

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

Applicant:	Darbee et al.	Universal Remote Control, Inc.
Case No.:	IPR2013-00127	v.
Filing Date:	2/23/2001	Universal Electronics, Inc.
Patent No.:	6,587,067	Trial Paralegal: Andrew Kellog
Title:	Universal Remote Control With Macro Command Capabilities	Attny Doc.: 059489.05US5/IPR

**RESPONSE OF PATENT OWNER
PURSUANT TO 37 C.F.R. § 42.120**

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Patent Owner's Exhibit List

2001. Claim Construction Order from Universal Electronics, Inc. v. Universal Remote Control, Inc., C.D.Cal. Civ. No. 8:12-cv-00329
2002. Declaration of Paul Darbee from U.S. Ser. No. 07/586,957
2003. U.S. Patent No. 6,587,067 to Darbee, et al. (with Reexamination Certificate)
2004. Scheduling Order from Universal Electronics, Inc. v. Universal Remote Control, Inc., C.D.Cal. Civ. No. 8:12-cv-00329
2005. Declaration of Richard Ellis
2006. Declaration of Patrick Hayes
2007. Transcript of Deposition of Alan Herr

I. INTRODUCTION

In its Amended Petition for *Inter Partes* Review of U.S. Patent No. 6,587,067 (“Amended Petition”), Petitioner alleged that U.S. Patent No. 6,587,067 (“’067 patent”) is rendered obvious by four different combinations of prior art: 1) U.S. Patent No. 4,774,511 to Rumbolt et al (“Rumbolt”) in view of PR Newswire (April 9, 1987), Magnavox unveils Total Remote Tuning System and second generation Universal Remote Control (“Magnavox”); 2) Rumbolt in view of Magnavox in further view of U.S. Patent No. 4,825,200 to Evans et al (“Evans”); 3) U.S. Patent No. 4,918,439 to Wozniak et al (“Wozniak”) in view of a 1987 “CORE Reference Manual” (“CORE”); and 4) U.S. Patent No. 4,703,359 to Rumbolt et al (“Rumbolt ‘359”). The Board granted-in-part and denied-in-part the Amended Petition, instituting *inter partes* review proceedings based on the following grounds: 1) Claims 1, 3, 4 and 6 based on Rumbolt in view of Magnavox; 2) Claims 2 and 5 based on Rumbolt in view of Magnavox in further view of Evans; and 3) Claims 1-6 based on Wozniak in view of CORE. The Board should affirm the validity of Claims 1-6 of the ‘067 patent, because each of Petitioner’s remaining grounds for invalidity suffers from the same fatal defect—*all three* of Petitioner’s remaining bases rely upon one or more references that are not prior art to the ‘067 patent. Finally, even ignoring that fatal defect, each

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