

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Hair	§	Attorney Docket No.:
United States Patent No.: 5,966,440	§	104677-5005-804
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. §§ 102 and 103.¹

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 § 101 for claiming patent-ineligible subject matter and for obviousness-type double patenting. Petitioner has additionally filed Petitions seeking covered business method reviews of the '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 of these proceedings, or at minimum coordination of proceedings involving the same patent, is appropriate.

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EXHIBITS	
Exhibit 1301	United States Patent 5,966,440
Exhibit 1302	United States Patent 5,966,440 File History
Exhibit 1303	Application No. 90/007,407 ('440 Patent Reexamination)
Exhibit 1304	United States Patent No. 5,191,573
Exhibit 1305	United States Patent No. 5,191,573 File History
Exhibit 1306	Application No. 90/007,402 ('573 Patent Reexamination)
Exhibit 1307	Deposition Transcript of Arthur Hair, dated Dec. 11, 2012 SightSound Techs., LLC v. Apple Inc., No. 11-1292 (W.D. Pa.)
Exhibit 1308	Deposition of Scott Sander, dated Dec. 18-19, 2012 SightSound Techs., LLC v. Apple Inc., No. 11-1292 (W.D. Pa.)
Exhibit 1309	"Joint Telerecording Push: CompuSonics, AT&T Link," <i>Billboard</i> (Oct. 5, 1985)
Exhibit 1310	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
Exhibit 1311	Larry Israelite, "Home Computing: Scenarios for Success," <i>Billboard</i> , Dec. 15, 1984
Exhibit 1312	International Patent Application WO85/02310, filed on November 14, 1984, and published on May 23, 1985 ("Softnet")
Exhibit 1313	United States Patent No. 3,718,906 filed on June 1, 1971, issued on February 27, 1973 ("Lightner")
Exhibit 1314	United States Patent No. 3,990,710 filed on March 1, 1971, issued on November 9, 1976 ("Hughes")
Exhibit 1315	Image titled, "CompuSonics Digital Audio Telecommunication System"
Exhibit 1316	7/16/84 CompuSonics Letter from David Schwartz to Shareholders
Exhibit 1317	Hyun Heinz Sohn, "A High Speed Telecommunications Interface for Digital Audio Transmission and Reception," presented at the 76th AES Convention, October 8-11, 1984

EXHIBITS	
Exhibit 1318	10/10/85 CompuSonics Letter from David Schwartz to Shareholders
Exhibit 1319	CompuSonics Video Application Notes – CSX Digital Signal Processing (1986)
Exhibit 1320	Image titled, “CompuSonics Digital Audio Software Production/ Distribution”
Exhibit 1321	Excerpts of Lecture at Stanford by D. Schwartz and J. Stautner, 1987 (video)
Exhibit 1322	Bryan Bell, “Synth-Bank: The Ultimate Patch Library,” <i>Electronic Musician</i> (Sept. 1986)
Exhibit 1323	United States Patent No. 4,682,248 filed on September 17, 1985, issued on July 21, 1987 (“Schwartz Patent”)
Exhibit 1324	“The Search for the Digital Recorder,” <i>Fortune</i> , Nov. 12, 1984
Exhibit 1325	2/22/1986 Agreement between Synth-Bank and Artist
Exhibit 1326	3/17/1987 United States Patent & Trademark Office Notice of Acceptance and Renewal, Serial No. 73/568543
Exhibit 1327	“SynthBank Bulletin Board,” <i>Keyboard Magazine</i> (March 1987)
Exhibit 1328	“Inside Macintosh,” Volumes I, II, and III, Addison-Wesley Publishing Company, Inc. (1985)
Exhibit 1329	Craig Partridge, “The Technical Development of Internet Email,” BBN Technologies
Exhibit 1330	United States Patent No. 4,124,773 filed on November 26, 1976, issued on November 7, 1978 (“Elkins”)
Exhibit 1331	United States Patent No. 4,667,088 filed on November 1, 1982, issued on May 19, 1987 (“Kramer et al.”)
Exhibit 1332	United States Patent No. 4,528,643 filed on January 10, 1983, issued on July 9, 1985 (“Freeny”)
Exhibit 1333	Photo of CompuSonic equipment
Exhibit 1334	Declaration of Dr. J. Kelly In Support of Petition for Covered Business Method Patent Review
Exhibit 1335	Declaration of David Schwartz In Support of Petition for Covered Business Method Patent Review

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