

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

UNILOC 2017 LLC,
Patent Owner.

IPR2019-01026
Patent 6,993,049

**PETITIONER'S REPLY TO
PATENT OWNER'S RESPONSE TO PETITION**

TABLE OF CONTENTS

| | Page(s) |
|---|---------|
| EXHIBIT LIST | iii |
| I. INTRODUCTION | 1 |
| II. CLAIM CONSTRUCTION | 1 |
| A. “Additional Data Field” | 1 |
| B. “Inquiry Message[s]” | 3 |
| III. GROUND 1: THE LARSSON-BASED COMBINATION SATISFIES THE CLAIMED “ADDING TO AN INQUIRY MESSAGE ... AN ADDITIONAL DATA FIELD ...” | 7 |
| A. Larsson’s Piggybacking Of RfR And Other Messages Satisfies The Claimed “Additional Data Field” | 7 |
| B. Larsson’s RfR Satisfies The Claimed Inquiry Message | 13 |
| 1. Larsson’s RfR Messages Are Inquiry Messages; They Seek Route Information That Allows Unconnected Source And Destination Nodes To Establish Communications Paths | 14 |
| 2. Larsson’s RfRs Satisfy PO’s More Narrow Construction | 14 |
| IV. GROUND 2: 802.11 SATISFIES THE “ADDING ... AN ADDITIONAL DATA FIELD” LIMITATION | 16 |
| A. The Petition Consistently Relies On 802.11’s Targeted And Broadcast Probe Requests | 17 |
| B. 802.11 Discloses The “Additional Data Field” Element | 18 |
| V. CONCLUSION..... | 23 |
| CERTIFICATE OF COMPLIANCE..... | 24 |

TABLE OF AUTHORITIES

Page(s)

Cases

In re Anderson,
662 F. App'x 958 (Fed. Cir. 2016).....6

Organic Seed Growers & Trade Ass'n v. Monsanto Co.,
718 F.3d 1350 (Fed. Cir. 2013)4

SunRace Roots Enter. Co. v. SRAM Corp.,
336 F.3d 1298 (Fed. Cir. 2003)2

Board Decisions

Amneal Pharm. LLC v. Allergan, Inc.,
IPR2018-00608, 2019 WL 4047036 (P.T.A.B. Aug. 27, 2019)3

Cisco Sys. Inc. v. Uniloc 2017 LLC,
IPR2019-00965, Paper 7 (P.T.A.B. Nov. 8, 2019)3

Microsoft Corp. v. Uniloc 2017 LLC,
IPR2019-01188, Paper 9 (P.T.A.B. Dec. 9, 2019).....2

EXHIBIT LIST

LIST OF NEWLY-FILED EXHIBITS

Exhibits concurrently filed with Petitioner's Reply to Patent Owner's Response to

Petition:

| No. | Description |
|------|--|
| 1028 | Second Declaration of Peter B. Rysavy, signed and dated May 19, 2020 (" Rysavy_Reply ") |
| 1029 | Modicon Modbus Protocol Reference Guide, PI-MBUS-300 Rev. J, June 1996 (" Modbus Protocol ") |
| 1030 | U.S. Pat. No. 6,434,157 to Dube' et al. (referencing Modbus Protocol) |
| 1031 | ASN.1: Communication Between Heterogeneous Systems, Olivier Dubuisson, June 5, 2000, available at http://www.oss.com/asn1/resources/books-whitepapers-pubs/dubuisson-asn1-book.PDF from http://www.oss.com/asn1/resources/books-whitepapers-pubs/asn1-books.html (" Dubuisson ") (excerpts) |
| 1032 | U.S. Pat. No. 6,687,766 to Casper |
| 1033 | <i>Uniloc USA, Inc. v. Samsung Elecs. Am. Inc.</i> , No. 2:18-cv-00040-JRG-RSP, Dkt. No. 69 (E.D. Tex. Feb. 26, 2019) ("Plaintiff's Reply Claim Construction Brief"). |
| 1034 | Qiu et al., A multiple access scheme for multimedia traffic in wireless ATM, IEEE/ACM Mobile Networks and Applications 1:259-272 (Jan. 1996) |
| 1035 | U.S. Pat. No. 6,205,498 to Habusha et al. |
| 1036 | W. Richard Stevens, TCP/IP Illustrated, Volume 1: The Protocols, 1994 (" Stevens ") |
| 1037 | Webster's New World Dictionary, 4th Edition, 1999 ("inquiry") |
| 1038 | U.S. Pat. No. 3,523,281 to Willcox et al. |

| No. | Description |
|------|---|
| 1039 | U.S. Pat. No. 5,517,488 to Miyazaki et al. |
| 1040 | U.S. Pat. No. 6,119,208 to White et al. |
| 1041 | U.S. Pat. No. 6,141,701 to Whitney |
| 1042 | U.S. Pat. No. 3,701,971 to Sanner et al. |
| 1043 | U.S. Pat. No. 5,812,639 to Bartholomew et al. |
| 1044 | David Johnson, David Maltz, Carnegie Mellon University, <i>Dynamic Source Routing in Ad Hoc Wireless Networks</i> , 1996, https://www.utdallas.edu/~ksarac/Papers/DSR.pdf |
| 1045 | Global System for Mobile Communications (GSM) Technical Specification: Digital cellular telecommunications system (Phase 2+); Mobile radio interface layer 3 specification (GSM 04.08), available at https://www.etsi.org/deliver/etsi_gts/04/0408/05.00.00_60/gsmts_0408v050000p.pdf (excerpts) |
| 1046 | Federal Standard 1037C, Telecommunications: Glossary of Telecommunication Terms, U.S. Federal General Services Administration (Aug. 7, 1996) |

LIST OF PREVIOUSLY FILED EXHIBITS

| No. | Description |
|------|--|
| 1001 | U.S. Patent No. 6,993,049 (“the ’049 patent”) |
| 1002 | File History of U.S. Patent No. 6,993,049 |
| 1003 | Declaration of Peter B. Rysavy, signed and dated May 6, 2019 (“ Rysavy Decl. ” or “ Rysavy ”). |
| 1004 | U.S. Pat. No. 6,704,293 to Larsson et al. (“ Larsson ”) |
| 1005 | Specification of the Bluetooth System, Vol. 1, Bluetooth, v1.0B (Dec. 1, 1999) (“ Bluetooth Specification ”) |
| 1006 | David C. Plummer, <i>An Ethernet Address Resolution Protocol</i> , IETF Request For Comments No. 826 (Nov. 1982) (“ RFC826 ”) |

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.