

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EMERSON ELECTRIC CO.,
Petitioner,

v.

SIPCO, LLC,
Patent Owner.

Case IPR2015-01973
Patent 8,013,732

**PETITIONER'S OBJECTIONS TO PATENT OWNER'S
DEMONSTRATIVE EXHIBITS**

Petitioner Emerson Electric Co. hereby makes the following objections to Patent Owner's demonstrative exhibits served on October 19, 2016.

Slides page 2 – Objection: Mischaracterization. Bullet 2: the word “remote” is not stated or implied in the cited section

Slide page 3 – Objection: Argumentative language suggests invention based on the abstract rather than claims, misquotes the citation, and the introductory language suggests a broader application than the actual language: “Embodiments of the present invention are directed to a [system...]

Slide page 5 – Objection: Mischaracterizes/misquotes language: Bullet 1: The demonstrative quotes from a section referencing Fig. 3A, which is an embodiment “worn or carried by a person” (8:19); no mention of “integrated transceivers.”

Slide page 5 – Objection: Mischaracterizes/misquotes language: Bullet 2: same problem as Bullet 1 (no reference to integrated transceivers) and the quote lops off the introduction identifying the actual instrumentality: “The data formatter 324 operates to [format a packet with]...”

Slide page 5 – Objection: Mischaracterizes/misquotes language: Bullet 3: Argumentative introduction; the real intro to the quoted language is “The data controller 324 [assembled a packet]...”

Slide page 5 – Objection: Mischaracterizes/misquotes language: Bullet 4: The quote is misjoined to Bullets 1-3 because it relates to a specific parking lot embodiment (not, for example, the transmitter worn or carried on a person (bullets 1 and 2).

Slide page 6 – Objection: Bullet 2 is improperly argumentative.

Slide pages 7 through 11 - Objection: All bullet points are argumentative; mischaracterize arguments as “issues.”

Slide page 7 - Objection: Misquotes the language of claims 17 and 18 – adding elements not claimed.

Slide page 8 – Objection: Misquotes the language of claim 29– adding elements not claimed.

Slide page 9 – Objection: Mischaracterizes the claim language, the characterizations do not appear in their entirety in any of the independent claims, for example: none of the independent claims have not the language “its own [ID]” and independent claim 26 recites very little of the characterized language.

Slide page 10 – Objection: Misquoting claim language, the alleged quote is not “similarly recited” in claim 29.

Slide page 12 – Objection: Argumentative, mischaracterizes the claims at issue since it illustrates only one specific “home heating system” embodiment of the function codes (col. 10, line 47).

Slide pages 14, 15 – Objection: Argumentative and mischaracterizes the language of claims 17 and 18.

Slide pages 16-17 – Objection: Argumentative/Mischaracterizes the language of claim 29.

Slide page 18 – Objection: Argumentative, Sub-bullet 1: Mischaracterizes claim 20, Sub-bullet 2: Mischaracterizes claim 28.

Slide pages 19 through 28 and 32-35 – Objection: Argumentative.

Slide page 22 – Additional Objection: Bullet 1: Mischaracterizes the language of the independent claims.

Dated: October 26, 2016

Respectfully submitted,

/s/ Donald L. Jackson

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of “Petitioner’s Objections to Patent Owner’s Demonstrative Exhibits” has been served on the Patent Owner’s attorneys via electronic mail on the 26th day of October, 2016 at the following addresses:

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