UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

Patent Owner's Oral Hearing Demonstratives

NINTENDO CO., LTD., and NINTENDO OF AMERICA INC.,
Petitioner,

v.

ANCORA TECHNOLOGIES, INC.,
Patent Owner.

Case No. IPR2021-01338
Patent No. 6,411,941

October 3, 2022

Summary

The prior art "singly or collectively, do not teach licensed programs ***running at the OS level*** interacting with a program verification structure stored in the BIOS to verify the program using the verification structure and having a user act on the program according to the verification. . . . ***The present inve*** ***overcomes this difficulty by*** <u>***using an agent***</u> ***to set up a*** ***verification structure in the erasable, non-volatile memory*** ***BIOS***."

Sur-Reply 14; Response 19; Ex. 201

Summary

- Claim construction:
  "agent" requires "OS-level software program or routine"
  - Unambiguous statements during prosecution require this meaning
  - Affects every challenged claim

- Claims 1–3, 6–14, and 16:
  - Hellman does not disclose BIOS, operating system, or an "agent"
  - Petitioners misconstrue Chou's disclosure and functionality
  - Petitioners' expert relies on conclusory obviousness arguments
  - The alleged combination would be inoperative
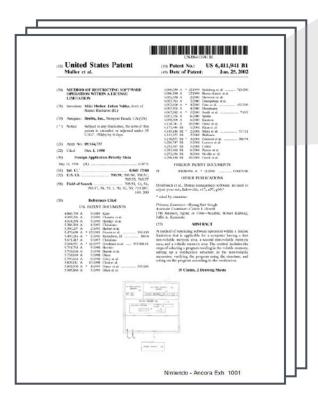 - Objective indicia evince non-obviousness of the '941 patent

Briefing on the Merits

Paper No.	Description
1	Nintendo's Petition
7	Ancora's Preliminary Response
9	Institution Decision
23	Ancora's Response
33	Nintendo's Reply
39	Ancora's Sur-Reply

'941 Patent

(54) METHOD OF RESTRICTING SOFTWARE OPERATION WITHIN A LICENSE LIMITATION

(75) Inventors: **Miki Mullor**; **Julian Valiko**, both Ramat Hasharon (IL)

(73) Assignee: **Beeble, Inc.**, Newport Beach, CA

- Inventor Miki Mullor
  - Founded multiple operating comp related to the '941 patent

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