

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO. LTD.,
SAMSUNG ELECTRONICS AMERICA, INC., AND APPLE INC.,
Petitioners,

v.

ROSETTA-WIRELESS CORPORATION,
Patent Owner.

Case IPR2016-00622¹
Patent 7,149,511 B1

Before JUSTIN T. ARBES, PATRICK R. SCANLON, and
JOHN A. HUDALLA, *Administrative Patent Judges*.

PETITIONERS' REPLY TO PATENT OWNER'S RESPONSE

¹ Case IPR2016-00616 has been consolidated with this proceeding.

LIST OF EXHIBITS

Exhibit	Description
Ex. 1001	U.S. Patent No. 7,149,511 to Bachner et al. (“the ’511 Patent”)
Ex. 1002	U.S. Patent No. 7,149,511 File History
Ex. 1003	U.S. Patent No. 7,149,511 <i>Ex Parte</i> Reexamination
Ex. 1004	Declaration of Dr. Erez Zadok In Support of the Petition for <i>Inter Partes Review</i> of United States Patent No. 7,149,511
Ex. 1005	U.S. Patent No. 6,012,063 to Bodnar (“Bodnar”)
Ex. 1006	Exhibit A to the Declaration of David Lobato: HP Jornada 820/820e Handheld PC User’s Guide (“Jornada”)
Ex. 1007	Exhibit B to the Declaration of David Lobato: HP CapShare 920 Portable E-Copier (“CapShare”)
Ex. 1008	IEEE100 The Authoritative Dictionary of IEEE Standards Terms, 7th ed.
Ex. 1009	Declaration of Rogelio Jose
Ex. 1010	Declaration of Fred Peal
Ex. 1011	Declaration of Sharon Lee
Ex. 1012	Exhibit A to the Declaration of Christopher Butler: “Earthmate™ GPS Receiver: The Smart Way to Navigate” by DeLorme
Ex. 1013	Exhibit B to the Declaration of Christopher Butler: “HP Jornada External Keyboard (Part HP F1275A) Impressions” to Todd Ogasawara (“Ogasawara”)
Ex. 1014	Exhibit C to the Declaration of Christopher Butler: “1.2.3 Representing Programs” (“Representing Programs”)
Ex. 1015	“Proxim Delivering Industry’s Lowest Priced Commercial Frequency Hopping Wireless LAN PC Card,” Business Wire (Mar. 29, 1999) (“Proxim”)
Ex. 1016	U.S. Patent No. 6,446,137 to Vasudevan et al. (“Vasudevan”)
Ex. 1017	U.S. Patent No. 5,805,804 to Laursen et al. (“Laursen”)
Ex. 1018	U.S. Patent No. 6,052,735 to Ulrich et al. (“Ulrich”)
Ex. 1019	U.S. Patent No. 5,790,551 to Chan (“Chan”)
Ex. 1020	U.S. Patent Pub. 2001/0029178 to Criss et al. (“Criss”)
Ex. 1021	U.S. Patent No. 6,311,058 to Wecker et al. (“Wecker”)
Ex. 1022	U.S. Patent No. 5,625,673 to Grewe et al. (“Grewe”)
Ex. 1023	U.S. Patent No. 6,434,403 to Ausems et al. (“Ausems”)
Ex. 1024	U.S. Pub. No. 2004/0204041 to Fillebrown et al. (“Fillebrown”)
Ex. 1025	U.S. Pat U.S. Patent No. 6,236,938 to Atkinson et al. (“Atkinson”)

