

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC, SAMSUNG ELECTRONICS CO., LTD., SAMSUNG
ELECTRONICS AMERICA, INC., LG ELECTRONICS INC., and LG
ELECTRONICS U.S.A., INC.,
Petitioners,

v.

PARUS HOLDINGS, INC.,
Patent Owner.

Case No. IPR2020-00846
U.S. Patent No. 7,076,431

**PATENT OWNER'S SUR-REPLY TO
PETITIONERS' REPLY TO PATENT OWNER'S RESPONSE**

TABLE OF CONTENTS

- I. INTRODUCTION 1
- II. GROUNDS 1-4 FAIL BECAUSE KOVATCH IS NOT PRIOR ART 1
 - A. Parus’s Antedating of Kovatch Should Not Be Rejected2
 - 1. Mr. Kurganov’s testimony is supported by independent corroboration3
 - 2. Parus’s evidence meets both reduction to practice prongs5
 - a. Parus’s evidence demonstrates an embodiment meeting all limitations of the challenged claims5
 - b. The evidence demonstrates an embodiment having a computer meeting all claimed limitations7
 - c. The evidence demonstrates a constructed embodiment met limitations [1.pre], [1.h]-[1.k]9
 - d. The evidence demonstrates an embodiment meeting claim 9’s additional limitations10
 - e. The evidence demonstrates an embodiment meeting claim 14’s additional limitations11
 - 3. The evidence demonstrates a working embodiment.....12
 - 4. The reduction to practice dates are corroborated.....13
- III. PETITIONERS’ REBUTTAL ARGUMENTS FAIL.....13
 - A. Petitioners Fail to Address Several Issues Regarding the purported Kovatch and Neal Combination Raised by Parus in Its POR13
 - 1. The fact that neither Kovatch nor Neal disclose claim limitation 1(j) is indeed material.....14
 - 2. Neal does not disclose or teach accessing websites is material.....15

- 3. Kovatch does not disclose “website search methodology” that Petitioners rely on in their purported Kovatch/Neal combination.....15
- 4. The example disclosed by Neal is relevant and demonstrates that Kovatch would not function properly if the teachings of Neal were applied to Kovatch17
- 5. The Internet is not pre-segmented into different websites, which are separately searched datasets, as Petitioners contend18
- B. A POSITA Would Not Combine Kovatch and Neal19
 - 1. Parus’s arguments regarding speeding up Kovatch are responsive to the Petition.20
 - 2. Petitioners motivation to combine comes from the benefits of Neal, but Petitioners do not include any aspects of Neal that realize those benefits21
 - 3. Petitioners are trying to make Kovatch more fault tolerant.....22
- IV. KURGANOV-262 IS NOT PRIOR ART23
- V. CONCLUSION.....25

TABLE OF AUTHORITIES

Page(s)

Cases

ATI Technologies ULC in LG Electronics, Inc. v. ATI Technologies ULC,
IPR2015-00325 (PTAB)1, 5, 6

UMC Elecs. Co. v. United States,
816 F.2d 647 (Fed. Cir. 1987) 1

TABLE OF EXHIBITS

Exhibit	Description
2001	Order Denying Motion to Stay Pending <i>Inter Partes</i> Review, C.A. No. 6-18-cv-00201
2002	Exhibit A9 Kovatch Claim Chart 7076431
2003	Exhibit C Obviousness Claim Chart 7076431 (Corrected)
2004	Reserved
2005	Reserved
2006	Standing Order Re Scheduled Hearings in Civil Cases, 19-cv-00432
2007	Claim Construction Order, 1-20-cv-00351
2008	Claim Construction Order, 6-19-cv-00532
2009	Claim Construction Order, 6-18-cv-00308
2010	U.S. Patent No. 6,157,705 (Perrone)
2011	Defendants' Corrected Invalidity Contentions, 6-19-cv-00432
2012	Excerpt of Case Docket Sheet, 6-19-cv-00278-ADA
2013	Excerpt of Case Docket Sheet, 6-19-cv-00514-ADA
2014	Excerpt of Case Docket Sheet, 6-19-cv-00515-ADA
2015	Markman Hearing Transcript, 6-19-cv-00432-ADA
2016	Claim Construction Order, 6-19-cv-00432-ADA
2017	Order Consolidating Cases, 6-19-cv-00432-ADA
2018	10/13/2020 Email from the Court
2019	Excerpt of Case Docket Sheet, 6:18-cv-00308-ADA
2020	Kurganov Declaration
2021	10/13/1998 Email from Alex Nash to Alex Kurganov et al
2022	4/22/1999 Email from Alex Kurganov to Susan Kelley et al
2023	www.pl PERL source code file
2024	RCRWireless Article on Webley
2025	mc_vm.c C source code file
2026	menuNew.grammar grammar file
2027	U.S. Patent No. 7,076,431 Reduction to Practice Chart
2028	U.S. Patent No. 9,451,084 Reduction to Practice Chart
2029	Wayback Machine page of Webley Homepage
2030	Wayback Machine page of Webley How to Use
2031	Wayback Machine page of Frequently Asked Questions
2032	webget.pl PERL source code file
2033	weather.ini file

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.