

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Google Inc.

Petitioners,

v.

Vedanti Systems Limited

Patent Owner.

Case No. IPR2016-00215

Patent No. 7,974,339

PATENT OWNER VEDANTI SYSTEMS LIMITED'S PRELIMINARY
RESPONSE

UNDER 35 U.S.C. § 313 and 37 C.F.R. § 42.107

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I. INTRODUCTION

Patent Owner Vedanti Systems Limited (“Vedanti” or “Patent Owner”) respectfully requests that the Board decline to initiate *inter partes* review of claims 1, 6, 7, 9, 10, 12 and 13 of U.S. Patent No. 7,974,339 (the “339 Patent”) because Petitioner Google Inc., (“Petitioner”) has failed to show that it has a reasonable likelihood of prevailing with respect to any of the challenged claims. 35 U.S.C. § 314.

Petitioner has submitted proposed grounds for challenge based on obviousness. To establish obviousness, Petitioner must show that the references teach all of the elements of the claimed combination. The present Petition fails to present a reasonable likelihood of establishing obviousness because for each proposed ground at least one claim element is missing from the relied-upon combination of references. Moreover, in order to assert a combination of references, petitioner must show a rationale as to why one of ordinary skill in the art would have contemplated the combination, without resort to impermissible hindsight. The Petition fails to provide a legitimate rationale for combining the three cited references. As such the present Petition holds no likelihood of establishing obviousness of any of the challenged claims.

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