

Filed on behalf of Medtronic, Inc.

By: David K.S. Cornwell (davidc-PTAB@skgf.com)
 Richard D. Coller III (rcoller-PTAB@skgf.com)
 Kyle E. Conklin (kconklin-PTAB@skgf.com)
 Sterne, Kessler, Goldstein & Fox P.L.L.C.
 1100 New York Ave, NW
 Washington, DC 20005
 Tel: (202) 371-2600
 Fax: (202) 371-2540

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDTRONIC, INC.
Petitioner

v.

ROBERT BOSCH HEALTHCARE SYSTEMS, INC.
Patent Owner

Case No. To Be Assigned
Patent 7,870,249

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 7,870,249

Medtronic, Inc. petitions for *inter partes* review of claims 3-5, 9, 10, and 14-29 of U.S. Patent No. 7,870,249 to Brown, titled "Networked System for Interactive Communication and Remote Monitoring of Individuals." The '249 Patent is provided as exhibit MDT 1001. A complete list of exhibits is provided as Appendix C.

TABLE OF CONTENTS

I.	Introduction.....	1
II.	Mandatory Notices.....	3
	A. Real Party-In-Interest	3
	B. Related Matters.....	3
	1. Original Cardiocom Matters	3
	2. Original Medtronic Matters.....	4
	C. Service Information	4
	D. Lead and Backup Counsel.....	4
III.	Grounds for Standing.....	5
IV.	Identification of the Challenge	5
	A. Citation of Prior Art.....	6
	B. Statutory Grounds for the Challenge.....	7
	C. Claim Construction.....	8
	1. “Script Program”	8
	2. “Data Merge Program”	9
	3. “Pointer”	9
	4. “Script Assignor”	10
V.	Overview of the ’249 Patent	10
	A. The ’249 Patent Disclosure	10
	B. Prosecution History of the ’249 Patent.....	13
	C. Post Grant Challenges of the ’249 Patent.....	14
VI.	The Prior Art Renders the Challenged Claims Obvious	14
	A. Level of Ordinary Skill in the Art	15
	B. GROUND 1: Claims 3-5, 9, 10, 14-21, and 23-29 are obvious over Goodman, Kaufman, Lyons, and Wahlquist.....	15
	1. Goodman discloses monitoring elements [1.0], [14.0], [23.0], and [27.0].....	15
	2. Kaufman discloses audio interface elements [1.1], [3.0], [4.0], [5.0], [8.0], [9.0], [14.1], [14.3], [15.0], [16.0], [23.7], [25.0], [27.9], and [27.10].....	16

3.	Goodman and as modified by Kaufman discloses script generator elements [1.2], [1.7], [14.5], [23.1], and [27.1].....	18
4.	Lyons discloses data merge elements [1.3], [1.8], [14.6], [23.2], and [27.2].....	20
5.	Wahlquist discloses script assignor elements [1.4], [1.12], [14.7], [23.3], and [27.6].....	23
6.	Goodman discloses biometric sensor elements [1.5] and [14.4].....	25
7.	Goodman discloses network communication elements [1.6], [14.8], and [23.9].....	26
8.	Goodman discloses health information elements [1.9], [14.9], [23.4], and [27.3].....	27
9.	Goodman discloses message elements [1.10], [14.10], [23.5], and [27.4].....	27
10.	Wahlquist discloses program identifier elements [1.11], [14.11], [23.6], and [27.5].....	28
11.	Goodman discloses script program transmission elements [1.13], [7.0], [14.8.B], [18.0], [24.2], [27.7], and [28.0]. ..	29
12.	Goodman discloses script program execution elements [1.14], [14.2], [23.8], and [27.8].....	30
13.	Goodman discloses response transmission elements [24.3] and [27.11].....	31
14.	Goodman discloses report generator elements [17.0], [27.12], and [29.0].....	32
15.	Goodman as modified by Kaufman disclose query-based script generation element [24.1].....	32
16.	Goodman discloses notification elements [10.0] and [19.0]. ..	33
17.	Goodman discloses biometric monitor element [20.0].....	33
18.	Goodman discloses multiple-remote-apparatuses elements [21.0] and [26.0].....	34
C.	GROUND 2: Claim 22 is obvious over Goodman, Kaufman, Lyons, Wahlquist, and Bittorf.	34
D.	GROUND 3: Claims 3-5, 9, 10, 14-21, and 23-29 are obvious over Goodman, Kaufman, Wright, and Wahlquist.....	35

