

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Pinter

U.S. Pat. No.: 5,894,506

Attorney Docket No.: 19473-0348IP4

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

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	MANDATORY NOTICES UNDER 37 C.F.R § 42.8.....	1
	A. Real Parties-In-Interest Under 37 C.F.R. § 42.8(b)(1).....	1
	B. Related Matters Under 37 C.F.R. § 42.8(b)(2).....	1
	C. Lead And Back-Up Counsel Under 37 C.F.R. § 42.8(b)(3)	3
	D. Service Information.....	3
III.	PAYMENT OF FEES – 37 C.F.R. § 42.103	3
IV.	REQUIREMENTS FOR IPR UNDER 37 C.F.R. § 42.104	3
	A. Grounds for Standing Under 37 C.F.R. § 42.104(a)	3
	B. Challenge Under 37 C.F.R. § 42.104(b) and Relief Requested	4
V.	SUMMARY OF THE '506 PATENT	7
VI.	Claim Construction under 37 C.F.R. §§ 42.104(b)(3)	8
VII.	THERE IS A REASONABLE LIKELIHOOD THAT AT LEAST ONE CLAIM OF THE '506 PATENT IS UNPATENTABLE	12
	A. Ground 1: Claims 8, 10-13 and 19-21 are Obvious under § 103 over Will in view of Shimura.....	12
	B. Ground 2: Claims 9 and 14 are Obvious under § 103 over Will in view of Shimura and Cannon.....	82
VIII.	CONCLUSION	88

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 <i>Mobile Telecommunications Technologies, LLC, v. Google, Inc.</i> , Case No. 2:16-cv-00002 (E.D. Tex)
GOOGLE1009	Complaint in <i>Mobile Telecommunications Technologies, LLC, v. Google, Inc.</i> , Case No. 2:15-cv-2123 (E.D. Tex)
GOOGLE1010	Corrected complaint in <i>Mobile Telecommunications Technologies, LLC, v. Google, Inc.</i> , Case No. 2:16-cv-00002 (E.D. Tex)
GOOGLE1011	MTEL’s Opening Claim Construction Brief in <i>Mobile Telecommunications Technologies, LLC, v. Google, Inc.</i> , Case No. 2:16-cv-00002 (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 Telecommunications 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 8-14 and 19-21 of U.S. Patent 5,894,506 (“the ’506 patent”). The ’506 patent describes a communications system for transmitting “canned messages” between paging devices in message code form. GOOGLE1001, 1:50-67.

The claimed system, however, was not new by September 1996. Indeed, as evidenced by the publications here, transmission message codes representing canned messages between communication devices was predictable and routine in similar prior art systems. GOOGLE1007 27:56-67; 13:8-13; 21:10-12; GOOGLE1012, 1:34-35 (“the message data is coded as an alpha-numeric code”); 5:34-57; 7:12-18; GOOGLE1013, 8:5-9.

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.

II. MANDATORY NOTICES UNDER 37 C.F.R § 42.8

A. Real Parties-In-Interest Under 37 C.F.R. § 42.8(b)(1)

Google Inc. is the Petitioner and the real party-in-interest. No other party had access to the Petition, and no other party had any control over, or contributed to any funding of, the preparation or filing of the present Petition.

B. Related Matters Under 37 C.F.R. § 42.8(b)(2)

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