

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Applicant:	Arling, et. al	)	Universal Remote Control, Inc.
		)	
Case No.:	IPR2014-01146	)	v.
		)	
Filing Date:	09/29/2009	)	Universal Electronics, Inc.
		)	
Patent No.:	8,243,207	)	Trial Paralegal: Amy Kattula
		)	
Title:	System and Method	)	Attny Doc.: 059489.144400
	For Activity Based	)	
	Configuration of an	)	
	Entertainment System	)	

**RESPONSE OF PATENT OWNER  
PURSUANT TO 37 C.F.R. § 42.120**

**Mail Stop PATENT BOARD**  
Patent Trial and Appeal Board  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate of Filing: I hereby certify that this correspondence is being electronically filed with the USPTO on this 25<sup>th</sup> day of March, 2015.

TABLE OF CONTENTS

	<b>Page</b>
<b>I. INTRODUCTION .....</b>	<b>1</b>
<b>II. CLAIM CONSTRUCTION.....</b>	<b>2</b>
<b>A. “activity key”.....</b>	<b>5</b>
<b>B. “configuration of the entertainment device”.....</b>	<b>6</b>
<b>III. PATENT OWNER’S RESPONSE TO PETITIONER’S INVALIDITY ARGUMENTS.....</b>	<b>11</b>
<b>A. Dubil Does Not Anticipate Claim 13-15 Of The ‘207 Patent Because Dubil Does Not Meet The Board’s Proposed Narrower Construction Of “configuration of the entertainment device”.....</b>	<b>11</b>
<b>B. Dubil Does Not Anticipate Claim 13.....</b>	<b>12</b>
<b>1. Dubil Does Not Configure An Audio Visual Entertainment Device.....</b>	<b>13</b>
<b>2. Dubil Does Not “associat[e] a command value corresponding to an activity key of a controlling device with a configuration of the entertainment device”.....</b>	<b>13</b>
<b>3. Dubil Does Not Teach “causing the entertainment device to access and use the configuration associated with the command value corresponding to the activity key of the controlling device in response to the entertainment device receiving from the controlling device a signal which includes the command value corresponding to the activity key of the controlling device”.....</b>	<b>16</b>

4.	<b>Dubil Does Not Teach “wherein the configuration of the entertainment device is downloaded into the entertainment device from a computing device in communication with the entertainment device”.....</b>	18
C.	<b>Dubil Does Not Anticipate Claim 14 Of The ‘207 Patent.....</b>	20
1.	<b>Dubil Does Not Configure An Audio Visual Entertainment Device.....</b>	20
2.	<b>Dubil Does Not Teach “receiving at the entertainment device from a controlling device a configuration request signal, wherein the configuration request signal includes a command value corresponding to an activity key of a controlling device”.....</b>	21
3.	<b>Dubil Does Not Teach “causing the command value corresponding to the activity key of the controlling device included in the configuration request signal to be automatically associated with a configuration of the entertainment device”.....</b>	24
D.	<b>Dubil Does Not Anticipate Claim 15 Of The ‘207 Patent.....</b>	26
IV.	<b>CONCLUSION.....</b>	29

**TABLE OF AUTHORITIES**

**Page(s)**

**Federal Cases**

*In re Am. Acad. Of Sci. Tech. Ctr.*,  
367 F.3d 1359 (Fed. Cir. 2004) .....2

*In re Robertson*,  
169 F.3d 743 (Fed. Cir. 1999) .....14, 22

**PTAB Decisions**

*3D-Matrix, Ltd. v. Menicon Co.*,  
Case IPR2014-00398, Paper No. 11 (P.T.A.B. Aug. 1, 2014) .....14, 22

**Regulations**

37 C.F.R. § 42.100(b) .....2

37 C.F.R. § 42.120 .....1

MPEP § 2111 .....2

## EXHIBIT LIST

- Ex. 2001 *Mohawk Resources Ltd. V. Vehicle Service Group, LLC*, Case IPR2014-00464, Paper 10 (Aug. 29, 2014)
- Ex. 2002 *Edmund Optics, Inc. v. Semrock, Inc.*, Case IPR2014-00583, Paper 9 (P.T.A.B. Sept. 19, 2014)
- Ex. 2003 *3D-Matrix, Ltd. v. Menicon Co.*, Case IPR2014-00398, Paper No. 11 (P.T.A.B. Aug. 1, 2014)
- Ex. 2004 *Eizo Corp. v. Barco N.V.*, IPR2014-00358, Paper 11 (P.T.A.B. July 23, 2014)
- Ex. 2005 *Moses Lake Indus., Inc. v. Enthone, Inc.*, IPR2014-00243, Paper 6 (P.T.A.B. June 18, 2014)
- Ex. 2006 *Moses Lake Indus., Inc. v. Enthone, Inc.*, IPR2014-00246, Paper 6 (P.T.A.B. June 18, 2014)
- Ex. 2007 *eBay, Inc. v. Paid, Inc.*, CBM2014-00125, Paper 15 (P.T.A.B. Sept. 30, 2014)
- Ex. 2008 *Synopsis v. Mentor Graphics Corp.*, IPR2012-00042, Paper No. 16 (P.T.A.B. Feb. 22, 2013)
- Ex. 2009 *Dominion Dealer Solutions, LLC v. AutoAlert, Inc.*, IPR2013-00222, Paper No. 12 (P.T.A.B. Aug. 12, 2013)
- Ex. 2010 *SAS Institute, Inc. v. ComplementSoft, LLC*, IPR2013-00581, Paper No. 15 (P.T.A.B. Dec. 30, 2013)
- Ex. 2011 *Heart Failure Techs., LLC v. CardioKinetix, Inc.*, IPR2013-00183, Paper No. 12 (P.T.A.B. July 31, 2013)
- Ex. 2012-2016 INTENTIONALLY SKIPPED
- Ex. 2017 Trial Transcript from *Universal Electronics, Inc. v. Universal Remote Control, Inc.*, No. 8:12-cv-00329-AG-JPR (C.D. Cal.), Dkt. No. 398-1

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.