UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE PATENT TRIAL AND APPEAL BOARD AMAZON.COM, INC., Petitioner, v.

Case IPR2023-01000

LEXOS MEDIA IP, LLC,

Patent Owner.

U.S. Patent No. 5,995,102

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 5,995,102



TABLE OF CONTENTS

				rage		
EXH	IBIT I	LIST		vii		
I.	INTRODUCTION					
II.	MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(B)					
	A.	Real	Parties-in-Interest	1		
	B.	Rela	ited Matters	1		
	C.	Cou	nsel and Service Information	5		
III.	PAYMENT OF FEES					
IV.	GROUNDS FOR STANDING6					
V.	PRECISE RELIEF REQUESTED					
	A.	Chal	llenged Claim	6		
	B.	Statı	utory Grounds of Challenge	6		
VI.	LEV	EL OI	F ORDINARY SKILL	7		
VII.	OVERVIEW OF THE '102 PATENT					
	A.	Prior	rity Date of the '102 Patent	8		
	B.	State of the Art Before the Application for the '102 Patent8				
		1.	Cursors in Graphical User Interfaces	8		
		2.	Client/Server Systems	10		
	C.	Sum	mary of the '102 Patent	11		
VIII	THE PROPOSED CLAIM CONSTRUCTIONS					



	A.	Claim Term Previously Construed: "said specific image including content corresponding to at least a portion of said information to be displayed on said display of said user's terminal"					
IX.	terminal" DETAILED EXPLANATION OF GROUNDS						
	A.		view of Prior Art References				
	A.						
		1.	Malamud (EX1004)	15			
		2.	Nakagawa (EX1005)	18			
		3.	Nielsen (EX1006)	19			
	B.	Motivation to Combine References					
		1.	Legal Standard	21			
		2.	Motivation to Download Malamud's Application Program from a Server, and the Obviousness of Doing So	22			
		3.	Motivation to Combine the Teachings of Malamud and Nakagawa, and the Obviousness of that Combination	24			
		4.	Motivation to Combine the Teachings of Nielsen and Malamud, and the Obviousness of that Combination	25			
	C.	Ground 1: Claim 72 Is Rendered Obvious by Malamud					
	D.	Ground 2: Claim 72 Is Rendered Obvious by Malamud and Nakagawa					
	E.	Ground 3: Claim 72 Is Rendered Obvious by Nielsen and Malamud					
X.	DISCRETIONARY DENIAL IS NOT APPROPRIATE						
	A.	The Board Should Not Deny Institution Under 35 U.S.C. § 314(a)					
	B.	The 325(Board Should Not Deny Institution Under 35 U.S.C. §	53			



XI. CONCLUSION	57
LISTING OF CHALLENGED CLAIM OF THE '102 PATENT	58
Claim 72	58



TABLE OF AUTHORITIES

Page	e(s)
CASES	
Advanced Bionics, LLC v. MED-EL Elektromedizinische Geräte GmbH, IPR2019-01469, Paper 6 (PTAB Feb. 13, 2020)53,	, 54
Apple Inc. v. Fintiv, Inc., IPR2020-00019, Paper 11 (PTAB Mar. 20, 2020)50, 51,	, 53
Becton, Dickinson & Co. v. B. Braun Melsungen AG, IPR2017-01586, Paper 8 (PTAB Dec. 15, 2017)53,	, 54
Belden Inc. v. Berk-Tek LLC, 805 F.3d 1064 (Fed. Cir. 2015)	22
ClassCo, Inc. v. Apple, Inc., 838 F.3d 1214 (Fed. Cir. 2016)	22
Equipmentshare.com Inc. v. Ahern Rentals, Inc., IPR2021-00834, Paper 19 (PTAB Nov. 16, 2021)	52
Graham v. John Deere Co., 383 U.S. 1 (1966)	21
KSR Int'l Co. v. Teleflex Inc., 550 U.S. 398 (2007)21,	, 22
Lexos Media IP, LLC v. Amazon.com, Inc., No. 2:22-cv-00169-JRG (E.D. Tex.)pas	sim
Lexos Media IP, LLC v. APMEX, Inc., No. 2:16-cv-00747-JRG-RSP (E.D. Tex.)pas	ssim
Microchip Tech. Inc. v. Bell Semiconductor, LLC, IPR2021-00148, Paper 19 (PTAB May 14, 2021)	51
Perfect Web Techs., Inc. v. InfoUSA, Inc., 587 F.3d 1324 (Fed. Cir. 2009)	22



DOCKET

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.

