

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACTIVISION BLIZZARD, INC.,
ELECTRONIC ARTS INC.,
TAKE-TWO INTERACTIVE SOFTWARE, INC.,
2K SPORTS, INC.,
ROCKSTAR GAMES, INC.,
Petitioners

v.

ACCELERATION BAY, LLC,
Patent Owner

Case No. IPR2016-00726
Patent 6,910,069 B1

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

TABLE OF CONTENTS

	<u>Page</u>
TABLE OF AUTHORITIES	iii
I. INTRODUCTION	1
II. THE ‘069 PATENT	3
III. CLAIM CONSTRUCTION	10
IV. SPECIFIC REASONS WHY THE CITED REFERENCES DO NOT INVALIDATE THE CLAIMS, AND WHY <i>INTER PARTES</i> REVIEW SHOULD NOT BE INSTITUTED.....	10
A. Ground 1: Claims 1–3, 7–9, and 11–17 are Patentable Over <i>Obrazcka</i> in view of <i>Denes</i> and <i>Shoubridge</i>	11
1. <i>Obrazcka</i> in view of <i>Denes</i> and <i>Shoubridge</i> Fails to Disclose “a seeking [participant/node] [that] contacts a fully connected portal [computer/node]” (claims 1 and 14)	15
2. <i>Obrazcka</i> in view of <i>Denes</i> and <i>Shoubridge</i> Fails to Disclose “a fully connected portal [computer/node] which in turn sends an edge connection request to a number of randomly selected neighboring [participants/nodes] to which the seeking [computer/node] is to connect” (claims 1 and 14).....	19
3. The Petition Provides Inadequate Motivation to Combine the <i>Obrazcka</i> , <i>Denes</i> , and <i>Shoubridge</i> References	26
B. Ground 2: Claims 4–6 and 10 are Patentable Over <i>Obrazcka</i> in view of <i>Denes</i> , <i>Shoubridge</i> , and <i>Valiant</i>	30
1. <i>Obrazcka</i> in view of <i>Denes</i> , <i>Shoubridge</i> , and <i>Valiant</i> Fails to Disclose “wherein the randomly selecting of a pair includes sending a message through the network on a randomly selected path” (claim 4)	31
2. <i>Obrazcka</i> in view of <i>Denes</i> , <i>Shoubridge</i> , and <i>Valiant</i> Fails to Disclose “wherein when a participant receives	

the message, the participant sends the message to a
randomly selected participant to which it is connected”
(claim 5)32

V. CONCLUSION.....33

CERTIFICATE OF SERVICE36

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>ActiveVideo Networks, Inc. v. Verizon Commc'n, Inc.</i> , 694 F.3d 1312 (Fed. Cir. 2012)	19, 27
<i>KSR Int'l Co. v. Teleflex Inc.</i> , 550 U.S. 398 (2007).....	32
<i>In re Ratti</i> , 270 F.2d 810, 123 USPQ 349 (CCPA 1959).....	29
<i>Travelocity.com L.P. v. Conos Techs., LLC</i> , CBM2014-00082 (PTAB Oct. 16, 2014)	2
<i>OpenTV, Inc. v. Cisco Tech., Inc.</i> , IPR2013-00328 (PTAB Nov. 29, 2013).....	27
<i>Unigene Labs., Inc. v. Apotex, Inc.</i> , 655 F.3d 1352 (Fed. Cir. 2011)	17
Statutes	
35 U.S.C. § 103	11
Other Authorities	
37 C.F.R. § 42.104(b)	2, 20
37 C.F.R. § 42.108(c).....	1

PATENT OWNER'S EXHIBIT LIST

Exhibit Number	Description
Ex. 2001	Declaration of Michael Goodrich, Ph.D.

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.