

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner

v.

GEOSCOPE TECHNOLOGIES PTE. LTD.,

Patent Owner.

CASE: IPR2023-01213

U.S. Patent No. 9,097,784

PATENT OWNER'S SUR-REPLY

TABLE OF CONTENTS

	<u>Page</u>
I. PETITIONER FAILS TO MEET ITS BURDEN TO PROVE THAT THE CHALLENGED CLAIMS ARE UNPATENTABLE.....	1
II. CONCLUSION.....	3

Exhibit List	
2001	Declaration of Christopher M. Gerson in Support of Patent Owner’s Motion for Pro Hac Vice Admission of Christopher M. Gerson Under 37 C.F.R. § 42.10(c)
2002	<i>Not Assigned</i>
2003	Memorandum Opinion on Google’s Motion for Judgment on the Pleadings on Patent Eligibility dated September 18, 2023, <i>Geoscope Technologies Pte. Ltd. v. Google LLC</i> , Civ. Action No. 1:22-cv-01331 (EDVA)
2004	Memorandum Opinion on Apple’s Motion for Judgment on the Pleadings on Patent Eligibility dated September 18, 2023, <i>Geoscope Technologies Pte. Ltd. v. Apple Inc.</i> , Civ. Action No. 1:22-cv-01373 (EDVA)
2005	Final Judgment dated October 6, 2023, <i>Geoscope Technologies Pte. Ltd. v. Google LLC</i> , Civ. Action No. 1:22-cv-01331 (EDVA)
2006	Final Judgment dated October 5, 2023, <i>Geoscope Technologies Pte. Ltd. v. Apple Inc.</i> , Civ. Action No. 1:22-cv-01373 (EDVA)
2007	Order dated June 26, 2023, <i>Geoscope Technologies Pte. Ltd. v. Google LLC</i> , Civ. Action No. 1:22-cv-01331 (EDVA)
2008	Email from Saunak Desai to Stephen E. Noona, “Geoscope v. Google - Claim Narrowing” (June 12, 2023)
2009	Claim Construction Memorandum Opinion & Order dated July 19, 2023, <i>Geoscope Technologies Pte. Ltd. v. Apple Inc.</i> , Civ. Action No. 1:22-cv-01373 (EDVA)
2010	Order dated June 26, 2023, <i>Geoscope Technologies Pte. Ltd. v. Apple Inc.</i> , Civ. Action No. 1:22-cv-01373 (EDVA)
2011	Defendant Google LLC’s Final Invalidity Contentions dated July 3, 2023, <i>Geoscope Technologies Pte. Ltd. v. Google LLC</i> , Civ. Action No. 1:22-cv-01331 (EDVA)

2012	Geoscope’s Opening Appeal Brief dated November 17, 2023, <i>Geoscope Technologies Pte. Ltd. v. Google LLC, Apple Inc.</i> , Case Nos. 24-1003 (Lead) 24-1018 (member) (Fed. Cir.)
2013-2017	<i>Not Assigned</i>
2018	Stipulation of Partial Judgment of Noninfringement and Invalidity dated August 22, 2023, <i>Geoscope Technologies Pte., Ltd. v. Google LLC</i> , Civ. Action No. 1:22-cv-01331 (EDVA)
2019	Order dated September 18, 2023, <i>Geoscope Technologies Pte. Ltd. v. Google LLC</i> , Civ. Action No. 1:22-cv-01331 (EDVA)
2020	Partial Judgment dated September 18, 2023, <i>Geoscope Technologies Pte Ltd. v. Google LLC</i> , Civ. Action No. 1:22-cv-01331 (EDVA)
2021	Stipulation of Partial Judgment of Noninfringement and Invalidity dated August 15, 2023, <i>Geoscope Technologies Pte. Ltd. v. Apple Inc.</i> , Civ. Action No. 1:22-cv-01373 (EDVA)
2022	Order dated September 18, 2023, <i>Geoscope Technologies Pte. Ltd. v. Apple Inc.</i> , Civ. Action No. 1:22-cv-01373
2023	Partial Judgment dated September 18, 2023, <i>Geoscope Technologies Pte. Ltd. v. Apple Inc.</i> , Civ. Action No. 1:22-cv-01373 (EDVA)
2024	Docketing Statement dated October 16, 2023, <i>Geoscope Technologies Pte. Ltd. v. Apple Inc.</i> , Case No. 24-1003 (Fed. Cir.)

