

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

JVC KENWOOD Corporation, *et al.*

Petitioners

v.

Papst Licensing GmbH & Co., KG,

Patent Owner

---

CASE: IPR2016-01213

Patent No. 8,504,746

---

**PETITIONERS' NOTICE RESPONDING TO NOTICE OF FILING DATE**

On June 23, 2016, a Notice of Filing Date Accorded to Petition And Time For Filing Patent Owner Preliminary Response (“Notice”) was issued. Paper 3. The Notice identified the following defects:

- [1] Insufficient fee payment.
- [2] Failure to identify the specific patent claims being challenged.
- [3] Failure to identify the statutory grounds on which the challenge to each claim is based.
- [4] Failure to number exhibits properly.
- [5] Failure to label exhibits properly.

The Notice allows Petitioner five (5) business days to correct the defects. Notice at 1-2. The Notice further states that no substantive changes (e.g., new grounds) may be made to the petition. *Id.* at 2.

Petitioners are concurrently filing a Corrected Petition with the following corrections to address the defects identified in the Notice:

- In the Introduction, (p.1), the Challenged Claims originally identified claims 1-3, 6-10, 15, 17-21, 24, 25, 29, 31 and 34. This list of claims has been corrected to match the claims actually challenged in the body of the Petition. Accordingly, claims 20 and 29 were removed and claims 23

and 35 were added. Thus, the correct Challenged Claims are 1-3, 6-10, 15, 17-19, 21, 23-25, 31, 34 and 35.

- The same corrections to the identification of Challenged Claims also were made at Sections IV.A (p.5), VI.C (p.50), and the Conclusion.
- The grounds upon which claim 23 are challenged were corrected in Section IV.B (p.7) to conform to the argument in the Petition.

Petitioners submit that these changes address defects [1]-[3] regarding the payment of insufficient fees (the fees paid match the number of claims identified as being presently challenged), identification of the patent claims being challenged, and the statutory grounds on which the challenge to each claim is based, and that none of these changes are substantive.

On June 29, 2016, in a telephone conference between Petitioners' lead counsel and PTAB paralegal Maria Vignone, Ms. Vignone authorized Petitioners to use the original exhibit numbering and labeling. As a result, no changes to the exhibit numbering or labeling were necessary and none were made.

Petitioners also fixed the header lettering in Section IV and removed paragraph numbering inadvertently inserted on page 44.

Petitioners submit that the above changes address the noticed defects, are not substantive, and do not result in any additional fees due. However, to the extent any fees are due, Petitioners authorize payment from Deposit Account No. 10-0440.

Respectfully submitted,

Date: June 30, 2016

By /s/ Gregory S. Cordrey

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **PETITIONERS' NOTICE RESPONDING TO NOTICE OF FILING DATE** was served on June 30, 2016 via E-mail and Federal Express delivery directed to the attorney of record for the patent at the following address:

Anthony Meola, Jr.  
[info@themeolafirm.com](mailto:info@themeolafirm.com)  
The Meola Firm, PLLC  
2500 Westchester Avenue, Suite 210  
Purchase, New York 10577

A courtesy copy is also being served via E-mail to Papst's litigation counsel at:

John M. Desmarais  
[jdesmarais@desmaraisllp.com](mailto:jdesmarais@desmaraisllp.com)  
Jonas R. McDavit  
[jmcdavit@desmaraisllp.com](mailto:jmcdavit@desmaraisllp.com)  
Richard M. Cowell  
[rcowell@desmaraisllp.com](mailto:rcowell@desmaraisllp.com)  
DESMARAIS LLP  
230 Park Avenue  
New York, NY 10169

Christopher V. Goodpastor  
[cgoodpastor@dpehlaw.com](mailto:cgoodpastor@dpehlaw.com)  
Andrew G. DiNovo  
[adinovo@dpehlaw.com](mailto:adinovo@dpehlaw.com)  
Adam G. Price  
[aprice@dpehlaw.com](mailto:aprice@dpehlaw.com)  
Jay D. Ellwanger  
[jellwanger@dpehlaw.com](mailto:jellwanger@dpehlaw.com)

# 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.