

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE INC.  
Petitioner

v.

PETER SPROGIS  
Patent Owner

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Case CBM2013-00026  
Patent 7,298,271

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Mailed: June 7, 2013

Before PATRICK E. BAKER, *Trial Paralegal*

NOTICE OF FILING DATE ACCORDED TO PETITION  
AND  
TIME FOR FILING PATENT OWNER PRELIMINARY RESPONSE

The petition for covered business method patent review in the above proceeding has been accorded the filing date of May 31, 2013.

Administrative Patent Judge Thomas L. Giannetti has been designated to manage the proceeding. 37 C.F.R. § 42.5.

A review of the petition identified the following defects:

- 1) Pursuant to 37 C.F.R. § 42.304(a), the **petitioner must certify that the patent for which review is sought is available for cover business method patent review** and that the petitioner is not barred or estopped from requesting a cover business method patent review challenging the patent claims on the grounds identified in the petition the petitioner.
- 2.) The Exhibit List should be part of the petition and not filed separately. 37 C.F.R. § 42.24(a)(1).
- 3.) Petitioner failed to uniquely number in a sequence each page of the exhibits pursuant to 37 CFR § 42.63(d)(2)(i).

Petitioner must correct the defects within **FIVE BUSINESS DAYS** from this notice. Failure to correct the defects may result in an order to show cause as to why the Board should institute the trial. No substantive changes (e.g., new grounds) may be made to the petition.

Patent Owner may file a preliminary response to the petition no later than three months from the date of this notice. The preliminary response is limited to setting forth the reasons why the requested review should not be instituted. Patent Owner may also file an election to waive the preliminary response to expedite the proceeding. For more information, please consult the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756 (Aug. 14, 2012), which is available on the Board Web site at <http://www.uspto.gov/PTAB>.

Patent Owner is advised of the requirement to submit mandatory notice information under 37 C.F.R. § 42.8(a)(2) within 21 days of service of the petition.

The parties are encouraged to use the heading on the first page of this Notice for all future filings in the proceeding.

The parties are advised that under 37 C.F.R. § 42.10(c), recognition of counsel *pro hac vice* requires a showing of good cause. The parties are authorized to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c). Such motions shall be filed in accordance with the “Order -- Authorizing Motion for *Pro Hac Vice* Admission” in Case IPR2013-00010 (MPT), a copy of which is available on the Board Web site under “Representative Orders, Decisions, and Notices.” Any motion for *pro hac vice* admission filed by the parties shall also indicate that the person sought to be admitted will be subject to the USPTO Rules of Professional Conduct. *See* Changes to Representation of Others Before the United States Patent and Trademark Office; Final Rule, 78 Fed. Reg. 20180 (Apr. 3, 2013) (effective May 3, 2013).

The parties are reminded that unless otherwise permitted by 37 C.F.R. § 42.6(b)(2), all filings in this proceeding must be made electronically in the Patent Review Processing System (PRPS), accessible from the Board Web site at <http://www.uspto.gov/PTAB>.

If there are any questions pertaining to this notice, please contact Patrick E. Baker at 571-272-6192 or the Patent Trial and Appeal Board at 571-272-7822.

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Case CBM2013-00026

Patent 7,298,271

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