

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Hair	§	Attorney Docket No.:
United States Patent No.: 5,191,573	§	104677-5005-801
Formerly Application No.: 586,391	§	Customer No. 28120
Issue Date: March 2, 1993	§	
Filing Date: September 18, 1990	§	Petitioner: Apple Inc.
Former Group Art Unit: 2313	§	
Former Examiner: Hoa Nguyen	§	

For: Method for Transmitting a Desired Digital Video or Audio Signal

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**PETITION FOR COVERED BUSINESS METHOD PATENT REVIEW OF
UNITED STATES PATENT NO. 5,191,573 PURSUANT TO 35 U.S.C. § 321,
37 C.F.R. § 42.304**

Pursuant to 35 U.S.C. § 321 and 37 C.F.R. § 42.304, the undersigned, on behalf of and acting in a representative capacity for petitioner, Apple Inc. (“Petitioner” and real party in interest), hereby petitions for review under the transitional program for covered business method patents of claims 1, 2, 4, and 5 of U.S. Patent No. 5,191,573 (“the ’573 Patent”), issued to Arthur R. Hair and currently assigned to SightSound LLC (“SightSound,” also referred to as “Applicant,” “Patent Owner,” or “Patentee”). Petitioner hereby asserts that it is more likely than not that at least one of the challenged claims is unpatentable for the reasons set forth herein and respectfully requests review of, and judgment against, claims 1, 2, 4 and 5 as unpatentable under

35 U.S.C. §§ 101 and 112.¹

¹ As discussed in Section I, *infra*, Petitioner has concurrently filed Petitions seeking covered business method review of the '573 Patent requesting judgment against these same claims under §§ 102 and 103. Petitioner has additionally filed Petitions seeking covered business method reviews of the (related) '440 Patent requesting judgment against claims in that patent under § 101 for claiming patent ineligible subject matter and for obviousness-type double patenting in one Petition, and under §§ 102 and 103 in a second concurrent Petition. Petitioner notes that the Director, pursuant to Rule 325(c), may determine at the proper time that merger or other coordination of these proceedings, including at minimum coordination of proceedings involving the same patent, is appropriate.

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EXHIBIT LIST	
Exhibit 1001	United States Patent No. 5,191,573
Exhibit 1002	United States Patent No. 5,191,573 File History
Exhibit 1003	Application No. 90/007,402 ('573 Patent Reexamination).
Exhibit 1004	United States Patent No. 5,675,734
Exhibit 1005	United States Patent No. 5,966,440
Exhibit 1006	United States Patent No. 5,966,440 File History
Exhibit 1007	David Needle, "From the News Desk: Audio/digital interface for the IBM PC?," InfoWorld, vol. 6, no. 23, p. 9, June 4, 1984
Exhibit 1008	Excerpt from, Larry Israelite, "Home Computing Scenarios for Success," Billboard Magazine Charts the Future (Dec. 1984)
Exhibit 1009	Excerpt from, Steve Dupler, "Compusonics, AT&T Link," Billboard Newspaper, vol. 97 no. 40 (Oct. 5, 1985)
Exhibit 1010	10/10/1985 CompuSonics Letter from David Schwartz to Shareholders
Exhibit 1011	International Patent Application WO85/02310, filed on Nov. 14, 1984, and published on May 23, 1985 ("Softnet")
Exhibit 1012	United States Patent No. 3,718,906, filed on June 1, 1971, and issued on Feb. 27, 1973 ("Lightner")
Exhibit 1013	United States Patent No. 3,990,710, filed on Mar. 1, 1971, and published on Nov. 9, 1976 ("Hughes")
Exhibit 1014	2/13/13 Order re Claim Construction (D.I. 175), <i>SightSound Techs., LLC v. Apple Inc.</i> , No. 11-1292 (W.D. Pa.)
Exhibit 1015	11/19/12 Special Master's Report and Recommendation on Claim Construction (D.I. 142), <i>SightSound Techs., LLC v. Apple Inc.</i> , No. 11-1292 (W.D. Pa.)
Exhibit 1016	4/20/01 Markman Hearing Transcript, <i>SightSound.com Inc., v. N2K, Inc., et al.</i> , No. 98-118 (W.D. Pa.)
Exhibit 1017	Excerpt from <i>Webster's II New Riverside University Dictionary</i>

EXHIBIT LIST	
	(1988)
Exhibit 1018	Deposition Transcript of Douglas Tygar, dated Oct. 8, 2012 <i>SightSound Techs., LLC v. Apple Inc.</i> , No. 11-1292 (W.D. Pa.)
Exhibit 1019	Jennifer Sullivan, “The Battle Over Online Music,” <i>Wired.com</i> (Jan. 29, 1999), available at http://www.wired.com/techbiz/media/news/1999/01/17609
Exhibit 1020	Declaration of Dr. John P.J. Kelly, dated Sept. 7, 2012
Exhibit 1021	Declaration of J.D. Tygar, dated Sept. 7, 2012
Exhibit 1022	Responsive Declaration of J.D. Tygar, dated Sept. 28, 2012
Exhibit 1023	Excerpt from Benjamin Krepack and Rod Firestone, <i>Start Me Up! the music biz meets the personal computer</i> , pages 126-127 (Mediac Press May 1986)
Exhibit 1024	Plaintiff SightSound Techs., LLC’s Expert Report of Dr. J. Douglas Tygar Regarding Infringement, dated April 22, 2013
Exhibit 1025	Expert Report of Mark M. Gleason, CPA/ABV/CFF, CVA, CLP, dated April 22, 2013
Exhibit 1026	7/16/84 CompuSonics Letter from David Schwartz to Shareholders
Exhibit 1027	Deposition Transcript of Arthur Hair, dated Dec. 11, 2012, <i>SightSound Techs., LLC v. Apple Inc.</i> , No. 11-1292 (W.D. Pa.)
Exhibit 1028	Deposition Transcript of Scott Sander, dated Dec. 18, 2012, <i>SightSound Techs., LLC v. Apple Inc.</i> , No. 11-1292 (W.D. Pa.)
Exhibit 1029	<i>Excerpt from Chambers Science and Technology Dictionary</i> (1988)
Exhibit 1030	Don Crabb, “A Beginner’s Guide to the Ins and Outs of Appletalk LANs,” <i>InfoWorld</i> (April 10, 1989)
Exhibit 1031	“Inside Macintosh,” Volumes I, II, and III, Addison-Wesley Publishing Company, Inc. (1985)
Exhibit 1032	Craig Partridge, “The Technical Development of Internet Email,” BBN Technologies
Exhibit 1033	Excerpt from <i>PC Magazine</i> , Vol. 11 No. 9 (May 12, 1992)

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