

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

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ROKU, INC.,  
Petitioner,

v.

UNIVERSAL ELECTRONICS, INC.,  
Patent Owner.

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Case IPR2019-01615  
Patent 9,716,853

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**PATENT OWNER'S SUR-REPLY TO  
PETITIONER'S REPLY**

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**TABLE OF EXHIBITS**

<b>Exhibit No.</b>	<b>Description</b>
<b>2001</b>	Declaration of Dr. Don Turnbull (“1/17/20 Turnbull Declaration”)
<b>2002</b>	Declaration of Dr. Don Turnbull in Support of Patent Owner’s Response (“7/13/20 Turnbull Declaration”)
<b>2003</b>	Transcript of the June 24, 2020 Deposition of Dr. Samuel H. Russ (“Russ Deposition Transcript”)
<b>2004</b>	8/5/19 <i>Markman</i> Hearing Transcript from <i>Universal Electronics, Inc. v. Roku, Inc.</i> , Case No. 18-cv-1580 (C.D. Cal.) (“ <i>Markman</i> Transcript”)
<b>2005</b>	Roku’s Opening Claim Construction Brief in <i>Universal Electronics, Inc. v. Roku, Inc.</i> , Case No. 18-cv-1580 (C.D. Cal.) (“Petitioner’s CC Brief”)
<b>2006</b>	Roku’s Response to Plaintiff’s Opening Claim Construction Brief in <i>Universal Electronics, Inc. v. Roku, Inc.</i> , Case No. 18-cv-1580 (C.D. Cal.) (“Petitioner’s Reply CC Brief”)
<b>2100</b>	Curriculum Vitae of Dr. Don Turnbull

## I. INTRODUCTION

Petitioner spends most of its Reply rewriting the claim language and unconvincingly arguing that it did not take certain positions in its Petition. Like the Petition and its supporting expert declaration, Petitioner's Reply *confirms* that the asserted prior art (either alone or in combination) fails to disclose, teach, or suggest each and every limitation of the Challenged Claims of the '853 patent.

Petitioner fails to dispute the points raised in Patent Owner's Response, and instead raises brand new, conclusory, and legally irrelevant arguments that noticeably ignore or change the plain and unambiguous language of the Challenged Claims and are unsupported by the testimony of a person of skill in the art.

In the end, Petitioner cannot salvage its meritless obviousness positions. Accordingly, Patent Owner requests that the Board confirm the patentability of the Challenged Claims of the '853 patent.

## II. ARGUMENT

### A. Chardon Alone Does Not Render The Challenged Claims Obvious.

1. **Petitioner Has Failed To Show That Chardon Discloses, Teaches, Or Suggests “causing the universal control engine to respond to a detected presence of an intended target appliance within a logical topography of controllable appliances which includes the universal control engine by ... creat[ing] a listing” (“Response Limitation”).**

Petitioner has failed to show that Chardon discloses, teaches, or suggests the Response Limitation because Petitioner's Reply again confirms that the alleged

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