UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION, Petitioner,

v.

UNILOC 2017 LLC, Patent Owner.

IPR2019-01559 U.S. Patent No.: 8,724,622 Issued: May 13, 2014 Application No.: 13/546,673 Filed: July 11, 2012

Title: SYSTEM AND METHOD FOR INSTANT VOIP MESSAGING

PETITION FOR INTER PARTES REVIEW OF U.S. PATENT NO. 8,724,622 (CLAIM 5)



TABLE OF CONTENTS

		P	ages	
LIST	OF E	XHIBITS	vi	
MAN	NDAT(ORY NOTICES UNDER 37 C.F.R. § 42.8	ix	
	1.	Real Party-In-Interest	ix	
	2.	Related Matters	ix	
	3.	Lead And Back-Up Counsel, And Service Information	. xiii	
I.	GRO	UNDS FOR STANDING PER SECTION 42.104(A)	1	
II.	IDEN	NTIFICATION OF CHALLENGE	1	
	A.	Statement Of The Precise Relief Requested/Statutory Grounds	1	
	B.	These Prior Art And Arguments Were Not Considered During Original Prosecution	2	
	C.	Microsoft's Petition Should Be Granted Despite Earlier <i>Third-Party</i> Petitions Challenging The Same Patent	2	
III.		LOC IS PRECLUDED FROM LLENGING SEVERAL ISSUES RAISED IN THIS PETITION	5	
IV.	THE	'622 PATENT	7	
	A.	The '622 Patent's Specification	7	
V.	LEVEL OF SKILL IN THE ART, AND STATE OF THE ART9			
	A.	Person Of Ordinary Skill In The Art	9	
VI.	CLA	IM CONSTRUCTION	9	
	A.	Proposed Constructions	11	
		1. Instant Voice Message	11	
		2. Instant Voice Message Client System	14	



VII.	GROUND 1: CLAIM 5 IS OBVIOUS OVER GRIFFIN IN VIEW OF ZYDEY		
	A.	Zydney (Ex. 1004)	16
	B.	Griffin (Ex. 1008)	.20
	C.	Claim 5	.20
VIII.	CON	CLUSION	.51
CERT	rific.	ATE OF COMPLIANCE	52



TABLE OF AUTHORITIES

Pages Cases Ariosa Diagnostics v. Verinata Health, Inc. 805 F.3d 1359 (Fed. Cir. 2015)......25 KSR Intern. Co. v. Teleflex, Inc. Nidec Motor Corp. v. Zhongshan Borad Ocean Motor Co. O2 Micro Int'l Ltd. v. Beyond Innovation Tech. Co. Papst Licensing GMBH & Co. KG v. Samsung Elecs. Am., Inc. 924 F.3d 1243 (Fed. Cir. 2019)......5 Phillips v. AWH Corp. 415 F.3d 1303 (Fed. Cir. 2005)......9 SSIH Equip. S.A. v. ITC 718 F.2d 365 (Fed. Cir. 1983)......6 **Board Decisions** Aurobindo Pharma USA, Inc. v. Andrx Corp. et al. IPR2017-01648, Paper 34 (PTAB Dec. 28, 2018)......10 **Statutes** 35 U.S.C. § 103....... 35 U.S.C. § 42.104...... Rules



	IPR2019-01559
	Patent 8,724,622
83 FR 51340	9, 11



DOCKET

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.

