# PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 9,521,466

Case No. IPR2018-00072



# TABLE OF CONTENTS

I.	Man	datory Notices1				
II.	Grou	unds for Standing				
III.	Iden	tification	cation of Challenge and Relief Requested			
	A.	The '466 Patent				
	B.	Patents and Printed Publications Relied On				
	C.	Statutory Grounds for Challenge				
	D.	Claim Construction				
IV.	How	the Challenged Claims are Unpatentable		7		
	A.	Claims 1-17 of the '466 Patent are not Entitled to a Filing Date Earlier than October 6, 2014 and are Therefore Anticipated by Meier-'299 under AIA 35 U.S.C. § 102(a)(1)				
		i.	Claim 1	19		
		ii.	Claim 2	21		
		iii.	Claim 3	21		
		iv.	Claim 4	22		
		v.	Claim 5	22		
		vi.	Claim 6	23		
		vii.	Claim 7	24		
		viii.	Claim 8	26		
		ix.	Claim 9	27		
		х.	Claim 10	27		
		xi.	Claim 11	27		
		xii.	Claim 12	28		



		xiii.	Claim 13	28		
		xiv.	Claim 14	29		
		XV.	Claim 15	29		
		xvi.	Claim 16	31		
		xvii.	Claim 17	31		
	В.	Entit Appl	Claim of the '466 Patent that the PTAB may Determine led to the Filing Date of the '015-Application, the '75 ication, or the '844-Provisional, Which it Should Not, cipated by Meier-'299 under pre-AIA 35 U.S.C. § 102(e)	4- is		
		i.	Meier-'299 Constitutes Prior Art Under Pre-AIA 35 U.S.C. 102(e) as of the November 17, 2004 Filing Date of Meier-'52 and Meier-'625	7 <b>7</b>		
		ii.	Meier-'299 Discloses, and Therefore Anticipates, Claims 1-of the '466 Patent Under Pre-AIA 35 U.S.C. § 102(e)			
	C.		ms 6, 7, and 17 are Obvious in View of Meier-'299 Under AIA C. § 103			
		i.	Claim 6	72		
		ii.	Claim 7	74		
		iii.	Claim 17	76		
V.	The l	The Proposed Grounds of Unpatentability are not Redundant78				
VI	Conc	Conclusion 79				



#### I. Mandatory Notices

# **Real-Party-in Interest**:

Sony Corporation; Sony Corporation of America; Sony Electronics Inc.; Sony Interactive Entertainment, Inc.; Sony Mobile Communications (USA), Inc.; Sony Interactive Entertainment LLC; Sony Visual Products Inc.; Sony Video & Sound Products Inc.; and Sony Interactive Entertainment America LLC.

#### Related Matters:

The following judicial matter may affect, or be affected by, a decision in this *inter partes* review: *ARRIS Enters. LLC v. Sony Corp. et al.*, Case No. 3:17-cv-02669-NC (N.D. Cal., filed May 9, 2017).

The following administrative matter may affect, or be affected by, a decision in this *inter partes* review: *In re Certain Consumer Electronic Devices*, Inv. No. 337-TA-1060; and IPR2018-00075.

#### Lead Counsel:

Clifford A. Ulrich (Reg. No. 42,194)

# Backup Counsel:

James V. Mahon (Reg. No. 41,966)

# Service:

Petitioner agrees to electronic service at the following email addresses:

culrich@andrewskurthkenyon.com jamesmahon@andrewskurthkenyon.com



Service may be made at the following address:

Andrews Kurth Kenyon LLP One Broadway New York, NY 10004 Telephone: 212-425-7200

Facsimile: 212-425-5288

### II. Grounds for Standing

Petitioner certifies that U.S. Patent No. 9,521,466 ("'466 patent," Ex.-1001) is available for *inter partes* review and that Petitioner is not barred or estopped from requesting *inter partes* review challenging the claims on the grounds identified in this petition.

### III. Identification of Challenge and Relief Requested

Petitioner challenges claims 1-17 of the '466 patent under AIA 35 U.S.C. § 102(a)(1), challenges any claim of the '466 patent that may have an effective filing date before March 16, 2013 under pre-AIA 35 U.S.C. § 102(e), challenges claims 6, 7, and 17 under AIA 35 U.S.C. § 103, and requests cancelation of claims 1-17.

#### A. The '466 Patent

The '466 patent issued on December 13, 2016, from Application No. 14/507,329 ("'329-application," Ex.-1002), filed October 6, 2014. The '466 patent states that it is a continuation of Application No. 13/591,015 ("'015-application," Ex.-1003), filed August 21, 2012, which is stated to be a continuation of Application No. 11/200,754 ("'754-application," Ex.-1004), filed August 9, 2005,



# DOCKET

# 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.

