

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK,

APPLE INC., WHATSAPP INC.,
Petitioners
Petitioner

v.

UNILOC USA, INC., and UNILOC LUXEMBOURG, S.A.,
Patent ~~Owners~~ Owner

U.S.

Case IPR2018-00579
Patent ~~No.~~ 8,724,622

TITLE: SYSTEM AND METHOD FOR INSTANT VOIP MESSAGING

PETITION FOR *INTER PARTES* REVIEW ~~OF U.S.~~

Mail Stop PATENT ~~NO. 8,724,622~~BOARD

Patent Trial and Appeal Board(~~PETITION 1 OF 2 — CLAIMS 3, 6-8, 10, 11, 13, 14-23, 27-35, 38, 39~~)

Cooley-LLP
DRAFT
DATED: 6/17/13

Petition for Inter Partes Review

of

U.S. Patent*Pat.* No. 8,724,622

U.S. Patent & Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Table of Contents

Page

TABLE OF CONTENTS

I.	Mandatory Notices Under 37 C.F.R. § 42.8(A)(1)	1
A.	Real Party 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)	6
D.	Service Information	7
E.	Power of Attorney	7
II.	Fee Payment—37 C.F.R. § 42.103	7
III.	Requirements for <i>Inter Partes</i> Review under 37 C.F.R. §§ 42.104 and 42.108	7
A.	Grounds for Standing under 37 C.F.R. § 42.104(a)	7
B.	Identification of Challenge under 37 C.F.R. § 42.104(b) and Statement of Precise Relief Requested	8
IV.	Person of Ordinary Skill in the Art	8
V.	Claim Construction Under 37 C.F.R. § 42.104(B)(3)	9
A.	“instant voice messaging application”	9
B.	“client platform system”	12
C.	“communication platform system”	13
VI.	The Challenged Claims Are Unpatentable	14
A.	Brief Summary and Date Qualification of the Prior Art	14
1.	Overview of Zydney (Ex. 1003)	14
2.	Overview of Shinder (Ex. 1014)	18
3.	Overview of Clark (Ex. 1008)	19
4.	Overview of Appelman (Ex. 1004)	20
B.	Ground 1: Claims 3, 6-8, 10, 11, 13, 18-21, 23, 27, 32-35, and 38 Are Obvious Over Zydney + Shinder	23
1.	Claim 3 (Independent)	23

Table of Contents
(continued)

Page

(a) — “A system comprising:” (Preamble, Claim 3).....	23
(b) — “a network interface connected to a packet-switched network;” (Claim 3[a]).....	24
(i) — “a network interface”	24
(ii) — “...connected to a packet-switched network;”.....	28
(c) — “a messaging system communicating with a plurality of instant voice message client systems via the network interface; and” (Claim 3[b])	29
(d) — “a communication platform system maintaining connection information for each of the plurality of instant voice message client systems indicating whether there is a current connection to each of the plurality of instant voice message client systems,” (Claim 3[c])	33
(e) — “wherein the messaging system receives an instant voice message from one of the plurality of instant voice message client systems, and” (Claim 3[d]).....	35
(f) — “wherein the instant voice message includes an object field including a digitized audio file.” (Claim 3[e])	36
(i) — “object field”	36
(ii) — “digitized audio file”	38
2. — Claim 6 (Dependent): “The system according to claim 3, wherein the instant voice message includes an identifier field including a unique identifier associated with the instant voice message.”	38

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.