Ex. 1026	MICROSOFT COMPUTER DICTIONARY 5th Ed (2002)
Ex. 1027	U.S. Patent No. 5,297,192 (“Gerszberg”)
Ex. 1028	Rosetta's Local Patent Rule 2.2 Initial Infringement Contentions, dated January 20, 2016
Ex. 1029	Declaration of Ingrid Hsieh-Yee
Ex. 1030	Windows CE Developer’s Handbook by Terrence A. Goggin (“Goggin”)
Ex. 1031	Essential Windows CE Application Programming to Robert Burdick (“Burdick”)
Ex. 1032	Programming Microsoft Windows CE to Douglas Boling (“Boling”)
Ex. 1033	U.S. Patent No. 5,978,805 to Carson (“Carson”)
Ex. 1034	U.S. Patent No. 5,845,293 to Veghte et al. (“Veghte”)
Ex. 1035	U.S. Patent No. 5,864,853 to Kimura et al. (“Kimura”)
Ex. 1036	U.S. Patent No. 5,797,089 to Nguyen (“Nguyen”)
Ex. 1037	U.S. Patent No. 6,512,919 to Ogasawara (“Pat. Ogasawara”)
Ex. 1038	U.S. Patent No. 6,108,727 to Boals et al. (“Boals”)
Ex. 1039	Exhibit D to the Declaration of Christopher Butler: “Earthmate™ Accessories” by DeLorme (Originally Part of Exhibit 1012)
Ex. 1040	Exhibit A to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1041	Exhibit B to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1042	Exhibit C to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1043	Exhibit D to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1044	Exhibit E to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1045	Exhibit F to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1046	Exhibit G to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1047	Exhibit H to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1048	Exhibit I to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1049	Exhibit J to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)

..

Ex. 1050	Exhibit K to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1051	Exhibit L to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1052	Exhibit M to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1053	Exhibit N to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1054	Exhibit O to the Declaration of Ingrid Hsieh-Yee (Originally Part of Exhibit 1029)
Ex. 1055	Certificate of Authenticity by Amy Klenke (Originally Part of Exhibit 1015)
Ex. 1056	Declaration of David Lobato (Originally Part of Exhibits 1006 and 1007)
Ex. 1057	Declaration of Chris Butler (Originally Part of Exhibits 1012, 1013, and 1014)
Ex. 1058	Declaration of Dr. Nathaniel Polish (Originally AP-1002)
Ex. 1059	Patent Owner Rosetta's Initial Infringement Contentions served in Co-Pending Litigation Dec. 14, 2015 (excerpts) (Originally AP-1007)
Ex. 1060	U.S. 6,222,726 to Cha (Originally AP-1011)
Ex. 1061	Graham, THE FACTS ON FILE, DICTIONARY OF TELECOMMUNICATIONS (1983) (excerpts) (Originally AP-1012)
Ex. 1062	Declaration of Mr. David DesRosier
Ex. 1063	Bio of Mr. David DesRosier
Ex. 1064	Rebuttal Declaration of Dr. Erez Zadok In Support Of Petitioners' Reply to Patent Owner's Response
Ex. 1065	Microsoft Press Computer Dictionary, 3rd Ed. (1997)
Ex. 1066	Declaration of Sharon Lee

...

TABLE OF CONTENTS

I. PO’S CONSTRUCTIONS READ IN LIMITATIONS.....	1
A. “downstream data” / “source electronic file”	2
B. “network server”	6
C. “personal”	10
D. “electronic file”.....	11
II. GOGGIN RENDERS THE CHALLENGED CLAIMS OBVIOUS	12
A. PO Misunderstands §103 Requirements	12
B. Goggin Discloses and/or Renders Obvious “Network Server”.....	16
C. Goggin Discloses and/or Renders Obvious “Receiving Downstream Data”.21	
III. KIMURA RENDERS OBVIOUS EACH CHALLENGED CLAIM	22
A. PO Mischaracterizes Kimura	22
B. Kimura Discloses and/or Renders Obvious “Receiving Downstream Data” 24	
C. Kimura Discloses and/or Renders Obvious a “Personal Network Server”	27
D. Kimura Discloses and/or Renders Obvious “Electronic File” and “Source Electronic File”	29
E. Kimura Does Not Teach Away	31
IV. SECONDARY CONSIDERATIONS DO NOT OVERCOME OBVIOUSNESS.....	31

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.