

By: Curio Holdings, Inc.  
Robert Renke  
4011 WestChase Blvd, Suite 110  
Raleigh, NC 27607  
(919) 532-7665 (telephone)

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

UNIFIED PATENTS INC.  
Petitioner

v.

QURIO HOLDINGS, INC.  
Patent Owner

---

Case IPR2015-01991  
Patent 7,787,904

---

**PATENT OWNER PRELIMINARY RESPONSE  
PURSUANT TO 37 C.F.R. § 42.107**

## TABLE OF CONTENTS

|      |  |    |
|------|--|----|
| I.   | INTRODUCTION .....   | 1  |
| II.  | BACKGROUND OF THE ‘904 PATENT .....  | 2  |
| III. | A PERSON OF ORDINARY SKILL IN THE ART .....  | 9  |
| IV.  | CLAIM CONSTRUCTION .....   | 9  |
| A.   | “WPAN” .....   | 11 |
| B.   | “mobile device” .....  | 13 |
| C.   | “media device” .....   | 13 |
| D.   | “media database” .....   | 13 |
| E.   | “when the mobile device is within the WPAN associated with the media device” .....   | 14 |
| F.   | “if the mobile device is simultaneously within the WPAN associated with a first one of the plurality of media devices and the WPAN associated with a second one of the plurality of media devices” ..... | 15 |
| V.   | THE PETITION FAILS TO DEMONSTRATE A REASONABLE LIKELIHOOD THAT THE CHALLENGED CLAIMS ARE UNPATENTABLE.....   | 16 |
| A.   | Claims 1-3, 12, and 16-17 are not obvious in view of Lambourne and Elabbaby (Ground 1).....  | 16 |
| 1.   | Summary of Lambourne .....   | 16 |
| 2.   | Summary of Elabbaby.....   | 19 |
| 3.   | There Is No Reasonable Likelihood That Claims 1-3, 12, and 16-17 Would Have Been Obvious Over the Combination of Lambourne and Elabbaby .....  | 21 |
| B.   | Claims 1-3, 12, and 16-17 are not obvious in view of Chen and Plastina2007 (Ground 2) .....  | 26 |
| 1.   | Summary of Chen .....  | 27 |
| 2.   | Summary of Plastina2007 .....  | 29 |
| 3.   | There Is No Reasonable Likelihood That Claims 1-3, 12, and 16-17 Would Have Been Obvious Over the Combination of Chen and Plastina2007 .....   | 30 |

|    |   |    |
|----|---|----|
| C. | Claims 4 and 7 are not obvious in view of Lambourne, Elabbaby, and Meade (Ground 3A) or Chen, Plastina2007, and Meade (Ground 3B).....                              | 36 |
| 1. | Summary of Meade.....   | 36 |
| 2. | There Is No Reasonable Likelihood That Claims 4 and 7 Would Have Been Obvious Over the Combination of Lambourne, Elabbaby, and Meade (Ground 3A) .....              | 37 |
| 3. | There Is No Reasonable Likelihood That Claims 4 and 7 Would Have Been Obvious Over the Combination of Chen, Plastina2007, and Meade (Ground 3B) .....               | 37 |
| D. | Claims 5 and 8 are not obvious in view of Lambourne, Elabbaby, Meade, and Plastina2003 (Ground 4A) or Chen, Plastina2007, Meade, and Plastina2003 (Ground 4B) ..... | 37 |
| 1. | Summary of Plastina2003 .....   | 38 |
| 2. | There Is No Reasonable Likelihood That Claims 5 and 8 Would Have Been Obvious Over the Combination of Lambourne, Elabbaby, Meade, and Plastina2003 (Ground 4A)..... | 38 |
| 3. | There Is No Reasonable Likelihood That Claims 5 and 8 Would Have Been Obvious Over the Combination of Chen, Plastina2007, Meade, and Plastina2003 (Ground 4B).....  | 39 |
| E. | Claim 9 is not obvious in view of Lambourne, Elabbaby, Meade, and Dwek (Ground 5A) or Chen, Plastina2007, Meade, and Dwek (Ground 5B) .....                         | 39 |
| 1. | Summary of Dwek .....   | 39 |
| 2. | There Is No Reasonable Likelihood That Claim 9 Would Have Been Obvious Over the Combination of Lambourne, Elabbaby, Meade, and Dwek (Ground 5A).....                | 40 |
| 3. | There Is No Reasonable Likelihood That Claim 9 Would Have Been Obvious Over the Combination of Chen, Plastina2007, Meade, and Dwek (Ground 5B).....                 | 40 |
| F. | Claims 10 and 18 over Lambourne, Elabbaby, and Meade (Ground 6A) or Chen, Plastina2007, and Meade (Ground 6B) .....   | 40 |
| 1. | There Is No Reasonable Likelihood That Claims 10 and 18 Would Have Been Obvious Over the Combination of Lambourne, Elabbaby, and Meade (Ground 6A) .....            | 41 |

