UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD
HTC CORPORATION; HTC AMERICA, INC.; SAMSUNG ELECTRONICS CO., LTD.; and SAMSUNG ELECTRONICS AMERICA, INC.  Petitioner
V.
E-WATCH, INC. and E-WATCH CORPORATION Patent Owner
CASE IPR2014-00987 <sup>1</sup> Patent No. 7,365,871 B2

## PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE

<sup>&</sup>lt;sup>1</sup> Case IPR2015-00541 has been joined with this proceeding.



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	INTRODUCTION RESPONSE TO PATENT OWNER'S ARGUMENTS		
A.	All limitations in Claim 12 are taught or suggested by Wilska and Yamagishi-114		
	1. Wilska teaches or suggests the Non-Audio Digital Image Signal Transmission Limitation, as recited in claim 12		
	2. The plain language of claim 12 and the '871 Patent specification supports a BRI of claim 12 that encompasses transmission of images via fax		
	3. PO's contention on Multimedia Messaging Service (MMS) with respect to Wilska		
B.	All limitations in Claims 1 and 6 are taught or suggested by Wilska and Yamagishi-114		
	1. PO's Visual Image Transmission Limitation has no basis in the plain language of claims 1 and 6		
	2. PO's Visual Image Transmission Limitation also lacks basis in the specification of '871 Patent		
	3. PO has taken conflicting infringement positions in litigation		
	4. The specification of the '871 Patent identifies fax transmissions as the "subject invention"		
	5. Wilska's device is capable of transmitting reproducible images		
C.	PO's stated reasons against the combination of Wilska and Yamagishi-114 are without merit		
	1. Arguments made during a reexamination proceeding of a U.S. counterpart to Wilska are not relevant to Wilska's principle of operation		



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# Petitioner's Reply To Patent Owner's Response

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## **EXHIBIT LIST**

Exhibit #	Brief Description
1001	U.S. Patent No. 7,365,871 B2 to David A. Monroe ("the '871 Patent")
1002	U.K. Patent Application GB 2,289,555 A to Wilska et al. ("Wilska")
1003	Certified Translation of the Japanese Patent Publication No. H06-
	176114 to Yamagishi ("Yamagishi-114"), Certification of English
	Translation and the Original Japanese Document
1004	U.S. Patent No. 5,550,754 B2 to McNelley et al. ("McNelley")
1005	European Patent Application Publication No. 0594992 A1 to Yamagishi
	("Yamagishi-992")
1006	Declaration of Kenneth Parulski Including Attachments A-D
1007	Selected Portions of the '871 Patent Prosecution File History
1008	Rebuttal Declaration of Kenneth Parulski in Support of Petitioner's
	Reply to Patent Owner's Response of February 20, 2015 ("2015
	Parulski Decl.")
1009	Select Sections of eWatch Preliminary Contentions in Lawsuits Filed in
	the Eastern District of Texas Against Petitioner HTC
1010	Select Sections of eWatch Preliminary Contentions in Lawsuits Filed in
	the Eastern District of Texas Against Petitioner Samsung
1011	Samsung Galaxy S5 User Manual
1012	Select Sections of AT&T Wireless Picture/Video Messaging



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