

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

**RPX CORPORATION**

Petitioner

v.

**SOCKEYE LICENSING TX LLC**

Patent Owner

---

U.S. Patent No. 8,879,987 B1

Issued: November 4, 2014

Application No.: 13/418,829

Filed: March 13, 2012

Title: System, Method And Apparatus For  
Using A Wireless Device To Control Other Devices

---

**PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT 8,879,987 B1**

TABLE OF CONTENTS

	Page
I. MANDATORY NOTICES .....	1
A. Real Party-In-Interest.....	1
B. Related Matters.....	1
C. Lead Counsel, Back-Up Counsel And Service Information .....	2
II. SECTION 42.104(A) CERTIFICATION .....	2
III. PRELIMINARY STATEMENT.....	2
IV. SUMMARY OF PRECISE RELIEF REQUESTED .....	4
V. THE '987 PATENT.....	4
A. Claims .....	4
B. The Patent's Admissions About The Prior Art.....	4
VI. CLAIM CONSTRUCTION .....	5
A. Person Of Ordinary Skill In The Art.....	5
B. Broadest Reasonable Interpretation.....	5
VII. GROUND 1: CLAIMS 1-5, 12-17, 19 ARE OBVIOUS UNDER 35 U.S.C. § 103 OVER SOIN AND WANG .....	8
A. Soin.....	8
B. Wang .....	9
C. Motivation To Combine Soin And Wang.....	10
E. Dependent Claims 2-5 Are Obvious Over Soin And Wang.....	19
F. Independent Claim 12 And Dependent Claims 13-17, 19 Are Obvious Over Soin And Wang .....	23

VIII.	GROUND 2: CLAIMS 1-3, 5, 12-17, 19 ARE OBVIOUS UNDER 35 U.S.C. § 103 OVER TEE AND ACHARYA .....	30
A.	Tee.....	30
B.	Acharya.....	31
C.	Motivation To Combine Tee And Acharya.....	31
E.	Dependent Claims 2-3 and 5 Are Obvious Over Tee And Acharya ...	40
F.	Independent Claim 12 And Dependent Claims 13-17, 19 Are Obvious Over Tee And Acharya .....	43
IX.	GROUND 3: CLAIM 4 IS OBVIOUS UNDER 35 U.S.C. § 103 OVER TEE, ACHARYA, AND BENCO.....	50
A.	Benco.....	50
B.	Motivation To Combine Tee, Acharya, And Benco .....	50
X.	CONCLUSION .....	53

TABLE OF AUTHORITIES

Page(s)

**Cases**

*Ex Parte Nehls*,  
88 USPQ2d 1883 (BPAI 2008)..... 15, 16, 19, 37

*In re Fox*,  
471 F.2d 1405 (CCPA 1973)..... 5, 17, 38

**Statutes**

35 U.S.C. § 102..... passim

35 U.S.C. § 103..... 4, 8, 30, 50

37 C.F.R. § 42.100.....5

37 C.F.R. § 42.104.....4

37 C.F.R. § 42.15.....1

LIST OF EXHIBITS

Ex. No.	Description / Date
1101	Michael D. Harold, U.S. Patent No. 8,879,987, System, Method And Apparatus For Using A Wireless Device To Control Other Devices, issued November 4, 2014 (“ <b>987 Patent</b> ”)
1102	Lai King Tee et al., U.S. Patent Application Publication No. 2006/0203758 A1, filed September 27, 2005, published September 14, 2006 (“ <b>Tee</b> ”)
1103	Shrikant Acharya et al., U.S. Patent Application Publication No. 2005/0036509 A1, filed June 2, 2004, published February 17, 2005 (“ <b>Acharya</b> ”)
1104	Ravipal Soin et al., U.S. Patent Application Publication No. 2005/0091359 A1, filed February 25, 2004, published April 28, 2005 (“ <b>Soin</b> ”)
1105	Tiejun Ronald Wang et al., U.S. Patent Application Publication No. 2006/0077310 A1, filed June 24, 2005, published April 13, 2006 (“ <b>Wang</b> ”)
1106	David S. Benco et al., U.S. Patent Application Publication No. 2005/0135393 A1, filed December 19, 2003, published June 23, 2005 (“ <b>Benco</b> ”)
1107	Applicant’s Response to Office Action During Prosecution of ’342 Patent, filed May 31, 2011
1108	Declaration of Peter Rysavy (“ <b>Rysavy Decl.</b> ”), signed and dated April 30, 2016
1109	Random House Webster’s Computer & Internet Dictionary (2000) (excerpts)
1110	Second Declaration of Peter Rysavy (“ <b>Second Rysavy Decl.</b> ”), signed and dated May 17, 2016
1111	U.S. Provisional Application Ser. No. 60/844,645, filed Sep. 15, 2006.
1112	U.S. Patent Application Ser. No. 11/889,941, filed Aug. 17, 2007.

# 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.