

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

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**In re Patent of:** Paul D. Arling and

Patrick H. Hayes

**Case No.:** IPR2014-1146

**Patent No.:** 8,243,207

**Filed:** September 29, 2009

**Issued:** August 14, 2012

**Assignee:** Universal Electronics Inc.

**Title:** SYSTEM AND METHOD FOR  
ACTIVITY BASED  
CONFIGURATION OF AN  
ENTERTAINMENT SYSTEM

**Request For Rehearing Pursuant To  
37 C.F.R. §42.71(d)(1)**

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Patent Trial and Appeal Board  
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## **EXHIBIT LIST**

1001. U.S. Patent No. 8,243,207 (filed September 29, 2009) (issued August 14, 2012) to Paul D. Arling and Patrick H. Hayes.
1002. Prosecution history of U.S. Patent Application Serial No. 12/569,161, which matured into the '207 patent.
1003. Declaration of Jim Geier, In Support of the Petition for *Inter Partes* Review of U.S. patent No. 8,243,207.
1004. First Amended Complaint for patent Infringement in *Universal Electronics Inc. v. Universal Remote Control, Inc.*, Civil Action No. SACV 13-00984, dated July 22, 2013.
1005. U.S. Patent Publication No. 2003/0120831 (filed December 20, 2001) (published June 26, 2003) to Thomas Dubil et al.
1006. "IntelliControl Reference Manual" Version. 8.1, April 2002 by Niles Audio Corporation.
1007. U.S. Patent No. 4,527,204 (filed February 14, 1983) (issued July 2, 1985) to Daisuke Kozakai.

Petitioner Universal Remote Control, Inc. ("Petitioner" or "URC") hereby requests rehearing of the Board's January 9, 2015 Decision ("Paper 9" or "the Decision") under 37 C.F.R. §42.71(d)(1). The present request is being timely filed in accordance with 37 C.F.R. §42.71(d)(1) within 14 days of the date of the Decision.

## **I. INTRODUCTION**

Petitioner respectfully submits that the Board appears to have misapprehended or overlooked certain aspects of Petitioner's argument with respect to the invalidity of claim 12 of U.S. Patent No. 8,243,207 (the '207 patent). As demonstrated below, this resulted in the Board's determination that there was no reasonable likelihood that claim 12 is: (1) anticipated by U.S. Patent Publication No. 2003/0120831 to Dubil et al. ("the '831 Publication" or "Dubil"); and/or (2) obvious in view of the teachings of Dubil.

## **II. ARGUMENT**

### **A. The Decision appears to overlook portions of the claim language of the claim element allegedly not inherently disclosed by the Dubil reference**

Petitioner asserted that Dubil inherently discloses the limitation of "the user selection of at least one of the plurality devices to be used in the configuration comprises one or more signals received from the controlling device having data indicative of an appliance," in claim 12 of the '207 patent. *See* Petition, Paper 1,

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