

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Hair	§	Attorney Docket No.:
United States Patent No.: 5,966,440	§	104677-5005-803
Formerly Application No.: 08/471,964	§	Customer No. 28120
Issue Date: October 12, 1999	§	
Filing Date: June 6, 1995	§	Petitioner: Apple Inc.
Former Group Art Unit: 2785	§	
Former Examiner: Hoa T. Nguyen	§	

For: System and Method for Transmitting Desired Digital Video or Digital Audio Signals

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**PETITION FOR COVERED BUSINESS METHOD PATENT REVIEW OF
UNITED STATES PATENT NO. 5,966,440 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 the real party in interest), hereby petitions for review under the transitional program for covered business method patents of claims 1, 64, and 95 of U.S. Patent No. 5,966,440 (“the ’440 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, 64, and 95 as

unpatentable under 35 U.S.C. § 101 and for obviousness-type double patenting.¹

¹ As discussed in Section I, *infra*, Petitioner has concurrently filed a Petition seeking covered business method review of the '440 Patent requesting judgment against these same claims under §§ 102 and 103. Petitioner has additionally filed Petitions seeking covered business method reviews of the (related) '573 Patent requesting judgment against claims in that patent under §§ 101 and 112 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 1201	United States Patent No. 5,966,440
Exhibit 1202	United States Patent No. 5,966,440 File History
Exhibit 1203	Application No. 90/007,407 (?440 Patent Reexamination)
Exhibit 1204	United States Patent No. 5,191,573
Exhibit 1205	United States Patent No. 5,191,573 File History
Exhibit 1206	Application No. 90/007,402 (?573 Patent Reexamination).
Exhibit 1207	United States Patent No. 5,675,734 File History
Exhibit 1208	Application No. 90/007,403 (?734 Patent Reexamination)
Exhibit 1209	United States Patent No. 5,675,734
Exhibit 1210	10/10/1985 CompuSonics Letter from David Schwartz to Shareholders
Exhibit 1211	International Patent Application WO85/02310, filed on Nov. 14, 1984, and published on May 23, 1985 (“Softnet”)
Exhibit 1212	United States Patent No. 4,506,387, filed on May 25, 1983, issued on Mar. 19, 1985 (“Walter”)
Exhibit 1213	United States Patent No. 4,124,773, filed on Nov. 26, 1976, issued on Nov. 7, 1978 (“Elkins”)
Exhibit 1214	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 1215	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 1216	Excerpt from Benjamin Krepack and Rod Firestone, Start Me Up! the music biz meets the personal computer, pages 126-127 (Mediac Press May 1986)
Exhibit 1217	David Needle, “From the News Desk: Audio/digital interface for the IBM PC?,” <i>InfoWorld</i> , vol. 6, no. 23, p. 9, June 4, 1984

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