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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner

v.

AGIS SOFTWARE DEVELOPMENT, LLC,
Patent Owner

Case IPR2018-01079
Patent 8,213,970

PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE

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II. CLAIM CONSTRUCTION 1

III. GROUND 1 2

A. AGIS relies on features that are not required by limitations 1.5 and 6.2 to argue that Kubala and Hammond do not disclose a "forced message alert." 3

1. The claims do not require a message to be forced to a display "*without any action on the part of the recipient*." 4

2. AGIS confuses "automatic acknowledgements" with opening an email. 6

B. AGIS's arguments for limitations 1.6 and 6.8 misread Google's petition and fail to consider Kubala's combined teachings. 9

C. AGIS's arguments for limitations 1.7, 1.9, and 6.5 again misread Google's petition and rely on so-called statements that Google's expert never actually made. 12

IV. GROUNDS 2 AND 3 16

A. AGIS again relies on features that are not required by limitations 1.5 and 6.2 to argue that Hammond, Johnson, Pepe, and Banerjee do not disclose a "forced message alert." 17

1. Google provides motivation to combine Pepe, Hammond, and Johnson and identifies how Hammond and Johnson disclose a "forced message alert software packet." 18

2. Contrary to AGIS's argument, Hammond's electronic message and Johnson's electronic mail object are *forced*. 19

B. AGIS's arguments for limitations 1.6 and 6.8 misread Google's petition and fail to consider the references' combined teachings. 20

C. AGIS's arguments for limitations 1.7, 1.9, and 6.5 fail for the exact same reasons as discussed above for Ground 1. 23

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V. CONCLUSION.....24

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PETITIONER'S UPDATED EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 8,213,970 B2 to Beyer ("'970 patent")
1002	Prosecution History of U.S. Patent No. 8,213,970 (Application No. 12/324,122) ("'970 Pros. Hist.")
1003	Declaration of David H. Williams
1004	*Curriculum Vitae* of David H. Williams
1005	U.S. Patent Application Publication No. 2006/0218232 to Kubala *et al.* ("Kubala")
1006	U.S. Patent No. 6,854,007 to Hammond ("Hammond").
1007	U.S. Patent No. 5,325,310 to Johnson *et al*. ("Johnson")
1008	U.S. Patent No. 5,742,905 to Pepe *et al*. ("Pepe")
1009	U.S. Publication No. 2003/0128195 to Banerjee *et al*. ("Banerjee")
1010	*Simon Says "Here's How!" Simon™ Mobile Communications Made Simple*, Simon Users Manual, IBM Corp., 1994. ("Simon")
1011	Prosecution History of U.S. Patent Application No. 10/711,490 ("'490 application")
1012	Prosecution History of U.S. Application No. 11/308,648 ("'648 application")
1013	Prosecution History of U.S. Application No. 11/612,830 ("'830 application")
1014	McKinsey & Company, The McKinsey Report : FDNY 9/11 Response (2002) ("The McKinsey Report")
1015	*History of Mobile Phones*, Wikipedia.com, https://en.wikipedia.org/wiki/History_of_mobile_phones (last visited May 10, 2018) ("Hist. Mobile Phones")
1016	*Apple Newton*, Wikipedia.com, https://en.wikipedia.org/wiki/Apple_Newton (last visited May 10, 2018) ("Apple")

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Exhibit No.	Description
1017	*Email*, Wikipedia.com, https://en.wikipedia.org/wiki/Email (last visited May 10, 2018) ("Email")
1018	*From touch displays to the Surface: A brief history of touchscreen technology*, Arstechnica.com https://arstechnica.com/gadgets/2013/04/from-touch-displays-to-the-surface-a-brief-history-of-touchscreen-technology/ (last visited May 10, 2018) ("Arstechnica")
1019	*Palm VII*,Wikipedia.com, https://en.wikipedia.org/wiki/Palm_VII (last visited May 10, 2018) ("Palm")
1021	Declaration of Michael A. Berta in support of Motion for *Pro Hac Vice* Admission
1022	Transcript of the Deposition of Dr. Jaime G. Carbonell, June 7, 2019
1023	Supplemental Declaration of David H. Williams in Support of Petitioner's Reply
1024	*Computer Dictionary, The Comprehensive Standard for Business, School, Library, and Home*, Microsoft Press, Microsoft Corp., 1991.
1025	Declaration of Dr. Jaime G. Carbonell in Support of Plaintiff's Opening Claim Construction Brief, *AGIS Software Development, LLC v. Huawei Device USA Inc., et al.*, No. 2:17-cv-00513-JRG (E.D. Tex.), filed July 25, 2018.

SUPPLEMENTAL EXHIBITS SERVED (NOT FILED)

Exhibit No.	Description
1020	Supplemental Declaration of David H. Williams

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