

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Request for Ex Parte Reexamination	§	REQUEST FOR EX PARTE
	§	REEXAMINATION
U.S. Patent No. 6,009,469	§	
	§	
Issued: December 28, 1999	§	
	§	Attorney Docket No.: 03801.G184
For: Graphic User Interface For	§	
Internet Telephony Application	§	
	§	
Requester: Skype, Inc.	§	Customer No.: 08791

REQUEST FOR EX PARTE REEXAMINATION UNDER 35 U.S.C. § 302

Mail Stop *Ex parte* Reexam
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the provisions of 35 U.S.C. §§ 302-307, the undersigned hereby requests an *ex parte* reexamination of Claims 1-3, 5-6, 8-9, and 14-18 of United States Patent No. 6,009,469 (“the ‘469 patent,” Exhibit A) which issued on December 28, 1999 to Shane D. Mattaway et al., resulting from a patent application filed on September 25, 1996. The patent application was a continuation-in-part of a patent application filed September 25, 1995, which resulted in U.S. Patent No. 6,108,704 (“the ‘704 patent”). The Requester asserts that claims 1-3, 5-6, 8-9, and 14-18 are unpatentable because of prior art references which were not before the U.S. Patent and Trademark Office (PTO) during prosecution of the ‘469 patent.

Table of Contents

I.	PENDING LITIGATION	4
II.	LISTING OF PRIOR ART PATENTS AND PRINTED PUBLICATIONS	4
III.	OVERVIEW OF ‘469 PATENT	6
	A. Subject Matter of the ‘469 Patent	6
	B. Related Reexaminations Filed by Requestor	10
	C. Prosecution History of the ‘469 Patent	10
IV.	SUBSTANTIAL NEW QUESTION (SNQ) OF PATENTABILITY AS REQUIRED BY 37 C.F.R 1.510 (b)(1)	13
	A. SNQs Raised by NetBIOS	13
	B. SNQ’s Raised by NetBIOS in view of RFC 1531	14
	C. SNQs Raised by NetBIOS in view of Pinard.....	15
	D. SNQs Raised by NetBIOS in view of Pinard and Further in View of VocalChat User’s Guide	16
	E. SNQs Raised by Etherphone.....	17
	F. SNQs Raised by Etherphone in view of Vin and Further in View of RFC 1531 ..	19
	G. SNQs Raised by Etherphone in view of Pinard	20
	H. SNQs Raised by Etherphone in view of Pinard and Further in View of VocalChat	21
	I. SNQs Raised by VocalChat User’s Guide in view of Readme, and further in view of VocalChat Networking, and further in view of Help File, and further in view of Troubleshooting Help File (hereinafter collectively “VocalChat” or “the VocalChat References”).....	22
	J. SNQs Raised by the VocalChat references in view of RFC 1531	24
	K. SNQs Raised by VocalChat References in view of Pinard.....	25
V.	OVERVIEW OF THE PRIOR ART REFERENCES PRESENTING A SNQ OF PATENTABILITY	26
	A. NetBIOS.....	26
	B. Etherphone	29
	C. VocalChat User’s Guide, VocalChat Readme File, VocalChat Networking Information, VocalChat Help File, VocalChat Troubleshooting Help File (collectively referred to as “VocalChat” or “the VocalChat references”)	33
	D. RFC 1531	37
	E. Vin.....	37

F.	Pinard	38
VI.	DETAILED EXPLANATION OF THE PERTINENCY AND MANNER OF APPLYING THE PRIOR ART REFERENCES TO EVERY CLAIM FOR WHICH REEXAMINATION IS REQUESTED.....	43
A.	NetBIOS.....	43
B.	NetBIOS in view of RFC 1531	57
C.	NetBIOS in view of Pinard	58
D.	NetBIOS in view of Pinard and Further in View of VocalChat User’s Guide	65
E.	Etherphone	65
F.	Etherphone in view of Vin and Further in View of RFC 1531.....	82
G.	Etherphone in view of Pinard	83
H.	Etherphone in view of Pinard and Further in View of VocalChat.....	89
I.	VocalChat	89
J.	VocalChat in view of RFC 1531.....	104
K.	VocalChat in view of Pinard.....	106
VII.	LIST OF EXHIBITS.....	112
VIII.	CONCLUSION.....	114