

Filed on Behalf of: Patent Owner John H. Stephenson

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GAME SHOW NETWORK, LLC AND WORLDWINNER.COM

Petitioners

v.

JOHN H. STEPHENSON

Patent Owner

Case IPR2013-00289

Patent 6,174,237

**PATENT OWNER'S PRELIMINARY RESPONSE
TO PETITION FOR *INTER PARTES* REVIEW FOR U.S. PATENT NO.
6,174,237 PURSUANT TO 35 U.S.C. §313 AND 37 CFR §42.107**

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a. Ground 1 Fails Because Walker Does Not Disclose Performance Of All
The Method Steps Including Playing “Between” A Player And Host
Computer And Thus Does Not Anticipate Any Claim Of The ‘237 Patent.
.....20

b. Grounds 2 And 3 Fail Because Petitioners Fail To Present Any Evidence
Or Argument Showing That Walker Renders Obvious Any Claim Of The
‘237 Patent Under Stephenson’s Proposed Constructions Of Elements (a)
And (e) Of Claim 1.21

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EXHIBIT LIST

Exhibit No.	Description
2001	Definitions from Merriam-Webster's Collegiate Dictionary (10 th ed. 1993)

I. INTRODUCTION

The patent owner John Stephenson (“Stephenson”), an individual inventor and owner of Mega Dollar Games, LLC (www.megadollargames.com), respectfully requests that the Board deny the Petition for *Inter Partes* Review filed by Game Show Network, LLC and WorldWinner.com, Inc. (“Petitioners”) challenging U.S. Patent No. 6,174,237 (“Ex. 1001”). The Petition should be denied because PCT Int’l Publ. No. WO 97/39811 to Walker Asset Management, L.P. (“Walker”) (Ex. 1002)—the reference upon which Petitioners’ rely for all of their invalidity positions¹—does not anticipate or render obvious any claim of the ‘237 patent under a proper construction of the claims.

Reason 1: Petitioners provide no argument or evidence under the proper claim construction to support their anticipation or obviousness challenges and therefore the petition should be denied. Every claim of the ‘237 patent depends from claim 1, which recites a “method of playing a game . . . over an interactive computer system . . . having a host computer system.” Every claim includes the steps of “**playing** a game of skill” in a “qualifying round” and a “playoff round” “*between*” a player “and the host computer.” Walker fails to disclose a system

¹ Petitioners rely on two other patents (“Demar” and “Hamilton”) in arguing that claims 6 and 7 of the ‘237 patent are obvious in view of Walker combined with Delmar and Hamilton. Pet. at p. 50. However, those obviousness arguments do not relate to the “playing . . . between” limitations.

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