

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,504,746
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the *Inter Partes* Review of U.S. Patent No. 8,504,746

Trial No.: Not Yet Assigned

Issued: August 6, 2013

Filed: September 27, 2010

Inventor: Michael Tasler

Assignee: Papst Licensing GmbH & Co., KG

Title: ANALOG DATA GENERATING AND PROCESSING DEVICE
FOR USE WITH A PERSONAL COMPUTER

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PETITION FOR *INTER PARTES* REVIEW
UNDER 37 C.F.R. § 42.100

Inter partes review is respectfully requested for claims 1-12, 14-15, 17-21, 23-31, 34-35 (the “Challenged Claims”) of U.S. Patent 8,504,746.

Petitioner authorizes the Patent Office to charge all fees that may be due in connection with this Petition to Deposit Account 50-0740.

TABLE OF CONTENTS

	<u>Page</u>
I. Introduction.....	1
II. Grounds for Standing.....	2
III. Background Information for '746 Patent	2
A. Overview of the '746 Patent Family and Prosecution History	2
IV. Identification of Challenge Pursuant to 37 C.F.R. § 42.104(b)	5
A. Claims for Which <i>Inter Partes</i> Review Is Requested.....	5
B. The Prior Art and Specific Grounds on Which the Challenge to the Claims Is Based	5
C. Claim Construction.....	7
V. The Challenged Claims Are Unpatentable	10
A. Prior Art.....	10
1. Kawaguchi	10
2. Matsumoto	11
3. Kawaguchi, Matsumoto, DASM-AD14, Takahashi, Saito, and Muramatsu are Properly Combinable	12
B. Challenged Claims	16
1. Independent Claim 1	16
2. Dependent Claim 2.....	28
3. Dependent Claim 3.....	29
4. Dependent Claim 4.....	29
5. Dependent Claim 5.....	30
6. Dependent Claim 6.....	31

7.	Dependent Claims 7, 8, 26.....	32
8.	Dependent Claim 9.....	33
9.	Dependent Claim 10	35
10.	Dependent Claims 11, 12.....	36
11.	Dependent Claim 14	37
12.	Dependent Claim 15	38
13.	Dependent Claims 17, 18.....	39
14.	Dependent Claim 19	42
15.	Dependent Claim 20	44
16.	Dependent Claims 21, 27 and 28	46
17.	Dependent Claim 23	49
18.	Dependent Claim 24	51
19.	Dependent Claim 25	53
20.	Dependent Claim 29	54
21.	Dependent Claim 30	55
22.	Independent Claim 31	55
23.	Independent Claim 34.....	60
24.	Dependent Claim 35	62
VI.	Mandatory Notices Pursuant to 37 C.F.R. § 42.8(a)(1)	64
A.	C.F.R. § 42.8(b)(1): Real Party-In-Interest.....	64
B.	C.F.R. § 42.8(b)(2): Related Matters	64
C.	C.F.R. § 42.8(b)(3) and (4): Lead and Back-up Counsel and Service Information.....	71

VII. Conclusion 72

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,504,746

I. Introduction

The '746 patent specification describes an interface device designed to facilitate the transfer of data between an input/output (“i/o”) device and a host computer that allegedly obviates the need for installation of driver software on the computer. Ex. 1201 at 1:37-40; 7:11-20.

The '746 patent is owned by Papst Licensing GmbH & Co., KG (“Papst” or the “Patent Owner”). The District Court judge in a litigation involving an ancestor of the '746 patent described Papst by stating that “the business of Papst is litigation, not invention or production.” Ex. 1202 (Memorandum Order of Judge Collyer) at 6 (emphasis in original). Papst acquired the patent family, including the five earlier applications and two issued patents related to application no. 12/891,443 (“the '443 application”) from which the '746 patent issued, nine years after the filing date of the earliest application in the chain. See USPTO Assignment Record executed Mar. 8, 2006, at 17314-114. The '443 application was filed and prosecuted entirely under Papst’s control during the pendency of patent infringement litigation filed by Papst, in which litigation Papst now asserts the resulting '746 patent.

Filed in 2010, the '443 application, issued in 2013. During prosecution of the '443 application, Papst presented nearly 600 references for the Examiner to consider via Information Disclosure Statements — a near impossible task for a

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