

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

APPLE INC.,  
Petitioner

v.

QUALCOMM INCORPORATED,  
Patent Owner

---

Case IPR2018-01250  
Patent 8,447,132

---

**PETITIONER'S UNOPPOSED MOTION TO EXPUNGE**

**I. Statement of Precise Relief Requested Under § 42.22(a)(1)**

Pursuant to 37 C.F.R. § 42.22(a)(1), Petitioner Apple Inc. hereby moves to expunge from the record Exhibit 1003 “Declaration of Dr. Larry S. Davis” filed June 26, 2018. A replacement Exhibit 1003 is being filed in accordance with the Board’s order of March 20, 2019 (Paper 11). As noted in the Order, Patent Owner does not oppose this request.

**II. Statement of Reasons for Relief Requested Under § 42.22(a)(2)**

**A. Procedural Background**

Apple requested the opportunity to file a replacement expert declaration. Due to the unavailability of its declarant for cross-examination, Apple has retained a replacement declarant and is filing an identical declaration (the sole exception being the replacement of the former declarant’s name and qualifications with those of the new declarant).

**B. Expungement of Exhibit 1003 “Declaration of Dr. Larry S. Davis”**

Apple seeks expungement of Exhibit 1003 “Declaration of Dr. Larry S. Davis” filed June 26, 2018, in favor of new Exhibit 1003 “Declaration of Alan C. Bovik”.

### **III. Conclusion**

In conclusion, Apple moves to expunge from the record Exhibit 1003 “Declaration of Dr. Larry S. Davis” filed June 26, 2018, in favor of new Exhibit 1003 “Declaration of Alan C. Bovik”, which is being filed on March 21, 2019.

Dated March 21, 2019

/Timothy W. Riffe/

W. Karl Renner, Reg. No. 41,265  
Timothy W. Riffe, Reg. No. 43,891  
Thomas A. Rozylowicz, Reg. No. 50,620  
Fish & Richardson P.C.  
3200 RBC Plaza, 60 South Sixth Street  
Minneapolis, MN 55402  
T: 202-783-5070  
F: 877-769-7945

Attorneys for Petitioner

**CERTIFICATE OF SERVICE**

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on March 21, 2019, a complete and entire copy of this Petitioner's Motion to Expunge and replacement Exhibit 1003 were provided via email, to the Patent Owner by serving the email correspondence addresses of record as follows:

Eagle Robinson  
R. Ross Viguet  
Norton Rose Fulbright US LLP  
98 San Jacinto Blvd., Suite 1100  
Austin, TX 78701

Email: [eagle.robinson@nortonrosefulbright.com](mailto:eagle.robinson@nortonrosefulbright.com)  
[ross.viguet@nortonrosefulbright.com](mailto:ross.viguet@nortonrosefulbright.com)

/Diana Bradley/  
Diana Bradley  
Fish & Richardson P.C.  
3200 RBC Plaza  
60 South Sixth Street  
Minneapolis, MN 55402  
(858) 678-5667