

# Petitioner's Trial Presentation

Inter Partes Reviews

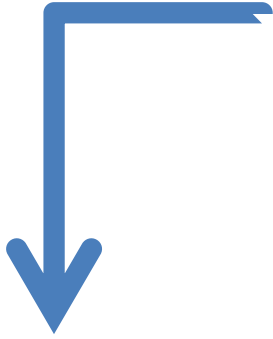
IPR2014-01102, -01103, -01104 & -01106

of the "Darbee Patents"

5,228,077; 5,552,917; 5,414,761; 5,255,313

Oral Hearing Aug. 19, 2015

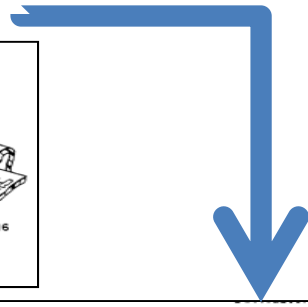
# The Darbee Patents Claim Priority to the '810 Patent



**United States Patent** [19] [11] Patent Number: **4,959,810**  
**Darbee et al.** [45] Date of Patent: **Sep. 25, 1990**

[54] **UNIVERSAL REMOTE CONTROL DEVICE**  
 [75] Inventors: **Paul V. Darbee, Santa Ana; Richard E. Ellis, Garden Grove; Louis S. Jansky, Long Beach; Avram S. Grossman, Santa Ana, all of Calif.**  
 [73] Assignee: **Universal Electronics, Inc., Tustin, Calif.**  
 [21] Appl. No.: **127,999**  
 [22] Filed: **Dec. 2, 1987**

**Related U.S. Application Data**  
 [63] Continuation-in-part of Ser. No. 109,336, Oct. 14, 1987, abandoned.



**United States Patent** [19] [11] Patent Number: **5,552,917**  
**Darbee et al.** [45] Date of Patent: **Sep. 3, 1996**

[54] **REMOTE CONTROL**  
 [75] Inventors: **Paul V. Darbee, Santa Ana; Richard E. Ellis, Garden Grove; Louis S. Jansky, Long Beach; Avram S. Grossman, Santa Ana, all of Calif.**  
 [73] Assignee: **Universal Electronics, Inc., Tustin, Calif.**  
 [21] Appl. No.: **314,970**  
 [22] Filed: **Sep. 29, 1994**

Division of Ser. No. 93,512, Jul. 16, 1993, which is a continuation of Ser. No. 586,957, Sep. 24, 1990, which is a division of Ser. No. 127,999, Dec. 2, 1987, Pat. No. **4,959,810**, which is a continuation-in-part of Ser. No. 109,336, Oct. 14, 1987, abandoned.

**United States Patent** [19] [11] Patent Number: **5,228,077**  
**Darbee** [45] Date of Patent: **Jul. 13, 1993**

[54] **REMOTELY UPGRADABLE UNIVERSAL REMOTE CONTROL**  
 [75] Inventor: **Paul V. Darbee, Santa Ana, Calif.**  
 Assistant Examiner—Wing F. Chan  
 Attorney, Agent, or Firm—Thomas R. Vigil  
 [57] **ABSTRACT**

**United States Patent** [19] [11] Patent Number: **5,255,313**  
**Darbee** [45] Date of Patent: **\* Oct. 19, 1993**

[54] **UNIVERSAL REMOTE CONTROL SYSTEM**  
 [75] Inventor: **Paul V. Darbee, Santa Ana, Calif.**  
 OTHER PUBLICATIONS  
 "IEEE Journal of Solid-State Circuits", vol. SC-11, No. 6, Dec. 1976, Casier et al., pp. 800-808, Pulse Posi-

**United States Patent** [19] [11] Patent Number: **5,414,761**  
**Darbee** [45] Date of Patent: **\* May 9, 1995**

[54] **REMOTE CONTROL SYSTEM**  
 [75] Inventor: **Paul V. Darbee, Santa Ana, Calif.**  
 [73] Assignee: **Universal Electronics, Inc., Tustin, Calif.**  
 [ \* ] Notice: The portion of this patent which is a continuation-in-part of Ser. No. 127,999, Dec. 2, 1987, Pat. No. 4,959,810, which is a continuation-in-part of Ser. No. 109,336, Oct. 14, 1987, abandoned.  
 [21] Appl. No.: **134,086**  
 [22] Filed: **Oct. 8, 1993**  
 OTHER PUBLICATIONS  
 Ronald G. Gordon, "An Interactive Video Information Terminal", IEEE Transactions on Communications, vol. COM-28, No. 1, Jan. 1980, pp. 1-10.

