

Filed on behalf of: Software Rights Archive, LLC

Paper \_\_\_\_\_

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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FACEBOOK, INC., LINKEDIN CORP., and TWITTER, INC.  
Petitioners

v.

SOFTWARE RIGHTS ARCHIVE, LLC  
Patent Owner

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Case IPR2013-00479  
Patent 5,832,494

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**PATENT OWNER'S PRELIMINARY RESPONSE**

**TABLE OF CONTENTS**

TABLE OF AUTHORITIES ..... ii

LIST OF EXHIBITS ..... iii

I. STATEMENT OF THE PRECISE RELIEF REQUESTED .....1

II. STATEMENT OF REASONS WHY NO *INTER PARTES* REVIEW SHOULD BE INSTITUTED UNDER 35 U.S.C. § 314 FOR GROUNDS 4, 5, AND 10.....4

A. Grounds 4 and 5 .....4

1. Thompson does not Anticipate any Claim of the ‘494 Patent (Ground 4).....5

2. Thompson does not Render Obvious any Claim of the ‘494 Patent (Ground 5).....13

B. Ground 10.....17

1. The Fox Papers are Cumulative of Salton 1963 .....18

2. Both Salton 1963 and Salton 1990 were Considered by the Office in a Related Reexamination .....21

III. GROUNDS NOT ADDRESSED IN PRELIMINARY RESPONSE .....25

IV. CONCLUSION.....25

**TABLE OF AUTHORITIES****Cases**

<i>Chimei Innolux Corp. v. Semiconductor Energy Lab. Co., Ltd.</i> , IPR2013-00038 (Paper 9) (PTAB Mar. 31, 2013) .....	24
<i>Chimei Innolux Corp. v. Semiconductor Energy Lab. Co., Ltd.</i> , IPR2013-00066 (Paper 10) (PTAB Apr. 24, 2013) .....	24
<i>Facebook, Inc. v. Software Rights Archive, LLC</i> , IPR2013-00480 (Paper 2) (PTAB July 30, 2013) .....	21
<i>In re Rijckaert</i> , 9 F.3d 1531 (Fed. Cir. 1993) .....	11
<i>In re Robertson</i> , 169 F.3d 743, 49 USPQ2d 1949 (Fed. Cir. 1999) .....	11
<i>Liberty Mutual Ins. Co. v. Progressive Cas. Ins. Co.</i> , CBM2012-00003 (Paper 7) (PTAB Oct. 25, 2012) .....	18
<i>Nissan N. Am., Inc. v. Bd. of Regents, The Univ. of Texas Sys.</i> , IPR2012-00035 (Paper 30) (PTAB Mar. 19, 2013) .....	18

**Statutes**

35 U.S.C. § 314(a) .....	1
35 U.S.C. § 323 .....	4
35 U.S.C. § 324 .....	4
35 U.S.C. § 325(d) .....	22

**Rules**

37 C.F.R. § 42.108 .....	17
37 C.F.R. § 42.207(a) .....	1

**LIST OF EXHIBITS**

- Exhibit 2001: Gerard Salton and Chris Buckley, "Approaches to Text Retrieval for Structured Documents," Department of Computer Science, Cornell University, January 1990, pp. 1-19.
- Exhibit 2002: Reexamination Control No. 90/011,010, Notice of Intent to Issue Ex Parte Reexamination Certificate, mailed on June 29, 2011.
- Exhibit 2003: IBM Dictionary of Computing 654 (10<sup>th</sup> ed. 1994).
- Exhibit 2004: Sams Computer Dictionary 479 (4<sup>th</sup> ed. 1986).
- Exhibit 2005: Reexamination Control No. 90/011,010, Order Granting Request for Ex Parte Reexamination, mailed on August 2, 2010.
- Exhibit 2006: U.S. Patent No. 5,544,352, issued on August 6, 1996.
- Exhibit 2007: Reexamination Control No. 90/011,010, Office Action, mailed on December 10, 2010.

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Pursuant to 37 C.F.R. § 42.107(a), Patent Owner, Software Rights Archive, LLC, submits this Preliminary Response to the Petition for *Inter Partes* Review of U.S. Patent No. 5,832,494 (“494 patent”) filed by Facebook, Inc. (“Facebook”), LinkedIn Corp. (“LinkedIn”), and Twitter, Inc. (“Twitter”) (together the “Petitioners”).

## I. STATEMENT OF THE PRECISE RELIEF REQUESTED

The Board should deny, at least in part, the petition for two independent reasons.

*First*, Petitioners have failed to meet the threshold set forth in 35 U.S.C. § 314(a) for institution of *inter partes* review based on **Grounds 4 and 5**, which allege, respectively, that claims 18-20, 48, and 49 are anticipated and obvious in view of Rodger H. Thompson, “The Design and Implementation of an Intelligent Interface for Information Retrieval,” University of Massachusetts, Computer and Information Science Department, Thesis, COINS Technical Report 88-89, pp. 1-216, 1989 (“Thompson”) (Ex. 1214, Parts 1-5). Petitioners have failed to show that there is a reasonable likelihood that they would prevail in showing that any of the claims are unpatentable in view of Thompson. As is clear from Thompson itself, as well as Petitioners’ limited citations to the reference’s actual disclosure, Thompson fails to teach, and would not have suggested, numerous features of claims 18-20, 48, and 49.

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