UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
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FACEBOOK, INC., INSTAGRAM, LLC, and WHATSAPP INC.,
Petitioners,

v.

BLACKBERRY LIMITED,
Patent Owner

_____

IPR2019-00528
U.S. Patent No. 8,279,173

_____

PATENT OWNER'S SUR-REPLY

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TABLE OF AUTHORITIES

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Cases

LIST OF EXHIBITS

Exhibit #	Description
2001	Declaration of Rajeev Surati, Ph.D.
2002	Excerpts from the American Heritage College Dictionary, 4th ed. (2002)
2003	Excerpts from Webster's New World College Dictionary, 4th ed. (2008)
2004	Excerpts from Merriam-Webster's Collegiate Dictionary, 11th ed. (2003)
2005	Exhibit 9 from the Deposition of Sandeep Chatterjee, Ph.D.
2006	Petitioners' Opposition to BlackBerry's Motion for Partial Summary Judgment of Infringement in the District Court Litigation
2007	Intentionally Omitted
2008	Prosecution History of U.S. Patent No. 9,495,335
2009	U.S. Patent Application No. 13/252,807
2010	U.S. Patent Application No. 11/746,285
2011	Redline comparison of '807 and '285 Applications
2012	Transcript of November 7, 2019 Deposition of Sandeep Chatterjee, Ph.D.

I.   INTRODUCTION

All instituted grounds point to MacLaurin for the "tag type indicator . . . indicative of a tag source" and "displaying a tag list including tags" (plural) limitations. Petitioners' Reply only underscores, however, that both of these limitations are absent from MacLaurin.

First, Petitioners resort to a new, overbroad construction of "tag sources" in an effort to preserve their strained interpretation of MacLaurin (articulated for the first time in the Reply). Petitioners' construction effectively reads the "indicative of a tag source" limitation out of the claims and should, therefore, be rejected. Under the correct construction, MacLaurin's alleged "tag type indicator[s]" are not "indicative of a tag source." Petitioners cannot cure this basic deficiency using MacLaurin's external tag sources, Rothmuller, or Plotkin because these other embodiments and references also do not disclose "a tag type indicator . . . indicative of a tag source," as claimed.

Second, Petitioners do not dispute that MacLaurin never displays "a tag list" with multiple "tags." Petitioners' obviousness assertions for this limitation are conclusory, fail to identify any motivation to stray from MacLaurin's express teachings, and should, therefore, be rejected.

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