

Petition for *Inter Partes* Review of
U.S. Patent No. 6,038,295

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Facebook, Inc., Instagram, LLC
Petitioners

v.

TLI Communications, LLC
Patent Owner

U.S. Patent No. 6,038,295
Filing Date: June 17, 1997
Issue Date: March 14, 2000

Title: APPARATUS AND METHOD FOR RECORDING, COMMUNICATING
AND ADMINISTERING DIGITAL IMAGES

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 6,038,295**

Inter Partes Review No. 2015-00778

Table of Contents

	Page
I. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(A)(1)	1
A. Real Party-In-Interest under 37 C.F.R. § 42.8(b)(1).....	1
B. Related Matters under 37 C.F.R. § 42.8(b)(2).....	1
C. Lead and Back-Up Counsel under 37 C.F.R. § 42.8(b)(3)	2
D. Service Information	2
E. Power of Attorney	3
II. PAYMENT OF FEES - 37 C.F.R. § 42.103	3
III. REQUIREMENTS FOR INTER PARTES REVIEW UNDER 37 C.F.R. §§ 42.104 AND 42.108	3
A. Grounds for Standing under 37 C.F.R. § 42.104(a)	3
B. Identification of Challenge Under 37 C.F.R. § 42.104(b) and Statement of Precise Relief Requested	9
C. Requirements for Inter Partes Review 37 C.F.R. § 42.108(c).....	10
IV. SUMMARY OF THE CLAIMED SUBJECT MATTER	11
A. The Specification of the '295 Patent.....	11
B. The Claims of the '295 Patent.....	13
V. CLAIM CONSTRUCTION UNDER 37 C.F.R. § 42.104(B)(3).....	14
A. "Classification Information"	15
B. "Telephone Unit"	16
C. "Compressed Recognized Speech"	18
VI. CLAIMS 17-24 OF THE '295 PATENT ARE UNPATENTABLE.....	18
A. Ground 1 – Claims 17, 23 and 24 Are Obvious Over Lichty in View of Parulski, Sharma and Coffin Under 35 U.S.C. § 103(a)	18
1. Identification and Date Qualification of the Prior Art	18
2. Brief Summary of Prior Art Used in Ground 1	19
a. Lichty [Ex. 1003]	19

Table of Contents
(continued)

	Page
b. Sharma [Ex. 1006]	21
c. Parulski [Ex. 1004]	23
d. Coffin [Ex. 1005]	24
3. Lichty, Sharma, Parulski and Coffin Render Claim 17 Obvious.....	26
a. “recording images using a digital pick up unit in a telephone unit” (Claim 17[a]).....	26
b. “storing the images recorded by the digital pick up unit in a digital form as digital images” (Claim 17[b]).....	33
c. “transmitting data including at least the digital images and classification information to a server, wherein said classification information is prescribable by a user of the telephone unit for allocation to the digital images” (Claim 17[c])	35
d. “receiving the data by the server” (Claim 17[d]).....	40
e. “extracting classification information which characterizes the digital images from the received data” (Claim 17[e])	41
f. “storing the digital images in the server, said step of storing taking into consideration the classification information” (Claim 17[f])	45
4. Lichty, Sharma, Parulski and Coffin Render Claim 23 Obvious.....	48
5. Lichty, Sharma, Parulski and Coffin Render Claim 24 Obvious.....	49
B. Ground 2 – Claims 18-20 Are Obvious.....	49
1. Prior Art Qualification and Brief Summary of Goldhor.....	49
2. Claim 18 is Obvious	50

Table of Contents
(continued)

	Page
3. Claims 19 and 20 Are Obvious.....	53
C. Ground 3 – Claim 21 and 22 Are Obvious.....	55
1. Prior Art Qualification and Brief Summary of Sadler.....	55
2. Claim 21 is Obvious	56
3. Claim 22 is Obvious	58
VII. CONCLUSION	60

List of Exhibits

Ex. No.	Description of Document
1001	U.S. Patent No. 6,038,295 to Heinz Mattes
1002	Declaration of David Klausner (with attached CV)
1003	Excerpts from Tom Lichty, <i>The Official America Online for Macintosh Membership Kit & Tour Guide</i> (2d ed. 1994), pp. 1-48, 75-163, 479-492, 501-524
1004	U.S. Patent No. 5,506,617 to Kenneth Parulski et al.
1005	Excerpts from Stephen Coffin, <i>UNIX System V Release 4: The Complete Reference</i> (1990), pp. 1-44, 411-440
1006	U.S. Patent No. 5,452,289 to Raghu Sharma et al.
1007	U.S. Patent No. 5,231,670 to Richard S. Goldhor et al.
1008	Excerpts from Will Sadler, <i>Using Internet E-Mail</i> (1995), pp. 9-44
1009	Excerpts from Caroline M. Halliday, <i>Official Hayes Modem Communications Companion</i> (1994), pp. 20-137
1010	Excerpts from <i>Microsoft Computer Dictionary</i> (1991), p. 177
1011	Notice of Voluntary Dismissal in <i>TLI Communications LLC v. Facebook, Inc. et al.</i> , Case No. 13-1923 GMS, U.S. District Court for the District of Delaware (filed February 10, 2014)
1012	Complaint for Patent Infringement in <i>TLI Communications LLC v. AV Automotive, L.L.C.</i> , No. 14-cv-00142, U.S. District Court for the Eastern District of Virginia (filed February 10, 2014)
1013	Summons in a Civil Action and Proof of Service on Facebook, Inc., in <i>TLI Communications LLC v. AV Automotive, L.L.C.</i> , No. 14-cv-00142, U.S. District Court for the Eastern District of Virginia
1014	Summons in a Civil Action and Proof of Service on Instagram LLC in <i>TLI</i>

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.