

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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UNIVERSAL REMOTE CONTROL, INC.  
Petitioner

v.

Patent of UNIVERSAL ELECTRONICS, INC.  
Patent Owner

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Case IPR2013-00127  
Patent 6,587,067

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Mailed: January 30, 2013

Before ANDREW KELLOGG, *Trial Paralegal*

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

The petition for *inter partes* review in the above proceeding has been accorded the filing date of January 26, 2013.

Administrative Patent Judge Sally C. Medley has been designated to manage the proceeding. 37 C.F.R. § 42.5.

A review of the petition identified the following defect(s):

37 CFR 42.104(b)(3) requires the petition to identify how a challenged claim is to be construed. In most cases, claim construction is an important step in the determination of whether the challenged claims are unpatentable over the cited prior art.

The instant petition contains implicit claim constructions in the section discussing the reexamination of the involved patent and the section that identifies how the challenged claims are unpatentable. During the conference call, the Board noted that it would be helpful for the Petitioner to set forth those claim constructions explicitly in the claim construction section of the petition.

Notice was also provided to counsel for Petitioner of a typographical error on page 11 of the Petition; the citation of exhibit 1008 instead of exhibit 1009.

Lastly, duplicate copies of certain exhibits were uploaded into the electronic file record. Counsel for Petitioner was notified that the PTAB will expunge such duplicates in due course.

Petitioner must correct the defect(s) within **FIVE BUSINESS DAYS** from this notice. Failure to correct the defect(s) 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

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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 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.”

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 Andrew Kellogg at 571-272-5366 or the Patent Trial and Appeal Board at 571-272-7822.

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