

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC. and TWITTER, INC.
Petitioner

v.

SUMMIT 6 LLC
Patent Owner

Case: IPR2015-00688
Patent No. 7,765,482

Title: Web-Based Media Submission Tool

**PATENT OWNER'S
PRELIMINARY RESPONSE UNDER 37 C.F.R. § 42.107**

TABLE OF CONTENTS

I.	Introduction.....	1
II.	Procedural History	3
	A. Patenting of the Inventions.....	3
	B. Litigation of the Patents	8
III.	Level of Ordinary Skill in the Art	9
IV.	Claim Construction.....	10
	A. “Pre-processing”	10
V.	Response to Ground of Challenge	14
	A. Overview of Creamer	14
	B. Petitioner Has Not Shown That Claims 13, 14, 16–23, 35, 37, 38, 40–42, 44–46, and 49 Are Obvious Over Creamer.....	17
	1. Creamer does not teach or suggest “receiving an identification of [said] digital content.” (claims 13, 14, 16–23, 40).....	17
	2. Creamer does not teach or suggest “pre-processing said [identified digital content / selected digital content / digital content] at said client device in accordance with one or more pre-processing parameters.” (claims 13, 14, 16–23, 35, 37, 38, 40–42, 44–46, 49)	23
	3. Creamer does not teach or suggest “pre-processing parameters [controlling / enabling] said client device [in a placement of / to place] said [identified group of one or more items of digital content / digital content] into a specified form in preparation for [publication / distribution].” (claims 13, 14, 16–23, 35, 37, 38, 40–42, 44–46, 49)	25
	4. Petitioner has not shown that Creamer teaches or suggests “displaying a preview image of said selected digital content,	

	said preview image having a reduced size relative to said selected digital content” or “transmitting a message that includes said pre-processed digital content to said server device for subsequent publishing to said one or more devices that are remote from said server device and said client device” in claim (claim 35).	29
C.	The Objective Secondary Factors Confirm that the Challenged Claims are Not Obvious.....	29
1.	Long-Felt but Unresolved Need	31
2.	Commercial Success and Licensing	34
a.	Substantial Evidence of Commercial Success and Licensing Supports a Finding of Non-Obviousness.....	35
b.	The Commercial Success is Attributable to the Technology and Inventions Disclosed in Summit 6’s Patented Technology.	38
3.	Industry Praise.....	40
VI.	Petitioners Claims are Redundant and Lack Any Meaningful Distinction Between Prior Art References.	43
VII.	Conclusion	47

EXHIBIT LIST

- Exhibit 2001 [PROTECTIVE ORDER MATERIAL] RIM–Summit 6 License and Settlement Agreement (executed October 17, 2012).
- Exhibit 2002 [PROTECTIVE ORDER MATERIAL] Facebook–Summit 6 License and Settlement Agreement (February 8, 2013).
- Exhibit 2003 Jury Charge and Verdict Form, *Summit 6 LLC v. Research in Motion Corp. et al.*, Civil Action No. 3:11-cv-00367-O (N.D.Tex., April 5, 2013).
- Exhibit 2004 Excerpts of Trial Testimony of Dr. Mark Jones, *Summit 6 LLC v. Research in Motion Corp. et al.*, Civil Action No. 3:11-cv-00367-O, N.D.Tex. (April 4, 2013).
- Exhibit 2005 Summit6-1876—Correspondence, T. Anderson to H. Latham of Moore Data Management Services (September 15, 1998).
- Exhibit 2006 Summit6-4346—Correspondence, T. Anderson to J. Graff of RealSelect, Inc., Proposal to integrate Rimfire system with Realtor.com (April 26, 1999).
- Exhibit 2007 Summit6-1606—Press Release, “New Prepare and Post Technology from PictureWorks Technology, Inc. Revolutionizes Use of Photos in Internet Marketing of Real Estate,” (November 7, 1998).
- Exhibit 2008 Summit6-1962—Press Release, “Moore Data Management Services and PictureWorks Technology, Inc., Announce Partnership to Revolutionize Use of Real Estate Photos on the Internet,” (Business Wire, November 6, 1998).
- Exhibit 2009 Excerpts of Trial Testimony of Lisa Wood, *Summit 6 LLC v. Research in Motion Corp. et al.*, Civil Action No. 3:11-cv-00367-O, N.D.Tex. (March 29, 2013).
- Exhibit 2010 Rimfire Functional Specification Version 1.0 Core Feature Set, revision 4 (April 12, 1999).
- Exhibit 2011 Summit6-4341—Press Release, “PictureWorks Technology’s PictureBay Solves #1 Frustration of eBay Members, Adding Pictures to Auctions,” (April 12, 1999).

- Exhibit 2012 Summit6-2415—pBay Marketing Plan (PictureWorks Technology, Inc., March 24, 1999).
- Exhibit 2013 Summit6-5246—Press Release “PictureWorks Technology's Auction Photo Service, Picturebay, Serves Over Two Million Images to eBay, Amazon.com and Auction Universe,” (August 3, 1999).
- Exhibit 2014 White Paper, “Rimfire: The End-to-End Imaging Solution for Content Capture and Delivery,” (Internet Pictures Corporation, 2000).
- Exhibit 2015 Market Study, “Image Servers - Early Adopter Case Studies,” (Tony Henning and Future Image, Inc., 2001).
- Exhibit 2016 Summit6-5178—Excerpts of Woerner et al., “eBay for Dummies,” (IDG Books Worldwide, Inc., 1999).
- Exhibit 2017 Press Release, “iPIX Acquisition Locks up Internet Picture Market,” (March 9, 2000).
- Exhibit 2018 Press Release, “iPIX to Acquire PictureWorks Technology, Inc. to form End-to-End Internet Imaging Solutions Company,” (PictureWorks Technology, Inc., March 8, 2000 [Exhibit 99.1 to 8-k filing]).
- Exhibit 2019 iPIX Presentation, “Enhancing Classified Advertising with Visual Data,” (Don Strickland and Sarah Pate, October 2, 2003).
- Exhibit 2020 [PROTECTIVE ORDER MATERIAL] Confidential Information Memorandum, “AdMission” (Swiftsure Capital LLC, December 13, 2004).
- Exhibit 2021 [PROTECTIVE ORDER MATERIAL] Amendment No. 3 to the Visual Content Services Agreement Between eBay and iPIX (June 27, 2003).
- Exhibit 2022 Excerpts of Trial Testimony of Scott Lewis, *Summit 6 LLC v. Research in Motion Corp. et al.*, Civil Action No. 3:11-cv-00367-O, N.D.Tex. (April 1, 2013).

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