I. PETITIONER FAILS TO MEET ITS BURDEN TO PROVE THAT THE CHALLENGED CLAIMS ARE UNPATENTABLE

Petitioner has not shown that Crane discloses “determining from said status a most likely one of said plural streets upon which said wireless device is located.” EX1001 [’784 Patent], cl. 1. Crane determines whether a mobile device is on one of a plurality of roads; it does not determine the most likely street from the plurality of roads. POR, 3-4.

Petitioner argues that Figs. 3 and 6 of Crane are merely exemplary embodiments. Reply, 6. But Figs. 3 and 6 of Crane are the only figures that refer to roads 152. EX1004 [Crane], 3:33-47. Thus, these figures form the basis for understanding what Crane means by “roads 152.” *Id.*, 3:33-36. Petitioner relies on Crane’s disclosure in alleging this limitation is not met (Pet., 33-35); it cannot argue that undisclosed embodiments satisfy the claim language.

Petitioner points to the summary of the invention as alleged support. Reply, 6. The summary of the invention (below) has the same problem—namely, it concerns a plurality of “roads,” not a single road:

SUMMARY OF THE INVENTION

To address these and other objectives, the present invention comprises a method and system that matches the positions of one or more cellular phones, or other types of wireless phones, to data indicating the locations of roads in a geographic area to derive data about phones located in vehicles traveling along the roads. The data about phones located in vehicles traveling along the roads are used for updating or refining a geographic database, traffic monitoring and/or reporting, or for other purposes.

EX1004 [Crane], 2:23-34. That is, Crane uses “data indicating the locations of roads in a geographic area to derive data about phones located in vehicles traveling along the roads.” *Id.* Crane matches the position of the cellular phone to “positions of roads [plural] in a geographic area.” *Id.* Crane does not say that that data about phones that it derives includes the “most likely” road being travelled on.

Petitioner cites several portions of the specification discussing Crane Figs. 4 and 5. Reply, 7 (*citing* EX1004 [Crane], 3:38-40, 3:43-48, 3:52-55 and 3:59-63). In each case, Crane is either discussing Fig. 3 or implicitly referring back to Fig. 3 by discussing “roads 152.” *Id.* Likewise, Crane at 4:4-14 is discussing “road 152.” Indeed, Crane explains that “This is illustrated in connection with FIG. 5. In FIG 5., straight dashed lines 266 are shown connecting the points 150 that are located along the actual roads (152 shown in FIG. 3) and for which data (174 in FIG. 4) are included in the

geographic database to represent the positions of the roads.” Again, Crane is referring back to Fig. 3 and “positions of the roads” plural. Thus, Petitioner has not satisfied its burden to show that Crane discloses this limitation.

II. CONCLUSION

For the reasons above, PO respectfully requests that the Board find the challenged claims patentable.

Date: October 23, 2024

Respectfully submitted,

/ Stephen McBride /

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CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITS

This Patent Owner's Sur-Reply (the "Sur-Reply") consists of 491 words, excluding table of contents, table of authorities, certificate of service, this certificate, or table of exhibits. The Sur-Reply complies with the type-volume limitation of 5,600 words as mandated in 37 C.F.R. § 42.24. In preparing this certificate, counsel has relied on the word count of the word-processing system used to prepare the paper (Microsoft Word).

Respectfully submitted,

/ Stephen McBride /

Date: October 23, 2024

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the following document was served by electronic service, by agreement between the parties, on the date below:

PATENT OWNER'S SUR-REPLY

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