The '917 patent is a continuation of the '810 patent

The '077, '313, and '761 patents are continuation-in-part of the '810 patent

# Patent Owner Applied the Same Analysis to all the Darbee Patents

The '917 patent will be used as representative of the issues for the three other Darbee patents (unless expressly shown otherwise).

See Cook Deposition, Ex. 1053, e.g., at 333:24-334:4 (re '077), 334:19-336:20 (re '761 & '313), 403:24-404:5 (re '077), 406:16-25 (re '761), 409:24-410:17 (re '313).

<b>United States Patent</b> [19]	[11] <b>Patent Number:</b>	<b>5,552,917</b>
<b>Darbee et al.</b>	[45] <b>Date of Patent:</b>	<b>Sep. 3, 1996</b>
[54] <b>REMOTE CONTROL</b>	2126002	3/1984 United Kingdom .
	2166322	4/1986 United Kingdom .
[75] Inventors: <b>Paul V. Darbee</b> , Santa Ana; <b>Richard E. Ellis</b> , Garden Grove; <b>Louis S. Jansky</b> , Long Beach; <b>Avram S. Grossman</b> , Santa Ana, all of Calif.	2136177	9/1986 United Kingdom .
	2192743	10/1987 United Kingdom .
	2215928	9/1989 United Kingdom .
	2229024	9/1990 United Kingdom .
[73] Assignee: <b>Universal Electronics</b> , Ohio	Division of Ser. No. 93,512, Jul. 16, 1993, which is a continuation of Ser. No. 586,957, Sep. 24, 1990, which is a division of Ser. No. 127,999, Dec. 2, 1987, Pat. No. <b>4,959,810</b> , which is a continuation-in-part of Ser. No. 109,336, Oct. 14, 1987, abandoned.	
[21] Appl. No.: <b>314,970</b>		
[22] Filed: <b>Sep. 29, 1994</b>		

Q. Okay. So to the extent we've had testimony on the term code data for the '917 patent, that would apply to the construction of code data for the '077 patent, correct? A. Yes.

Ex. 1053 at 333:24-334:4

Q. ... To the extent we've had testimony about the Ciarcia reference and how it distinguishes from the '917 patent, that testimony would apply equally to the '077 patents, correct? A. Yes.

Ex. 1053 at 403:24-404:5

## Representative Claim 1 of the '917 Patent

1. A remote control comprising
  - input means including a set of keys or pushbuttons for inputting commands to the remote control,
  - infrared signal output means for supplying an infrared signal to a controlled device including IR lamp driver circuitry,
  - a central processing unit (CPU) coupled to said input means and to said signal output means,
  - memory means coupled to said CPU, code data for generating infrared codes stored in said memory means, and
  - two-way data coupling means coupled to said CPU for enabling at least one of instruction codes or of infrared code data for generating infrared codes to be supplied from outside said remote control through said two-way data coupling means directly to said CPU for entry into said memory means to enable a user of the remote control to operate a selected controlled device upon inputting commands to the remote control by depressing selected keys of the remote control and to be transmitted from said remote control through said two-way data coupling means to a computer.

Patent Owner argues that “*code data*” is missing from the prior art (Ciarcia).

'917 POR at 13-15, Pet. Reply at 10 & 12, Ex. 1053 (Cook Dep.) at 361:25-362:7.

# Code Data Was in the Prior Art

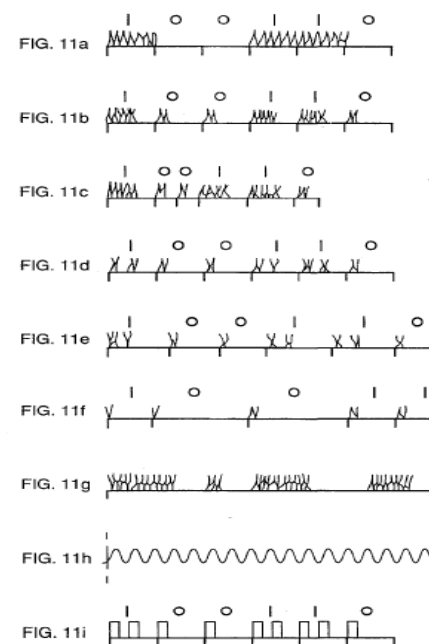
The Darbee patents expressly describe that “*code data*” was in the prior art.

See Pet. Reply at 5 and ‘917 patent at 8:58-62.

See also id. at FIG. 11 (which is a copy of FIG. 1 of 4,623,887 to Welles).

“The *code data* for the infrared codes may be obtained from *vendor information sheets and specifications*, can be determined using the methods disclosed in *U.S. Pat. Nos. 4,623,887 and 4,626,848*, or by the method disclosed herein.”

‘917 patent at 8:58-62. (Emphasis added.)



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