UNITED STATES PATENT AND TRADEMARK OFFICE
_____

BEFORE THE PATENT TRIAL AND APPEAL BOARD
_____

UNIFIED PATENTS INC.,
Petitioner

v.

CONVERGENT MEDIA SOLUTIONS, LLC,
Patent Owner
_____

IPR2016-00047
Patent 8,640,183
Method and Apparatus for Browsing Using Alternative Linkbases
_____

PETITIONER'S REPLY

TABLE OF CONTENTS

The Board correctly found *Chen* in view of *Elabbady* renders claims 1–5, 16, 18, 24–26, 32–38, 40–42, 49, 51–53, 55, and 58–61 obvious. Paper 15 ("Dec.") at 14–22. *Chen* qualifies as prior art, at least because it is entitled to the benefit of the provisional filing, and also because Patent Owner ("PO") failed to show *full* support for the '183 patent in the provisional application filed May 10, 2002. The Board's determination that the challenged claims are unpatentable remains unrefuted, and should be maintained.

I.   *Chen* is prior art under 35 U.S.C. § 102(e).

U.S. Patent 8,479,238 ("*Chen*"), filed May 14, 2002, is prior art to the '183 patent for two reasons. First, *Chen* is entitled to the priority benefit of U.S. Provisional Patent Application 60/290,788, filed on May 14, 2001 ("the *Chen* provisional"), which is earlier than the earliest effective filing date of the '183 patent. Second, PO fails to demonstrate that U.S. Provisional Patent Application 60/379,635, filed on May 10, 2002 ("the '635 provisional"), fully supports the '183 patent claims. Therefore, the '183 patent has an effective filing date after *Chen's* actual filing date of May 14, 2002.

A.   The *Chen* provisional fully supports the *Chen* patent.

Chen is entitled to the effective filing date of the provisional, May 14, 2001, because the *Chen* provisional fully supports all of *Chen's* claims. For brevity, in

the chart below the *Chen* claim elements are abridged, yet citations to the *Chen*

provisional demonstrate exemplary support for the entire claim element:

Chen Patent (EX1003) Claim Element	Exemplary Support in *Chen* Provisional (EX1010)
[1.A] A mobile system comprising: a processor; a graphic display; a display controller …; a network interface…	Pg. 7, Fig. 4: [T]he user uses a personal remote (e.g., **PDA**) to find/select video or multimedia content to be delivered on a separate device … **the control device could play preview video**… The data communications of the **control device are preferably wireless and may employ Bluetooth, IEEE 802.11b, infrared or other means.**
[1.B] (1) a video server…;	Pg. 8: [V]ideo material is preferably digitized and compressed in a standard format such as MPEG-2 and **stored on a video server**…The preferred embodiment **maintains multiple versions of the video, and the highest possible quality version is selected** ….
[1.C] (2) a multimedia server…:	Pg. 7, ¶6: The method involves **retrieving video material from a multimedia database** and associated video server. Pg. 8: During searching the **multimedia database** also generates content … 1) it **conveys a summary or condensed representation of the video program** for browsing, and 2) it acts as a dynamic control pad for initiating video playback. The video is preferentially analyzed automatically to detect video shot boundaries and to record any

	associated **closed caption information**. Additionally, LVASR can be used to obtain a **transcription**. Optionally, ancillary source material can be added to the database to improve the accuracy or to bring in other information suitable for indexing and retrieval of the video content. Examples include: **offline transcriptions, manual annotations, topic classifications, post-production scripts, metadata such as actors' names, genera classifications**, etc..” Pg. 9: For each television program in the database, the following multimedia data are stored on a server and are accessible via HTTP: • 6 Mbps MPEG-2 program stream, • JPEG frames and **associated metadata** (e.g. time within the broadcast that the frame was sampled, type of video transition) representing each scene, • program metadata including title, broadcaster, time and date the program aired, • **closed caption text**… Pg. 4: [M]ultimedia database which includes not only metadata such as program title etc., but also detailed content-specific index **data that are extracted from the content** either by automatic media processing techniques (e.g., video indexing, audio indexing), or manually by a human. *See also* Fig. 1 “Media Analysis - Metadata Extraction”
[1.D] analyzing the video data …;	*See* [1.C], pg. 8.

DOCKET ALARM

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.

fastcase
Smarter legal research.