## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re Inter Partes Review of: | ) |
|-------------------------------|---|
| U.S. Patent No. 8,213,970     | ) |
| Issued: July 3, 2012          | ) |
| Application No.: 12/324,122   | ) |

## For: Method of Utilizing Forced Alerts for Interactive Remote Communications

FILED VIA E2E

#### PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,213,970

## TABLE OF CONTENTS

| I.   | INTRODUCTION1                 |  |  |
|------|-------------------------------|--|--|
| II.  | STANDING                      |  |  |
| III. | . TECHNICAL BACKGROUND        |  |  |
|      | A.                            | Overview of the '970 patent (Exhibit 1001)   |  |
|      | В.                            | The concepts of the '970 Patent were well known in the prior art   |  |
|      | C.                            | Summary of the prosecution history6  |  |
| IV.  | CLA                           | AIM CONSTRUCTION   |  |
|      | A.                            | Relevant law and person of ordinary skill in the art   |  |
|      | B.                            | "data transmission means"10  |  |
|      | C.                            | "means for attaching"  |  |
|      | D.                            | "means for requiring"  |  |
|      | E.                            | "means for receiving and displaying a listing of which recipient<br>PDA/cell phones have automatically acknowledged "  |  |
|      | F.                            | "means for periodically resending"   |  |
|      | G.                            | "means for receiving and displaying a listing of which recipient<br>PDA/cell phones have transmitted "   |  |
| V.   | . IDENTIFICATION OF CHALLENGE |  |  |
|      | A.                            | <u>Ground 1:</u> Claims 1 and 3-9 are obvious over Kubala and<br>Hammond—references that are prior art to the '970 patent's<br><i>actual</i> filing date (November 26, 2008) |  |
|      |                               | 1. <u>Overview:</u> Kubala discloses PDAs that send and receive<br>mandatory-response messages, and Hammond tracks<br>acknowledgements of and responses to such messages     |  |
|      |                               | 2. Independent claim 123   |  |

|    | 3.   | Dependent claim 3   | 40 |
|----|------|---|----|
|    | 4.   | Dependent claim 4   | 40 |
|    | 5.   | Dependent claim 5   | 41 |
|    | 6.   | Independent claim 6   | 42 |
|    | 7.   | Dependent claim 7   | 47 |
|    | 8.   | Dependent claim 8   | 50 |
|    | 9.   | Dependent claim 9   | 50 |
| B. | view | nd 2: Claims 1 and 3-9 are obvious over Hammond in of Johnson and Pepe—references that are prior art to the patent's <i>earliest effective</i> filing date (September 21, 2004)   | 51 |
|    | 1.   | <u>Overview:</u> Hammond tracks acknowledgements of and<br>responses to mandatory-response messages; Johnson<br>prevents a user from closing a mandatory-response<br>message that has not been responded to; and Pepe<br>discloses PDAs that provide an on-screen menu of<br>possible responses to an incoming message. | 52 |
|    | 2.   | Independent claim 1   | 54 |
|    | 3.   | Dependent claim 3   | 66 |
|    | 4.   | Dependent claim 4   | 66 |
|    | 5.   | Dependent claim 5   | 67 |
|    | 6.   | Independent claim 6   | 68 |
|    | 7.   | Dependent claim 7   | 75 |
|    | 8.   | Dependent claim 8   | 76 |
|    | 9.   | Dependent claim 9   | 77 |
| C. |      | <u>nd 3:</u> Claims 1 and 3-9 are obvious over Hammond in of Johnson, Pepe, and Banerjee  | 77 |

| VI.   | THE CIRCUMSTANCES OF THIS PETITION DO NOT JUSTIFY |    |  |
|-------|---|----|--|
|       | DENIAL UNDER § 314(a) OR § 325(d)                 | 78 |  |
| VII.  | SECONDARY CONSIDERATIONS                          | 79 |  |
| VIII. | MANDATORY NOTICES                                 | 79 |  |
| IX.   | CONCLUSION  | 81 |  |

### **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 <i>et al.</i> ("Kubala")   |
| 1006        | U.S. Patent No. 6,854,007 to Hammond ("Hammond").   |
| 1007        | U.S. Patent No. 5,325,310 to Johnson <i>et al.</i> ("Johnson")  |
| 1008        | U.S. Patent No. 5,742,905 to Pepe <i>et al.</i> ("Pepe")  |
| 1009        | U.S. Publication No. 2003/0128195 to Banerjee <i>et al.</i> ("Banerjee")  |
| 1010        | Simon Says "Here's How!" Simon <sup>™</sup> Mobile Communications<br>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 Re-<br>sponse (2002) ("The McKinsey Report")  |
| 1015        | <i>History of Mobile Phones</i> , Wikipedia.com,<br>https://en.wikipedia.org/wiki/History_of_mobile_phones (last visit-<br>ed May 10, 2018) ("Hist. Mobile Phones") |
| 1016        | Apple Newton, Wikipedia.com,<br>https://en.wikipedia.org/wiki/Apple_Newton (last visited May 10,<br>2018) ("Apple")   |

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