IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Pinter
U.S. Pat. No.: 5,894,506   Attorney Docket No.: 19473-0348IP2
Issue Date: Apr. 13, 1999
Appl. Serial No.:   08/708,696
Filing Date: Sep. 5, 1996
Title: METHOD AND APPARATUS FOR GENERATING AND
                   COMMUNICATING MESSAGES BETWEEN SUBSCRIBERS
                   TO AN ELECTRONIC MESSAGING NETWORK

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PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 5,894,506 PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42

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EXHIBITS

GOOGLE1001   U.S. Pat. No. 5,894,506 to Pinter ("the '506 patent")

GOOGLE1002   Prosecution History of the '506 patent (Serial No. 08/708,696)

GOOGLE1003   Declaration of Peter Rysavy

GOOGLE1004   RESERVED

GOOGLE1005   RESERVED

GOOGLE1006   RESERVED

GOOGLE1007   U.S. Patent No. 5,588,009 to Will ("Will")

GOOGLE1008   Claim Construction Order in *Mobile Telecommunications Technologies, LLC, v. Google, Inc.*, Case No. 2:16-cv-00002 (E.D. Tex)

GOOGLE1009   Complaint in *Mobile Telecommunications Technologies, LLC, v. Google, Inc.*, Case No. 2:15-cv-2123 (E.D. Tex)

GOOGLE1010   Corrected complaint in *Mobile Telecommunications Technologies, LLC, v. Google, Inc.*, Case No. 2:16-cv-00002 (E.D. Tex)

GOOGLE1011   MTEL's Opening Claim Construction Brief in *Mobile Telecommunications Technologies, LLC, v. Google, Inc.*, Case No. 2:16-cv-0002 (E.D. Tex)

GOOGLE1012   EP Patent Application No. 89108853 to Shimura et al. ("Shimura")

GOOGLE1013   U.S. Patent No. 5,850,594 to Cannon et al. ("Cannon")

GOOGLE1014   April 2014 Deposition of Mr. Gregory Pinter in *Mobile Tele-communications Technologies, LLC v. Sprint Nextel Corporation*, Civil Action No. 2:12-cv-832-JRG-RSP, U.S.D.C. for the Eastern District of Texas (IPR2014-01033 & 01034 Exhibit 2000)

GOOGLE1015   Sheth Memo dated February 17, 1995 (IPR2014-01033 & 01034 Exhibit 2001)

GOOGLE1016   Huller Memo dated February 23, 1995 (IPR2014-01033 & 01034 Exhibit 2002)

GOOGLE1017   1995 Functional Requirements dated March 13, 1995 (IPR2014-01033 & 01034 Exhibit 2003)

GOOGLE1018   The WSJ article dated September 19, 1995 (IPR2014-01033 & 01034 Exhibit 2004)

GOOGLE1019   USA Today article dated September 19, 1995 (IPR2014-01033 & 01034 Exhibit 2005)

I.   INTRODUCTION

Google Inc. ("Petitioner") petitions for *Inter Partes* Review ("IPR") of claims 1-7 and 15-18 of U.S. Patent 5,894,506 ("the '506 patent"). The '506 patent describes a communications system in which a person selects a "canned message" at a first user device followed by transmission of a message code for the selected message being transmitted to a receiving device, which then displays the message associated with the message code. GOOGLE1001, 1:50-67.

The claimed system, however, was not new by September 1996. Indeed, as evidenced by the publications here, transmission of canned messages between pagers and other communication devices through use of canned message codes was predictable and routine in similar prior art systems. GOOGLE1007 27:56-67 ("preprogrammed original messages"); 13:8-13; 21:10-12 ("the text is obtained by using a code."); GOOGLE1012, 1:34-35 ("the message data is coded as an alphanumeric code"); 5:34-57 ("message codeword corresponding to the caller's message data"); 7:12-18 ("a standard expression character code corresponding to the two four-bit data . . . is read out from a standard expression memory"); GOOGLE1013, 8:5-9 ("canned message list maintained locally by the controller").

Will, Shimura, and Cannon were not considered during prosecution and disclose all of the elements of the claimed system. Petitioner therefore requests IPR of the challenged claims.

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