

Case IPR2015-00283  
Patent 6,038,295

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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GOOGLE INC.  
Petitioner

v.

TLI COMMUNICATIONS LLC  
Patent Owner

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Case IPR2015-00283

Patent 6,038,295

**PETITIONER GOOGLE INC.'S REPLY**

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In response to Petitioner’s argument that U.S. Patent No. 6,038,295 (the “295 patent”) is obvious in view of *Wilska* and *Morikawa*, Patent Owner argues: (1) that *Wilska* does not disclose sending digital images as attachments to email, *see* Paper 24 (Patent Owner’s Response) at 10; (2) that because *Morikawa*’s system is “proprietary” a person of ordinary skill in the art (“POSA”) could not have combined the email functionality disclosed in *Wilska* with *Morikawa*’s email system, *see id.* at 27; and (3) that in any event, *Morikawa* does not disclose “extracting” user prescribable classification information, i.e., “folder specification information,” *see id.* at 16. These arguments are not supported by the evidence. Indeed, when Patent Owner’s *own expert*, Dr. Prasant Mohapatra, was asked about them in his deposition, he disagreed with each of Patent Owner’s positions.

First, Dr. Mohapatra agreed that, contrary to what Patent Owner argued, a POSA *would* understand *Wilska* to disclose the transmission of digital images as attachments to email:

Q. Consequently, a person of ordinary skill in the art would understand that a -- the Wilska device was disclosing the possibility of sending binary attachments over e-mail?

A. Yes.

Q. Including digital images?

A. Yes.

Ex. 1047 (Mohapatra Dep.) at 79:18-24.

Second, Dr. Mohapatra acknowledged that the *Morikawa* email system is not proprietary and could in fact be implemented using standard protocols:

Q. So what the Morikawa patent is disclosing here is describing is that you might have attachment files attached to a message.

Correct?

A. Right.

Q. And that is something that a person of ordinary skill in that art would have been familiar with?

A. Yes.

Q. That was possible using standard Internet protocols at the time?

A. Yes.

Q. Specifically SMTP and MIME?

A. Yes.

Ex. 1047 at 60:4-16. Dr. Mohapatra further acknowledged that these protocols are the same ones a POSA would have understood to be used by *Wilska* to send email:

Q. A person of ordinary skill in the art would understand that the Wilska device was disclosing electronic mail that could be compliant with RFCs 821 and 822 [i.e., the SMTP standard].

Correct?

A. Yes.

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