

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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EBAY ENTERPRISE, INC and EBAY INC.  
Petitioners

v.

LAWRENCE B. LOCKWOOD  
Patent Owner

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Case CBM2014-00026  
U.S. Patent No. 5,576,951

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**Lockwood's Patent Owner Response**

Mail Stop PATENT BOARD  
Patent Trial and Appeal Board  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

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## I. Introduction

The Board instituted this covered-business-method patent review on the single question whether all claims of the '951 patent are indefinite. The Board's decision is premised on its finding that two means-plus-function terms of the '951 patent, more likely than not, lack a description of sufficient corresponding structure—particularly adequate corresponding algorithms programmed to be performed by a general purpose computer. The two relevant means-plus-function terms are:

- “means for interrelating said textual and graphical information,” and
- “indicating means for indicating a pathway that accesses information.”

Here, Lockwood provides three independent reasons why the Board should enter a final decision confirming the patentability of the '951 patent's claims as not indefinite.

First, the patent describes specific algorithms programmed to be performed by a general-purpose computer. Significantly, Lockwood's showing on these issues is supported with expert-witness testimony. (Ex. 2022.)

Second, the eBay incorrectly limited its analysis of indefiniteness to whether the '951 patent disclosed sufficient corresponding algorithms for performance on a general-purpose computer. But the '951 describes actual corresponding structure—

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