formal order to the parties based on the items discussed during the conference call.

Patent Owner also believes that the presentation of the Corrected Motion is timely, the parties having informally agreed during the May 20, 2014 conference call that the Corrected Motion should be submitted no later than May 30, 2014.

Respectfully submitted by:

/Richard G. A. Bone/

Dated: May 30, 2014

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CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6 (e)(4)

It is hereby certified that on this 30<sup>th</sup> day of May, 2014, a copy of the  
foregoing

TRANSMITTAL OF SURFCAST, INC.'S  
PATENT OWNER CORRECTED MOTION TO AMEND

was served via Electronic Mail-upon the following:

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