

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SkyHawke Technologies, LLC,

Petitioner,

v.

L&H Concepts, LLC,

Patent Owner.

IPR2014-01485

Patent 5,779,566

**CORRECTED PETITION FOR *INTER PARTES* REVIEW OF
CLAIMS 6, 15, AND 16 OF U.S. PATENT NO. 5,779,566
UNDER 35 U.S.C. § 312 AND 37 C.F.R. § 42.104**

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EXHIBIT LIST

- 1001 U.S. Patent No. 5,779,566 to Wilens
- 1002 Excerpts from the prosecution history of U.S. Patent No. 5,779,566
- 1003 Excerpts from the *ex parte* reexamination of U.S. Patent No. 5,779,566
- 1004 U.S. Patent No. 4,142,236 to Martz et al.
- 1005 International Publication Number WO 92/04080 to Palmer
- 1006 U.S. Patent No. 5,426,422 to Vanden Heuvel et al.
- 1007 UK Patent Application No. 2,249,202 to Osamu
- 1008 TurboTax[®], The Easiest Way to do Your Taxes, User Manual
- 1009 The Nintendo[®] Game Boy[®] Compact Video Game System Owner's Manual
- 1010 The Ultra Golf Instruction Booklet
- 1011 EA SPORTS Presents PGA Tour Golf Instruction Booklet
- 1012 *Exhibit Number Not Used*
- 1013 *Exhibit Number Not Used*
- 1014 Shneiderman, B., *Designing the User Interface: Strategies for Effective Human-Computer Interaction* (1992)
- 1015 Shneiderman, B., *Designing the User Interface: Strategies for Effective Human-Computer Interaction* (1987)
- 1016 Coats, R. and Vlaeminke, I., *Man-Computer Interfaces: An Introduction to Software Design and Implementation* (1987)
- 1017 Downton, A., *Engineering the Human-Computer Interface* (1991)
- 1018 Shneiderman, B., *Designing Menu Selection Systems* (1986)
- 1019 Lickteig, C., *Design Guidelines and Functional Specifications for Simulation of the Battlefield Management System's (BMS) User Interface* (1988)
- 1020 U.S. Patent No. 4,879,648 to Cochran et al.
- 1021 SONY[®] Video Cassette Recorder Operating Instructions (1990)
- 1022 CASIO[®] Module No. 262 User Guide

- 1023 Brown, J., *Controlling the Complexity of Menu Networks* (1982)
- 1024 Opit, L.J., and Woodroffe, F.J., *Computer-held Clinical Record System—II, Assessment* (1970)
- 1025 Norman, K., *The Psychology of Menu Selection: Designing Cognitive Control at the Human/Computer Interface* (1991)
- 1026 The Software Toolworks' *Mavis Beacon Teaches Typing: User's Manual* (1987)
- 1027 *Exhibit Number Not Used*
- 1028 *Exhibit Number Not Used*
- 1029 *Exhibit Number Not Used*
- 1030 Patent Owner Preliminary Response filed in IPR2014-00438
- 1031 Patent Owner Preliminary Response filed in IPR2014-00437
- 1032 Paper 7 in Case IPR2014-00438 (decision on institution)
- 1033 Paper 7 in Case IPR2014-00437 (decision on institution)
- 1034 Declaration of Professor Carl A. Gutwin, Ph.D.

I. INTRODUCTION

SkyHawke Technologies, LLC (“SkyHawke” or “Petitioner”) respectfully requests *inter partes* review (“IPR”) for claims 6, 15, and 16 of U.S. Patent No. 5,779,566 (“the ‘566 patent,” attached hereto as Ex. 1001) in accordance with 35 U.S.C. §§ 311-319 and 37 C.F.R. § 42.100 et seq. Submitted concurrently herewith is a motion under 35 U.S.C. § 315(c) and 37 C.F.R. § 42.122(b) for joinder of this petition with the instituted Case IPR2014-00438 concerning the same patent.

The ‘566 patent is directed to a handheld electronic device that is described as being programmed by certain undisclosed “algorithms” to operate as a scorecard for the game of golf. Ex. 1001 at 7:36-39. Specifically, the ‘566 patent describes replacing the alphanumeric keys on prior art electronic golf scorecards with a set of tab and scroll keys (*id.* at 7:8-11) and a method of presenting the scorecard’s screens to the user in a defined sequence. *Id.* at 3:51 – 4:24.

Electronic golf scorecards, however, predate the ‘566 patent by at least 15 years. *See, e.g.*, Ex. 1004 at Abstract. Further, as demonstrated by various references that were not before the examiner, the user interface described by the ‘566 patent – wherein the user navigates and enters data in a series of screens by utilizing entry, tab, and scroll keys – represented nothing more than a routine

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