# UNITED STATES PATENT AND TRADEMARK OFFICE

# BEFORE THE PATENT TRIAL AND APPEAL BOARD

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VOLKSWAGEN GROUP OF AMERICA, INC., MAZDA MOTOR OF AMERICA, INC., SUBARU OF AMERICA, INC., and VOLVO CAR USA, LLC,<sup>1</sup>
Petitioner,

v.

STRATOSAUDIO, INC., Patent Owner

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IPR2021-00716 U.S. Patent No. 8,688,028

PATENT OWNER SUR-REPLY

<sup>&</sup>lt;sup>1</sup> Mazda Motor of America, Inc., Subaru of America, Inc., and Volvo Car USA, LLC filed a motion for joinder and a petition in Case IPR2022-00204, which were granted, and, therefore, have been joined as petitioners in this proceeding.



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		3. The specification does not refute Patent Owner's construction		
		4. Patent Owner's statements do not contradict its proposed construction		
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## **TABLE OF AUTHORITIES**

	Page(s)
CASES	
Beachcombers, Int'l, Inc. v. WildeWood Creative Prods., 31 F.3d 1154 (Fed. Cir. 1994)	4
Clearstream Wastewater Systems, Inc. v. Hydro-Action, Inc., 206 F.3d 1440 (Fed. Cir. 2000)	4
Fidelity Nat'l Info. Servs, Inc., v. Datatreasury Corp., IPR2014-00489, Paper 9 (PTAB Aug. 13, 2014)	1



## **UPDATED TABLE OF EXHIBITS**

Exhibit	Description
2001	E-mail from Court Clerk Setting CMC, Markman Hearing, and Trial Date in the Parallel W.D. Tex. Litigations (May 4, 2021)
2002	Volkswagen's Petition for Writ of Mandamus to Direct the United States District Court for the Western District of Texas to Rule on Motion to Dismiss for Improper Venue (Jun. 4, 2021)
2003	E-mail from W.D. Tex. Court Clerk Denying Request to Stay Pending Motion to Dismiss for Improper Venue (May 17, 2021)
2004	Transcript of Hearing for Motion to Dismiss/Transfer for Improper Venue in Parallel W.D. Tex. Litigations (Jun. 23, 2021)
2005	Interview with Judge Albright on Patent Litigation and Seventh Amendment, <i>IAM</i> (Apr. 7, 2020)
2006	Joint Scheduling Order of Parallel W.D. Tex. Litigations (July 15, 2021)
2007	Notice of Serving Preliminary Infringement Contentions in Parallel W.D. Tex. Litigations (May 13, 2021)
2008	Hyundai Notice of and Stipulation for Hyundai U.S. Patent No. 8,688,028 with reference to IPR2021-01303
2009	Defendants' Disclosure of Invalidity Contentions Cover Pleading in Parallel W.D. Litigations (July 8, 2021)
2010	Transcript of hearing in <i>ParkerVision v. Intel Corp.</i> , 6:20-cv-00108 (W.D. Tex. September 2, 2020) (J. Albright)
2011	[Intentionally Left Blank]
2012	[Intentionally Left Blank]
2013	[Intentionally Left Blank]



2014	[Intentionally Left Blank]
2015	Order Resetting Markman Hearing 6:20-cv-01131(W.D. Tex. September 10, 2021) (J. Albright)
2016	Third Proposed Amended Joint Scheduling Order of Parallel W.D. Tex. Litigations (September 15, 2021)
2017	Memorandum Opinion and Order Denying Volkswagen Motion to Dismiss (W.D. Tex. September 20, 2021) (J. Albright)
2018	Declaration of Hallie Kiernan in Support of Patent Owner's Motion for Admission Pro Hac Vice
2019	Declaration of Dr. John Hart dated January 24, 2022
2020	Excerpt from Random House Webster's Unabridged Dictionary (2 <sup>nd</sup> ed. 1998)
2021	Transcript of Deposition, Vijay Madisetti, Ph. D., May 25, 2022



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