UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC., and
SAMSUNG TELECOMMUNICATIONS AMERICA, LLC,

Petitioners,

v.

Arendi S.A.R.L.,

Patent Owner.

Case No. IPR2014-01142

Patent No. 7,917,843

PATENT OWNER ARENDI S.A.R.L.'S PRELIMINARY RESPONSE UNDER 35 U.S.C. § 313 and 37 C.F.R. § 42.107

EXHIBIT LIST

Arendi Exhibit Number	Description
2001	American Heritage College dictionary 3rd edition 1997 definition of the term "configure".
2002	*Arendi S.A.R.L. v. Samsung Electronics Co. Ltd., et al.*, Case No. 1:2012cv01598 (D. Del.), Complaint
2003	*Arendi S.A.R.L. v. Samsung Electronics Co. Ltd., et al.*, Case No. 1:2012cv01598 (D. Del.), Proof of Service

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INTRODUCTION

Patent Owner Arendi S.A.R.L. ("Arendi" or "Patent Owner") respectfully requests that the Board decline to initiate *inter partes* review of claims 1, 2, 8, 14-17, 20, 21, 23, 24, 30, 36-39, 42 and 43 of U.S. Patent No. 7,917,843 (the "'843 Patent") because Petitioners Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC ("Petitioners") have failed to show that they have a reasonable likelihood of prevailing with respect to any of the challenged claims. 35 U.S.C. § 314.

Petitioners have submitted a proposed ground for challenge based on obviousness. At least one claim element is missing from the relied-upon reference. Very recently, the Federal Circuit Court of Appeals set forth a clear statement of the law with respect to proper use of "common sense" in a proceeding before the U.S. Patent and Trademark Office. Consequently, Petitioners may not simply argue "common sense" to substitute for the limitation that is missing from the prior art. Thus, Petitioners have failed to meet its initial burden to show that each element was known in the prior art.

I. OVERVIEW OF THE '843 PATENT

The '843 Patent is directed, among other things, to computer-implemented processes for automating a user's interaction between a first application, such as a word processing application or spreadsheet application, on the one hand, and a

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