

Trials@uspto.gov  
571.272 .7822

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD

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STARBUCKS CORPORATION ET AL.

Petitioners

v.

FALL LINE PATENTS, LLC

Patent Owner

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CASE IPR2019-00610

PATENT 9,454,748

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**PATENT OWNER'S RESPONSE TO PETITION FOR  
*INTER PARTES* REVIEW OF U.S. PATENT NO. 9,454,748  
CHALLENGING CLAIMS 1, 2, 5, 7, AND 19-22**

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<i>Lucia v. S.E.C.</i> , 138 S. Ct. 2044, 2055 (2018) .....	26

PATENT OWNER'S EXHIBIT LIST

October 25, 2019

EX 2001	<i>The Java™ Programming Language, Third Edition</i> , Kan Arnold, James, Gosling, and David Holmes, Addison Wesley, © 2000, 4 <sup>th</sup> Printing October 2001.
EX 2002	<i>Programming Wireless Devices with the Java™ 2 Platform, Micro Edition</i> , Roer Riggs, Antero Taivalsaari, and Mark VandenBrink, Addison Wesley, © 2001
EX 2003	Defendants' Motion to Stay Litigation Pending Inter Partes Review of the Patent-In-Suit, <i>Fall Line Patents, LLC v. Zoe's Kitchen, Inc. and Zoe's Kitchen USA, LLC</i> , U.S.D.C., ED TX, Tyler Div., Case No. 6:18-CV-407-RWS
EX 2004	Defendants' Reply In Support of Their Motion to Stay Litigation Pending Inter Partes Review of the Patent-in-Suit, <i>Fall Line Patents, LLC v. Zoe's Kitchen, Inc. and Zoe's Kitchen USA, LLC</i> , U.S.D.C., ED TX, Tyler Div., Case No. 6:18-CV-407-RWS
EX 2006	Declaration of Dr. Samuel H. Russ under 37 C.F.R. §1.68 in Opposition to Decision Granting <i>Inter Partes</i> Review of U.S. Patent No. 9,454,748 (Claims 1,2,5,7, and 19-22)

**PATENT OWNER'S RESPONSE TO PETITION FOR  
INTER PARTES REVIEW OF U.S. PATENT NO. 9,454,748  
CHALLENGING CLAIMS 1, 2, 5, 7, AND 19-22**

**I. Introduction**

Fall Line Patents, LLC (hereinafter “Patentee”), the owner of the entire interest in U.S. Patent No. 9,454,748 (hereinafter the ‘748 Patent) hereby tenders its Response to the Decision to Institute *Inter Partes* Review (“IPR”) of the ‘748 patent. The above-mentioned decision (hereinafter the “Decision”) was entered August 7, 2019, in IPR2019-00610 as Paper 14 and the instant Response was set for October 25, 2019, according to the Board’s Scheduling Order (Paper 15).

**II. Background of the Case**

The above-mentioned petition (hereinafter the “Petition”), which is now assigned Case IPR2018-00043, was filed by Starbucks Corporation<sup>1</sup> et al. (hereinafter collectively “Petitioner”) and accorded the filing date of January 22, 2019. Patent Owner filed a preliminary response on May 10, 2019. On August 7, 2019, the Patent Trial and Appeal Board (hereinafter “the Board”) entered the Decision instituting the instant IPR. As explained in detail below, the prior art of record does not render any challenged claim as obvious.

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<sup>1</sup> This IPR has been terminated with respect to Starbucks Corporation. *See*, Paper 13.

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