

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HYUNDAI MOTOR AMERICA,
Petitioner

v.

STRATOSAUDIO INC.,
Patent Owner.

IPR2021-01267
U.S. Patent No. 8,166,081

**REPLY IN SUPPORT OF
PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 8,166,081**

TABLE OF CONTENTS

	Page
I. INTRODUCTION	1
II. STRATOSAUDIO’S ARGUMENTS AGAINST GROUNDS 1-3 FAIL.....	1
A. Independent Claim 9 is rendered obvious by Noreen alone (Ground 1) or Noreen and Crosby (Ground 2).	1
1. Element 9[a]: a first receiver module configured to receive at least a first media content and data enabling the identification of a specific instance of the first media content from a first broadcast medium;	1
2. Element 9[b]: a second receiver module configured to receive at least a second media content and uniquely identifying data specific to at least the second media content, the second media content received discretely from the first media content;	7
3. Element 9[c]: an 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;.....	13
4. Element 9[e]: a transmitting module configured to transmit a response message having at least the uniquely identifying data specific to the second media content to a computer server.....	16
5. Elements 9[pre] and 9[d]	16
B. Dependent Claim 15 is rendered obvious by Noreen alone (Ground 1).	17
C. Dependent Claim 23 is rendered obvious by Noreen alone (Ground 1) or Noreen and Crosby (Ground 2) and Dependent Claims 10-11 are rendered obvious by Noreen-Crosby and Ellis-2002 (Ex-1007) (Ground 3).....	19

TABLE OF CONTENTS
(continued)

	Page
III. STRATOSAUDIO’S ARGUMENTS AGAINST GROUNDS 4-5 FAIL.....	19
A. Independent Claim 9 is rendered obvious by Ellis-2005 alone (Ground 4) or Ellis-2005 and Crosby (Ground 5).....	20
1. Element 9[a]: a first receiver module configured to receive at least a first media content and data enabling the identification of a specific instance of the first media content from a first broadcast medium	20
2. Elements 9[pre] and 9[b]-9[e].....	23
B. Dependent Claims 10-11 and 23 are rendered obvious by Ellis- 2005 alone (Ground 4) or Ellis-2005 and Crosby (Ground 5).....	24
C. Dependent Claim 15 is rendered obvious by Ellis-2005 alone (Ground 4).	24
IV. CONCLUSION.....	26

LIST OF EXHIBITS¹

Ex-1001	U.S. Patent No. 8,166,081 B2, issued Apr. 24, 2012 (“’081 Patent”)
Ex-1002	Declaration of Dr. Kevin Almeroth
Ex-1003	Curriculum Vitae of Dr. Kevin Almeroth
Ex-1004	Prosecution History of U.S. Patent No. 8,166,081
Ex-1008	U.S. Patent No. 5,303,393 A, issued Apr. 12, 1994 (“Noreen”)
Ex-1006	U.S. Patent No. 6,628,928 B1, issued Sept. 30, 2003 (“Crosby”)
Ex-1007	WO Publication No. 2002/067447 A2, published Aug 29, 2002 (“Ellis-2002”)
Ex-1008	U.S. Patent Publication No. 2005/0227611 A1, published Oct. 13, 2005 (“Ellis-2005”)
Ex-1009	Email from Albright Clerk, dated May 4, 2021
Ex-1010	[INTENTIONALLY LEFT BLANK]
Ex-1011	[INTENTIONALLY LEFT BLANK]
Ex-1012	[INTENTIONALLY LEFT BLANK]
Ex-1013	[INTENTIONALLY LEFT BLANK]
Ex-1014	[INTENTIONALLY LEFT BLANK]
Ex-1015	[INTENTIONALLY LEFT BLANK]
Ex-1016	[INTENTIONALLY LEFT BLANK]
Ex-1017	[INTENTIONALLY LEFT BLANK]
Ex-1018	[INTENTIONALLY LEFT BLANK]

¹ Four-digit pin citations that begin with 0 are to the page stamps added by Hyundai in the bottom right corner of the exhibits. All other pin citations are to original page, column, paragraph, and/or line numbers.

Ex-1019	[INTENTIONALLY LEFT BLANK]
Ex-1020	Plaintiff’s Preliminary Infringement Contentions, dated May 13, 2021, including Claim Chart for ’081 Patent (“Infringement Contentions”)
Ex-1021	Petitioner’s Stipulation Letter to Patent Owner, dated July 16, 2021
Ex-1022	U.S. Patent No. 5,948,061 A, issued Sept. 7, 1999 (“Merriman”)
Ex-1023	U.S. Patent No. 5,778,181 A, issued July 7, 1998 (“Hidary”)
Ex-1024	Declaration of Bradley M. Berg In Support of Petitioner's Motion for Pro Hac Vice Admission Pursuant to 37 CFR 42.10(C)
Ex-1025	[INTENTIONALLY LEFT BLANK]
Ex-1026	Reply Declaration of Dr. Kevin Almeroth
Ex-1027	<i>StratosAudio, Inc. v. Hyundai Motor Am.</i> , No. 6:20-cv-01125, Dkt. No. 79 (W.D. Tex. Dec. 15, 2021)
Ex-1028	Yi-Bing Lin, Paging Systems: Network Architectures and Interfaces, IEEE (1997)
Ex-1029	Transcript of the Deposition of Dr. Todd K. Moon
Ex-1030	<i>StratosAudio, Inc. v. Hyundai Motor Am.</i> , No. 6:20-cv-01125, Dkt. No. 55 (W.D. Tex. Sept. 7, 2021)

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.