

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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VOLKSWAGEN GROUP OF AMERICA, INC., SUBARU OF AMERICA, INC.,  
and VOLVO CAR USA, LLC  
Petitioner

v.

STRATOSAUDIO, INC.,  
Patent Owner

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IPR2021-00721<sup>1</sup>  
U.S. Patent No. 8,166,081

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**PETITIONER VOLKSWAGEN GROUP OF AMERICA, INC.'S  
SUPPLEMENTAL BRIEFING**

**Mail Stop PATENT BOARD**  
Patent Trial and Appeal Board  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

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<sup>1</sup> Subaru of America, Inc. and Volvo Car USA, LLC (IPR2022-00203) have been joined as petitioners in this proceeding.

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## I. INTRODUCTION

Petitioner thanks the Board for the opportunity to clarify the scope of claim 9 and the dispute regarding the first and second receiver modules and their relationship to the output system. At the outset, Petitioner reiterates three important points from its earlier papers that serve as the foundation for Petitioner's responses to all ten questions posed in the Board's August 15 Order.

*First*, there is no dispute that the term “*module*” in claim 9 refers to “logical modules,” and that such logical modules “may be combined with other modules or divided into sub-modules.” EX1001, 6:47-7:8; Pet. Reply, Paper 31, 6-10; Sur-Reply, Paper 36, 2. The '081 patent also explains that its modules may include logic embodied in “a collection of software instructions, possibly having entry and/or exit points.” Pet. Reply, 6-10 *citing* EX1001, 6:47-7:8. Accordingly, the “*first receiver module*” and “*second receiver module*” of claim 9 can reside within a single device and can include separate or overlapping “logical modules.” *Id.*, 6-10.

*Second*, the phrase “*an output of the first receiver module or the second receiver module*” in claim 9 merely refers to a logical association between the output and the first or second receiver module. *Id.*, 6-7, 11-12; Pet., Paper 1, 4-6. Such a conclusion is the natural result of the first and second receiver modules being logical modules, potentially including combined modules or sub-modules.

Pet. Reply, 6-7 *citing* EX1001, 6:47-7:8. Therefore, for an output to be “*of the first receiver module or the second receiver module,*” the output simply needs to have a logical association with the first or second receiver module, an example of which would be the output receiving media content via one or more “exit points” of the logical module(s) making up the first or second receiver module. *Id.*; Pet., 4-6.

*Third*, the claimed “*output system configured to present concurrently the first media content and the second media content on an output of the first receiver module or the second receiver module*” can be satisfied in any one of three different ways. Pet. Reply, 11-12, 16, 25. The use of “*or*” in this phrase indicates that claim 9 is satisfied under any of the following scenarios: (1) an output associated with the first receiver module concurrently outputs both the first and second media content; (2) an output associated with the second receiver module concurrently outputs both the first and second media content; *or* (3) an output associated with the first receiver module outputs the first media content concurrently with an output associated with the second receiver module outputting the second media content. *Id.* To be clear, “the claimed ‘output system’ need only output the first and second media content on a *single* output to be satisfied.” *Id.*,

11.<sup>2</sup> Contrary to Patent Owner’s arguments, claim 9 does not require “a first ‘output’ of the ‘first receiver module’ and a second ‘output’ of the ‘second receiver module.’” Order, Paper 47, 5 *citing* POR, Paper 27, 31.

## II. RESPONSES TO THE BOARD’S QUESTIONS

### A. Question 1

Would a single device housing the recited “*first receiver module*” and “*second receiver module*” fall within the scope of claim 9?

**Yes.** It is undisputed that a single device housing the first and second receiver module would fall within the scope of claim 9. Pet. Reply, 6-10 *citing* EX1015, 95:16-18; Sur-Reply, 2. As explained in the Petitioner Reply, the ’081 patent’s specification recites several instances of a single device housing the first and second receiver modules. Pet. Reply, 6-10, 12 *citing* EX1001, FIGS. 1B, 1C, 3, 4A, 4:50-63, 14:40-46; 14:63-15:3, 22:45-23:35. Additionally, the first and second receiver modules can be implemented within a single device housing in the

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<sup>2</sup> Patent Owner contends that Petitioner “conceded at oral argument, claim 9 requires outputs of both the first and second receiver modules.” Supplemental Brief, Paper 49, 5, 12. Petitioner makes no such concession. Instead, as evidenced by Petitioner’s papers, the prior art applied in this proceeding, and the statements reiterated herein, claim 9 is satisfied when the first and second media content are output “on a *single* output.”

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