UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DISH NETWORK L.L.C.,
Petitioner,

v.

WISTARIA TRADING LTD.,
Patent Owner

IPR2019-01449

PATENT 9,021,602

**PATENT OWNER PRELIMINARY RESPONSE TO PETITION
PURSUANT TO 37 C.F.R. § 42.107(a)**

Table of Contents

Table of Authorities

Cases

Statutes

Table of Exhibits

Exhibit	Description
1001	United States Patent No. 9,021,602 to Moskowitz *et al*. ("'602 Patent)
1002	Declaration of Dr. Vijay K. Madisetti
1003	*Curriculum Vitae* of Dr. Vijay K. Madisetti
1004	File History for United States Patent No. 9,021,602
1005	File History for Reexamination Request No. 90/014,137 of United States Patent No. 9,021,602
1006	File History for United States Patent No. 9,104,842 ("parent '842 Patent")
1007	File History for Reexamination Request No. 90/014,138 of United States Patent No. 9,104,842
1008	United States Patent No. 5,757,907 to Cooper *et al*. ("Cooper")
1009	First Amended Complaint for Patent Infringement, *Blue Spike LLC v. DISH Network Corporation*, Civil Action No. 1:19-cv-00160-LPS-CJB (filed Mar. 29, 2019) ("District Court Litigation")
1010	Complaint, *Blue Spike LLC v. DISH Network Corporation et al.*, Nos. 6:18-CV-00333-RWS-KNM (E.D. Tex.), 1:18-CV-01512-LPS-CJB (D. Del.) (the "Prior Litigation")
1011	Order Granting Joint Motion to Transfer to the District of Delaware and Stay All Deadlines, 6:18-CV-00333-RWS-KNM, ECF No. 19, entered in Prior District Court Litigation
1012	Notice of Voluntary Dismissal Without Prejudice, served in Prior District Court Litigation
1013	File History for United States Patent No. 6,598,162
1014	*Software Authorization Systems*, Paul A. Suhler *et al.*, IEEE Software (1986).
1015	*Designing Software to be Used Up and Protecting it from Pirates*, Bryon K. Ehlmann, ACM SIGSMALL/PC Notes, vol. 11, issue 3 (Aug. 1985)

I.   INTRODUCTION

Patent Owner Wistaria Trading Ltd. submits this Preliminary Response to the Petition for *Inter Partes* Review of United States Patent No. 9,021,602 ("the '602 Patent") filed by Petitioner DISH Network L.L.C. ("Petitioner") (the "Petition" or "Pet.").

The Board should dismiss the Petition in its entirety at least because, as Patent Owner shows below, dispositive claim elements are entirely missing from the combination of references asserted in each of the Grounds of the Petition.

II.   THE '602 PATENT

A.   Overview of the '602 Patent

The '602 Patent is titled "DATA PROTECTION METHOD AND DEVICE." The '602 Patent describes an "apparatus and method for encoding and decoding additional information into a digital information in an integral manner. More particularly, the invention relates to a method and device for data protection." EX1001, Abstract. The apparatus and method stores application software in non-transient memory of a computer. The application software stores, in a personalization data resource, computer configuration information of a computer as well as a license code entered as a result of prompting the user of the computer. EX1001, 16:3–13. The application software then generates a proper

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