Filed on behalf of Petitioner

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UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

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RPX Corporation
Petitioner

v.

Applications in Internet Time, LLC
Patent Owner

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Case No. IPR2015-01751
Patent No. 7,356,482 B2

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REPLY TO PATENT OWNER'S RESPONSE

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I.   INTRODUCTION

AIT's Patent Owner Response ("POR") argues that all instituted grounds fail for only a single reason - that the art allegedly does not "automatically detect changes that affect an application" as claimed. AIT's position is based entirely on improper constructions of this broad clause and the plain term "changes" within it. AIT asserts that "changes" should be limited to a specific category of changes - i.e., "changes that arise from changes external to the application." This "construction" repeats the term "changes" verbatim and tacks on additional words that improperly import extraneous limitations into the claims. AIT thus does not seek to construe the meaning of the simple term "changes" at all, but rather seeks to narrow it to a highly specific class of changes by imposing **additional** limitations on this plain term.

At times in its POR, AIT argues that the detected changes cannot be "internal" to the application program.[1] These arguments are inconsistent with AIT's litigation position. AIT told the Nevada District Court that even under the narrower claim construction standard applicable there, "changes" means broadly

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[1] These arguments are not commensurate with AIT's own proposed construction, which requires not that the detected changes themselves **be** external to the application, but that they "arise from changes external to the application."

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