

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TRILLER, INC.,
Petitioner

v.

TIKTOK PTE. LTD.
Patent Owner

Case IPR2022-00179
Patent 9,648,132 B2

**PATENT OWNER TIKTOK PTE. LTD.'S
RESPONSE**

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LIST OF EXHIBITS

Exhibit No.	Description
EX2001	U.S. Patent Pub. No. 2004/0268005 to Dickie (“Dickie”)
EX2002	U.S. Patent Pub. No. 2007/0130592 to Haeusel (“Haeusel”)
EX2003	U.S. Patent No. 7,260,381 to Lipsit (“Lipsit”)
EX2004	U.S. Patent Pub. No. 2007/0214141 (“Sittig”)
EX2005	Declaration of Dr. Rajeev Surati
EX2006	Transcript of August 1, 2022 Deposition of Dr. Michael Shamos, Ph.D. (“Shamos Deposition”)

I. INTRODUCTION

The Petition failed to meet its burden of proving that claims 1-3, 6, 22, 26-27, and 31 (“Challenged Claims”) are unpatentable. For example, the ’132 patent provides a lexicographic definition of “Software application” in a “Definitions” section. EX1001, 8:61-63. Petitioner ignores this definition, shirking its mandatory burden under 37 C.F.R. 42.104(b)(3)-(b)(4). There is no dispute that the ’132 patent’s lexicographic definition sets forth a specific meaning of “Software Application” (EX2006, 38:4-39:4; EX2005, ¶31), but the Petition never attempts to map the cited art to the specific definition set forth by the ’132 patent.

The Petition’s analysis of independent claims 1 and 31 is deficient for additional, independent reasons. Petitioner’s analysis of independent claims 1 and 31 is premised on inherency for each “wireless connection” element. Yet, the Petition never demonstrates these elements were “necessarily present” in the cited art, relying instead on a hypothetical cell phone that Abrams does not describe nor limit its system to. EX2006, 55:5-9 (“Okay, so I’m referring to cellular telephones that don’t have wired interfaces.”). The Petition’s inherency theory simply fails as a matter of law.

The Petition additionally fails to prove that multiple dependent claims are unpatentable. The Knight 2010 reference (EX1012) does not qualify as prior art with respect to any of the challenged claims, which are all fully supported by the

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