|     |  |    |
|-----|--|----|
| 2.  | There Is No Reasonable Likelihood That Claims 10 and 18 Would Have Been Obvious Over the Combination of Chen, Plastina2007, and Meade (Ground 6B) .....      | 41 |
| G.  | Claims 10 and 18 over Lambourne, Elabbaby, and Melpignano (Ground 7A) or Chen, Plastina2007, and Melpignano (Ground 7B) .....                                | 41 |
| 1.  | Summary of Melpignano .....  | 42 |
| 2.  | There Is No Reasonable Likelihood That Claims 10 and 18 Would Have Been Obvious Over the Combination of Lambourne, Elabbaby, and Melpignano (Ground 7A)..... | 42 |
| 3.  | There Is No Reasonable Likelihood That Claims 10 and 18 Would Have Been Obvious Over the Combination of Chen, Plastina2007, and Melpignano (Ground 7B).....  | 42 |
| H.  | Claim 14 over Lambourne, Elabbaby, and Weinans (Ground 8A) or Chen, Plastina2007, and Weinans (Ground 8B).....   | 43 |
| 1.  | Summary of Weinans.....  | 43 |
| 2.  | There Is No Reasonable Likelihood That Claim 14 Would Have Been Obvious Over the Combination of Lambourne, Elabbaby, and Weinans (Ground 8A) .....           | 43 |
| 3.  | There Is No Reasonable Likelihood That Claim 14 Would Have Been Obvious Over the Combination of Chen, Plastina2007, and Weinans (Ground 8B).....             | 44 |
| I.  | Claim 15 over Lambourne, Elabbaby, and Wilson (Ground 9A) or Chen, Plastina2007, and Wilson (Ground 9B) .....  | 44 |
| 1.  | Summary of Wilson .....  | 44 |
| 2.  | There Is No Reasonable Likelihood That Claim 15 Would Have Been Obvious Over the Combination of Lambourne, Elabbaby, and Wilson (Ground 9A).....             | 45 |
| 3.  | There Is No Reasonable Likelihood That Claim 15 Would Have Been Obvious Over the Combination of Chen, Plastina2007, and Wilson (Ground 9B) .....             | 45 |
| VI. | PETITIONER PRESENTS REDUNDANT GROUNDS .....  | 45 |
| A.  | Ground 1 Based On Lambourne and Elabbaby and Ground 2 Based On Chen and Plastina2007 Are Horizontally Redundant Relative to Each Other .....                 | 46 |

B. Grounds 3A and 3B, 4A and 4B, 5A and 5B, 8A and 8B, and  
9A and 9B, are Horizontally Redundant within Each Pairing ..... 48

C. Ground 6A, 6B, 7A, and 7B Are All Horizontally Redundant  
Relative to Each Other ..... 48

VII. THE PETITION SHOULD BE DENIED FOR FAILURE TO  
IDENTIFY ALL REAL PARTIES IN INTEREST ..... 48

VIII. CONCLUSION..... 50

# 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.