

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

In re Patent of: Foster, William J.

Patent No.: RE39,059

(Reissue of 6,211,870)

Filed: March 31, 2003

Issued: Apr. 4, 2006

Assignee: Universal Electronics Inc.

Title: COMPUTER

PROGRAMMABLE REMOTE

CONTROL

Petition for *Inter Partes* Review under
35 U.S.C. §§ 311–319
and 37 C.F.R. § 42.100 et seq.

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PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. RE39,059

TABLE OF CONTENTS

EXHIBIT LIST iv

I. MANDATORY NOTICES.....1

A. Real Party-In-Interest.....1

B. Related Matters1

C. Lead and Back-Up Counsel.....2

D. Service Information.....3

II. PAYMENT OF FEES.....3

III. REQUIREMENTS FOR *INTER PARTES* REVIEW3

A. Grounds For Standing3

B. Identification of Challenge4

1. Claims for which *inter partes* review is requested.....4

2. The specific art and statutory grounds on which the challenge is based4

3. How the challenged claims are to be construed5

4. How the construed claims are unpatentable under the statutory grounds identified in 37 C.F.R. § 42.104(b)(2)6

5. Supporting evidence relied upon to support the challenge.....6

IV. SUMMARY OF THE '059 PATENT6

A. Summary of the Prosecution History of the '059 Patent8

V. DETAILED CLAIM CONSTRUCTION8

A. Construction of Terms8

VI. THERE IS A REASONABLE LIKELIHOOD THAT AT LEAST ONE CLAIM OF THE '059 PATENT IS UNPATENTABLE.....9

A. Claims 13-17, 19-26, and 30 of the '059 are obvious over Lexicon in view of Ciarcia9

B.	Claims 13-17, 19-26, and 30 of the ‘059 are obvious over AMX in view of Admitted Prior Art.....	11
VII.	DETAILED EXPLANATION OF HOW THE CHALLENGED CLAIMS ARE UNPATENTABLE.....	12
A.	Summary of Prior Art.....	12
1.	Lexicon 500T System Controller, Owner’s Guide and Programming Manual, © 1994 Lexicon, Inc. (Lexicon - Exhibit 1003)	12
2.	“Build a Trainable Infrared Master Controller,” by Steve Ciarcia, BYTE March 1987 at pp. 113-123 (Ciarcia, Exhibit 1004)	14
3.	Color Passive-Matrix LCD Touch Panels Instruction Manual, 10/96 © 1996 AMX Corporation (AMX, Exhibit 1005)	15
B.	Detailed Grounds for Unpatentability Arguments	16
1.	Ground 1: Claims 13-17, 19-26, and 30 are unpatentable as obvious over Lexicon in view of Ciarcia under 35 U.S.C. § 103(a).....	16
2.	Ground 2: Claims 13-17, 19-26, and 30 are unpatentable as obvious over AMX in view of admitted prior art under 35 U.S.C. § 103(a).....	34
VIII.	CONCLUSION.....	54

EXHIBIT LIST

1001. U.S. Patent No. RE39,059 (filed Mar. 31, 2003) (issued Apr. 4, 2006) to William J. Foster (“the ‘059 patent”).
1002. Prosecution history of U.S. Patent Application Serial No. 10/403,454, which matured into the '059 Patent.
1003. Lexicon 500T System Controller, Owner’s Guide and Programming Manual, © 1994 Lexicon, Inc (“Lexicon”).
1004. “Build a Trainable Infrared Master Controller,” by Steve Ciarcia, BYTE March 1987 at pp. 113-123 (“Ciarcia”).
1005. Color Passive-Matrix LCD Touch Panels Instruction Manual, 10/96 © 1996 AMX Corporation (AMX).
1006. Declaration of Jim Geier, Ph.D., In Support of the Petition for *Inter Partes* Review of U.S. Patent No. RE39,059 (“Geier Declaration”).
1007. Complaint for Patent Infringement in *Universal Electronics, Inc. v. Universal Remote Control Inc.*, Civil Action No. SACV 13-00984, filed June 28, 2013 (“2013 UEI Litigation”).

Petition for *Inter Partes* Review of U.S. Patent No. RE39,059

Petitioner Universal Remote Control, Inc. (“Petitioner” or “URC”) respectfully requests *inter partes* review of claims 13-17, 19-26, and 30 of U.S. Patent No. RE39,059 (the “’059 Patent,” attached as Ex. 1001) in accordance with 35 U.S.C. §§ 311–319 and 37 C.F.R. § 42.100 et seq.

I. MANDATORY NOTICES

Pursuant to 37 C.F.R. § 42.8(a)(1), Petitioner provides the following mandatory disclosures.

A. Real Party-In-Interest

Pursuant to 37 C.F.R. § 42.8(b)(1), Petitioner certifies that Universal Remote Control, Inc. is the real party-in-interest.

B. Related Matters

Pursuant to 37 C.F.R. § 42.8(b)(2), Petitioner states that claims 13-17, 19-26, and 30 of the '059 Patent are involved in the litigation presently styled *Universal Electronics Inc., v. Universal Remote Control, Inc., Ohsung Electronics Co., Ltd., and Ohsung Electronics U.S.A., Inc.*, Case No. SACV 13-00984 AG (JPRx) (C.D. Cal.), filed on June 28, 2013 (“2013 UEI Litigation”). See Ex. 1007. Petitioner was the sole defendant in the 2013 UEI Litigation on July 2, 2013 and, consequently, the only defendant served with a complaint in the 2013 UEI Litigation on July 2, 2013. The 2013 UEI Litigation remains pending. The

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