

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re *Inter Partes* Review of:)
U.S. Patent No. 9,445,251)
Issued: September 13, 2016)
Application No.: 14/633,804)

For: **Method to Provide Ad Hoc and Password Protected Digital and Voice
Networks**

FILED VIA E2E

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 9,445,251**

TABLE OF CONTENTS

EXHIBIT LIST3

I. Mandatory Notices (37 C.F.R. § 42.8(a)(1))2

II. Grounds for Standing (37 C.F.R. § 42.104(a))6

III. Identification of Challenge (37 C.F.R. § 42.104(b)).....7

A. Statutory Ground for the Challenge.....7

B. Citation of Prior Art.....7

IV. The '251 Patent8

A. Background of the '251 Patent8

B. Level of Ordinary Skill in the Art11

C. Claim Construction11

1. “second georeferenced map”12

V. Ground of Rejection14

A. Claim 1 is Obvious Over Fumarolo-782 in View of Fumarolo-844, Muramatsu, and Liu.....14

1. Overview14

2. The combination of Fumarolo-782, Fumarolo-844, Muramatsu, and Liu renders independent claim 1 obvious.24

B. Ground 1: Claims 13-19 and 21 are Obvious Over Fumarolo-782 in View of Fumarolo-844, Muramatsu, Liu, and Spaargaren50

1. Overview50

2. Claim 13 is obvious.....53

3. Claim 14 is obvious.....58

4. Claim 15 is obvious.....63

5. Claim 16 is obvious.....66

6. Claim 17 is obvious.....68

7. Claim 18 obvious.68

8. Claim 19 is obvious.....69

9. Claim 21 is obvious.....70

C. The Dependent Claims Merely Recite Obvious Design Choices.....71

Inter Partes Review of U.S. Patent No. 9,445,251

VI. The Instant Petition Should be Instituted Under § 325(d)72

A. The References in the Instant Petition Were Either Not Cited And/Or Not Considered by the Office During Examination of the '251 Patent.72

B. The Instant Petition is Not Cumulative with the Concurrently-Filed Petitions Based on Fumarolo and Haney and Each Petition Should be Instituted. 73

C. The Instant Petition is Not Cumulative with the Petition filed in IPR2018-00817 and Both Petitions Should be Instituted.75

D. The Circumstances of This Joinder Petition Do Not Justify Denial Under 314(a) or 325(d).....76

VII. Conclusion77

Inter Partes Review of U.S. Patent No. 9,445,251

EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 9,445,251 B2 to Beyer, Jr. <i>et al.</i> (“251 patent”)
1002	Prosecution History of U.S. Patent No. 9,445,251 B2 (Application No. 14/633,804)
1003	Declaration of David Hilliard Williams (“Williams Dec.”)
1004	<i>Curriculum Vitae</i> of David Hilliard Williams
1005	U.S. Patent No. 6,366,782 B1 to Fumarolo <i>et al.</i> (“Fumarolo-782”)
1006	U.S. Patent No. 6,204,844 B1 to Fumarolo <i>et al.</i> (“Fumarolo-844”)
1007	U.S. Publication No. 2002/0173906 A1 to Muramatsu (“Muramatsu”)
1008	U.S. Publication No. 2002/0027901 to Liu <i>et al.</i> (“Liu”)
1009	Intl. Publication No. WO 02/17567 A2 to Spaargaren (“Spaargaren”)
1010	Plaintiff’s Original Complaint for Patent Infringement, <i>AGIS Software Development LLC v. Huawei Device USA Inc., et al.</i> , Case No. 2:17-cv-00513 (TXED), filed June 21, 2017. (“Infringement Complaint”)
1011	U.S. Patent No. 7,031,728 to Beyer, Jr., issued April 18, 2006 (“728 Patent”)
1012	U.S. Patent No. 7,630,724 to Beyer, Jr., <i>et al.</i> , issued December 8, 2009 (“724 Patent”)
1013	911 and E911 Services, Federal Communications Commission, www.fcc.gov/e911 (last visited May 7, 2018)
1014	Fact Sheet, FCC Wireless 911 Requirements (January 2001), available at https://transition.fcc.gov/pshs/services/911-services/enhanced911/archives/factsheet_requirements_012001.pdf
1015	Jock Christie, <i>et al.</i> , <i>Development and Deployment of GPS Wireless Devices for E911 and Location Based Services</i> (Position, Location, and Navigation Symposium, 2002) (“Christie”)
1016	Dale N. Hatfield, <i>A Report on Technical and Operational Issues</i>

Inter Partes Review of U.S. Patent No. 9,445,251

Exhibit No.	Description
	<i>Impacting The Provision of Wireless Enhanced 911 Services</i> , Federal Communications Commission (2002) (“Hatfield”)
1017	Charles E. Perkins, “Ad Hoc Networking.” Nokia Research Center (November 28, 2000) (“Perkins”)
1018	Duncan Scott Sharp, <i>Adapting Ad Hoc Network Concepts to Land Mobile Radio Systems</i> (1972 Ph.D. dissertation, University of Alberta) (on file with Simon Fraser University, December 2002) (“Duncan”)
1019	Madhavi W. Subbarao, <i>Mobile Ad Hoc Data Networks for Emergency Preparedness Telecommunications - Dynamic Power-Conscious Routing Concepts</i> (Submitted as an interim project for Contract Number DNCR086200 to the National Communications Systems, February 1, 2000) (“Subbarao”)
1020	<i>Intentionally Left Blank</i>
1021	McKinsey & Company, <i>The McKinsey Report : FDNY 9/11 Response</i> (2002) (“The McKinsey Report”)
1022	William K. Rashbaum, <i>Report on 9/11 Finds Flaws In Response of Police Dept.</i> , N.Y. Times (July 27, 2002), available at http://www.nytimes.com/2002/07/27/nyregion/report-on-9-11-finds-flaws-in-response-of-police-dept.html?mcubz=0
1023	Fred Durso, Jr., <i>A Decade of Difference</i> , NFPA Journal (Sept. 1, 2011), available at http://www.nfpa.org/news-and-research/publications/nfpa-journal/2011/september-october-2011/features/a-decade-of-difference
1024	Rick Rotondo, “Locate-Track-Extract; Wireless Mesh Networking Allows Commanders to Keep Track of Firefighters at an Incident Scene,” <i>Mission Critical Communications</i> , March 2004
1025	U.S. Patent Publication No. 2003/0100326 to Grube <i>et al.</i> , published May 29, 2003 (“Grube”)
1026	U.S. Patent No. 6,654,683 to Jin <i>et al.</i> , issued November 25, 2003 (“Jin”)
1027	U.S. Patent No. 6,119,017 to Cassidy <i>et al.</i> , issued September 12, 2000 (“Cassidy”)
1028	<i>Intentionally Left Blank</i>

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.