

Patent Owner's Demonstratives

Google LLC,

v.

Uniloc 2017 LLC,

Case IPR2020-00756

U.S. Patent No. 9,564,952

Oral Hearing
June 15, 2021

Claim 9, the only challenged independent

9. A method for near field authentication of a source, the source using an audio transceiver computing device, the method comprising:

scanning a plurality of predetermined frequencies for a free frequency;

selecting the free frequency from the plurality of predetermined frequencies;

generating a periodic enclosed content message;

generating a modulated carrier wave representing the periodic enclosed content message; and

transmitting the modulated carrier wave at the free frequency;

wherein each period of the periodic enclosed content message includes a begin indication, a content, and an end indication;

wherein the content includes device identification data including a bit array derived from user-configurable and non-user-configurable data specific to the audio transceiver computing device; and wherein the modulated carrier wave comprises a sound wave.

“scanning a plurality of predetermined frequencies for a free frequency”

Among other example deficiencies addressed in the briefing, Google failed to persuasively defend its Petition against the following deficiencies:

- (1) obviousness of “scanning a plurality of **predetermined** frequencies for a free frequency” has not been shown by “Paulson’s sampling of frequencies that are not predetermined” (**POR at 10-13; POSR 1-5**); and
- (2) obviousness of “scanning ... **for a free frequency**” has not been shown by Paulson’s sampling for the “most prevalent sounds” (**POR 12; POSR 5-7**).

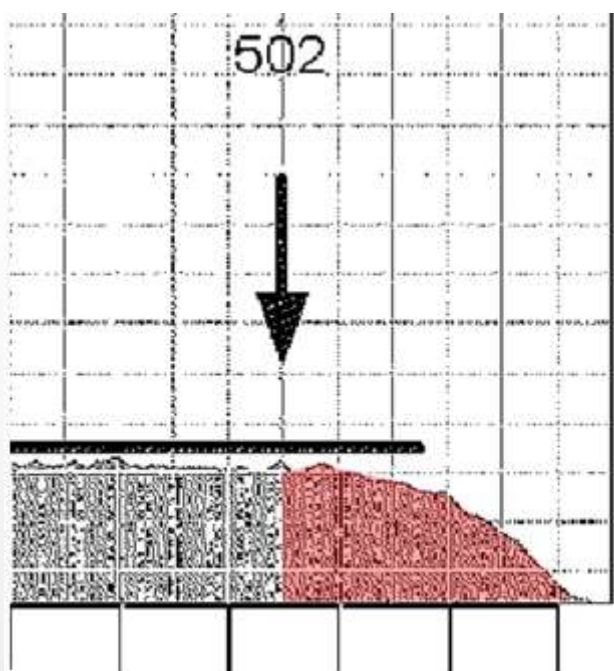
“scanning a plurality of predetermined frequencies for a free frequency”

Paulson has not been shown to scan **predetermined** frequencies

- ✓ The Petition asserts that Paulson discloses “the frequencies [are] **initially** determined in Step 402”—i.e., they are not predetermined.
- ✓ In its Reply, Google attempts to advance a new (and hence waived) position that Step 404 of Paulson renders obvious “scanning a plurality of predetermined frequencies for a free frequency” ostensibly because the frequency range sampled in Step 404 is preset by whatever is “determined to be viable in Step 402.”
- ✓ Paulson makes explicit that the frequencies indiscriminately sampled in Step 404 include those which are “too high” to be viable. Thus, the sampled frequencies in step 404 clearly are not preset by “those determined to be viable in Step 402,” as Google argues.

“scanning a plurality of predetermined frequencies for a free frequency”

- ✓ Paulson describes its Step 404 as indiscriminately sampling frequencies which are “too high for the receive device to receive and demodulate.” [Paulson, 13:29-32](#).
- ✓ An example of sampled frequencies which are “too high” for the system to decode are represented in Figure 5 as those which exceed the vertical axis indicated by reference 502 (i.e., the portion of the graph emphasized below with red highlighting).



[Paulson, Fig.](#)

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