Patent Owner's Response *Inter Partes* Review of U.S. Patent No. 8,648,717

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TELIT WIRELESS SOLUTIONS INC. and TELIT COMMUNICATIONS PLC, Petitioners,

v.

M2M SOLUTIONS LLC
Patent Owner

Case IPR2016-00055 Patent 8,648,717

PATENT OWNER'S RESPONSE PURSUANT TO C.F.R. § 42.120

Mail Stop "PATENT BOARD" Patent Trial and Appeal Board U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-14



TABLE OF CONTENTS

I.	PRO	CEDURAL BACKGROUND	1	
II.	REL	IEF REQUESTED	2	
III.	BAC	KGROUND	2	
IV.	CLA	IM CONSTRUCTION	3	
	A.	Applicable Legal Standards	3	
	В.	"the at least one of the transmissions including the at least one		
		telephone number or IP address and the coded number"	5	
		1. The Claim Language		
		2. The Specification		
		3. The Prosecution History		
	C.	"numbers to which the programmable communicator device is		
		configured to and permitted to send outgoing wireless		
		transmissions"	12	
		1. The Claim Language		
		2. The Specification		
		3. The Prosecution History		
V.	CLAIMS 1-3, 5-18, 22-23, AND 29 ARE NOT OBVIOUS BASED			
	ON 7	ΓHE COMBINATION OF VAN BERGEN AND		
	BET	TSTETTER AS ALLEGED IN GROUND 1	19	
	A.	Van Bergen in View of Bettstetter Fails to Disclose All the		
		Elements of Independent Claim 1 or to Render That Claim		
		Obvious As Alleged in Ground 1	19	
		1. The Combination of Van Bergen and Bettstetter Fails to		
		Disclose Claim Element 1(b)	19	
		2. The Combination of Van Bergen and Bettstetter Fails to		
		Disclose Claim Element 1(d)	26	
		3. The Combination of Van Bergen and Bettstetter Fails to		
		Disclose Claim Element 1(e)	32	
		4. The Combination of Van Bergen and Bettstetter Fails to		
		Disclose Claim Element 1(g)	33	
		5. The Combination of Van Bergen and Bettstetter Fails to		
		Disclose Claim Element 1(h)	43	



Patent Owner's Response *Inter Partes* Review of U.S. Patent No. 8,648,717

	В.	Van Bergen in View of Bettstetter Fails to Disclose All the	
		Elements of Dependent Claims 5 and 12 or to Render Either of	
		Those Claims Obvious As Alleged in Ground 1	45
	C.	Van Bergen in View of Bettstetter Fails to Disclose All the	
		Elements of Dependent Claim 8 or to Render That Claim	
		Obvious As Alleged in Ground 1	47
	D.	Van Bergen in View of Bettstetter Fails to Disclose All the	
		Elements of Dependent Claim 10 or to Render That Claim	
		Obvious As Alleged in Ground 1	48
	E.	Van Bergen in View of Bettstetter Fails to Disclose All the	
		Elements of Dependent Claim 13 or to Render That Claim	
		Obvious As Alleged in Ground 1	50
	F.	Van Bergen in View of Bettstetter Fails to Disclose All the	
		Elements of Dependent Claim 15 or to Render That Claim	
		Obvious As Alleged in Ground 1	51
	G.	Van Bergen in View of Bettstetter Fails to Disclose All the	
		Elements of Dependent Claims 16 and 17 or to Render Either of	
		Those Claims Obvious As Alleged in Ground 1	52
	H.	Van Bergen in View of Bettstetter Fails to Disclose All the	
		Elements of Independent Claim 29 or to Render That Claim	
		Obvious As Alleged in Ground 1	54
		1. The Combination of Van Bergen and Bettstetter Fails to	
		Disclose Claim Element 1(b)	54
		2. The Combination of Van Bergen and Bettstetter Fails to	
		Disclose Claim Element 1(d)	55
		3. The Combination of Van Bergen and Bettstetter Fails to	
		Disclose Claim Element 1(e)	55
		4. The Combination of Van Bergen and Bettstetter Fails to	
		Disclose Claim Element 1(g)	56
		5. The Combination of Van Bergen and Bettstetter Fails to	
		Disclose Claim Element 1(h)	57
* **	CT. A	NACA IG NOTE ANTEIGIDATED DIVINA DED GENA G	
VI.		IM 24 IS NOT ANTICIPATED BY VAN BERGEN AS	
		EGED IN GROUND 2	57
	A.	Van Bergen Does Not Disclose Claim Element 24(c)	
	В.	Van Bergen Does Not Disclose Claim Element 24(d)	58



Patent Owner's Response *Inter Partes* Review of U.S. Patent No. 8,648,717

VII.	CLAIM 4 IS NOT OBVIOUS BASED ON THE COMBINATION OF VAN BERGEN, BETTSTETTER, AND SONERA AS	
	ALLEGED IN GROUND 5	58
VIII.	CLAIMS 19-20 ARE NOT OBVIOUS BASED ON THE	
	COMBINATION OF VAN BERGEN, BETTSTETTER, AND	
	KUUSELA AS ALLEGED IN GROUND 6	59
IX.	CLAIM 21 IS NOT OBVIOUS BASED ON THE COMBINATION	
	OF VAN BERGEN, BETTSTETTER, AND ELDREDGE AS	
	ALLEGED IN GROUND 7	61
X.	CONCLUSION	62



TABLE OF AUTHORITIES

	Page(s)
Cases	
In re Abbott Diabetes Care Inc., 696 F.3d 1142 (Fed. Cir. 2012)	4
Dynamic Drinkware, LLC v. Nat'l Graphics, Inc., 800 F.3d 1375 (Fed. Cir. 2015)	35
Kinetic Technologies, Inc. v. Skyworks Solutions, Inc., IPR2014-00529, slip op.	31
Luminara Worldwide, LLC v. Liown Electronics Co. Ltd., IPR2015-01183, slip op	30
Microsoft Corp. v. Proxyconn, Inc., 789 F.3d 1292 (Fed. Cir. 2015)	4
In re NTP Inc., 654 F.3d 1279 (Fed. Cir. 2011)	3
Power Integrations, Inc. v. Lee, 797 F.3d 1318 (Fed. Cir. 2015)	8, 14
In re Skvorecz, 580 F.3d 1262 (Fed. Cir. 2009)	5
Straight Path IP Group, Inc. v. Sipnet EU S.R.O., 806 F.3d 1356 (Fed. Cir. 2015)	4
Trivascular, Inc. v. Samuels, 812 F.3d 1056 (Fed. Cir. 2016)	4
Statutes	
35 U.S.C. § 316(e)	35
35 U.S.C. § 112 ¶ 1	9
35 U.S.C. § 312(a)(3)	30



DOCKET

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.

