UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION
Petitioner

v.

UNILOC 2017 LLC
Patent Owner

IPR2019-01558
U.S. PATENT NO. 8,724,622

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

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C. No prima facie obviousness for "the communication platform system assigns an IP address to each of the instant voice message client systems when the communication platform receives a connection request from each of the instant voice message client systems" as recited in claim 9. 29

D. No prima facie obviousness for "the instant voice message application communicates in an intercom mode when a recipient of the instant voice message is currently available to receive the instant voice message and communicates in a record mode when the recipient of the instant voice message is currently unavailable to receive the instant voice message" as recited in claim 36. 32

E. No prima facie obviousness for "the instant voice message application uses the intercom mode as a default communication mode" as recited in dependent claim 37. 34

F. No prima facie obviousness for "a user database storing user records identifying users of the plurality of instant voice message client systems, wherein each of the user records includes a user name, a password and a list of other users selected by a user" as recited in claim 1. 35

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EXHIBITS

Exhibit 2001	U.S. Patent No. 7,372,826 (Dahod)

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I. INTRODUCTION

Pursuant to 35 U.S.C. §313 and 37 C.F.R. §42.107(a), Uniloc 2017 LLC (the "Patent Owner" or "Uniloc") submits Uniloc's Preliminary Response to the Petition for *Inter Partes* Review ("Pet." or "Petition") of United States Patent No. 8,724,622 ("the '622 patent" or "Ex. 1001") filed by Microsoft Corporation ("Petitioner").

In view of the reasons presented herein, the Petition should be denied in its entirety, for *inter alia*, (1) lacking candor by failing to bring to the Board's attention multiple denied petitions for *inter partes* review against the '622 patent, (2) presenting challenges based on grounds substantively unchanged from grounds asserted in prior petitions that were denied institution, and (3) as failing to meet the threshold burden of proving there is a reasonable likelihood that at least one challenged claim is unpatentable.

Uniloc addresses each ground and provides specific examples of how Petitioner failed to establish that it is more likely than not that it would prevail with respect to at least one of the challenged '622 Patent claims. As a non-limiting example described in more detail below, the Petition fails the all-elements-rule in not addressing every feature of any of the challenged claims.

Accordingly, Uniloc respectfully requests that the Board decline institution of trial on Claims 1, 2, 9, 36 and 37 of the '622 Patent.

II. THE '622 PATENT

A. Effective Filing Date of the '622 Patent

The '622 patent is titled "System and Method for Instant VoIP Messaging." The '622 patent issued May 13, 2014 from U.S. Patent Application No.

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