1.	Goodman discloses monitoring elements [1.0], [14.0], [23.0], and [27.0].....	35
2.	Kaufman discloses audio interface elements [1.1], [3.0], [4.0], [5.0], [8.0], [9.0], [14.1], [14.3], [15.0], [16.0], [23.7], [25.0], [27.9], and [27.10].....	36
3.	Goodman as modified by Kaufman disclose script generator elements [1.2], [1.7], [14.5], [23.1], and [27.1].	36
4.	Wright discloses data merge elements [1.3], [1.8], [14.6], [23.2], and [27.2].....	36
5.	Wahlquist discloses script assignor elements [1.4], [1.12], [14.7], [23.3], and [27.6].	39
6.	Goodman discloses biometric sensor elements [1.5] and [14.4].	39
7.	Goodman discloses network communication elements [1.6], [14.8], and [23.9].....	39
8.	Goodman discloses health information elements [1.9], [14.9], [23.4], and [27.3].	39
9.	Goodman discloses message elements [1.10], [14.10], [23.5], and [27.4].....	40
10.	Wahlquist discloses program identifier elements [1.11], [14.11], [23.6], and [27.5].	40
11.	Goodman discloses script program transmission elements [1.13], [7.0], [14.8.B], [18.0], [24.2], [27.7], and [28.0].	40
12.	Goodman discloses script program execution elements [1.14], [14.2], [23.8], and [27.8].	40
13.	Goodman discloses response transmission elements [24.3] and [27.11].	41
14.	Goodman discloses report generator elements [17.0], [27.12], and [29.0].....	41
15.	Goodman as modified by Kaufman discloses query-based script generation element [24.1].....	41
16.	Goodman discloses notification elements [10.0] and [19.0]. ..	41
17.	Goodman discloses biometric monitor element [20.0].....	41

18.	Goodman discloses multiple-remote-apparatuses elements [21.0] and [26.0].....	42
E.	GROUND 4: Claim 22 is obvious over Goodman, Kaufman, Wright, Wahlquist, and Bittorf.....	42
F.	GROUND 5: Claims 3-5, 9, 10, 14-21, and 23-29 are obvious over Goodman, Kaufman, Jeacock, and Wahlquist.	42
1.	Goodman discloses monitoring elements [1.0], [14.0], [23.0], and [27.0].....	42
2.	Kaufman discloses audio interface elements [1.1], [3.0], [4.0], [5.0], [8.0], [9.0], [14.1], [14.3], [15.0], [16.0], [23.7], [25.0], [27.9], and [27.10].....	43
3.	Goodman as modified by Kaufman discloses script generator elements [1.2], [1.7], [14.5], [23.1], and [27.1].	43
4.	Jeacock discloses data merge elements [1.3], [1.8], [14.6], [23.2], and [27.2].....	43
5.	Wahlquist discloses script assignor elements [1.4], [1.12], [14.7], [23.3], and [27.6].....	46
6.	Goodman discloses biometric sensor elements [1.5] and [14.4].	46
7.	Goodman discloses network communication elements [1.6], [14.8], and [23.9].....	46
8.	Goodman discloses health information elements [1.9], [14.9], [23.4], and [27.3].....	46
9.	Goodman discloses message elements [1.10], [14.10], [23.5], and [27.4].....	47
10.	Wahlquist discloses program identifier elements [1.11], [14.11], [23.6], and [27.5].....	47
11.	Goodman discloses script program transmission elements [1.13], [7.0], [14.8.B], [18.0], [24.2], [27.7], and [28.0].	47
12.	Goodman discloses script program execution elements [1.14], [14.2], [23.8], and [27.8].	47
13.	Goodman discloses response transmission elements [24.3] and [27.11].	48
14.	Goodman discloses report generator elements [17.0], [27.12], and [29.0].....	48

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.