

**Case No.: IPR2023-01295  
(Patent No. 8,994,830)  
Patent Owner's Demonstrative Slides**

**January 21, 2025**

**Time – 1:00 pm ET**

**Oral Hearing Conducted by Videoconference**

STA Group Exhibit 2009  
Motorola Solutions Inc. v. STA Group LLC  
IPR2023-01295

**DEMONSTRATIVE EXHIBIT – NOT EVIDENCE**

# The '830 Patent



US008994830B2

(12) **United States Patent**  
**Shaffer et al.**

(10) **Patent No.:** US 8,994,830 B2  
(45) **Date of Patent:** Mar. 31, 2015

(54) **ACCESS TO VIDEO STREAMS ON MOBILE COMMUNICATION DEVICES**

USPC ..... 348/192; 455/416, 518, 521  
See application file for complete search history.

(75) Inventors: **Shmuel Shaffer**, Palo Alto, CA (US);  
**Zeeshan Rahman Khan**, Fremont, CA (US)

(56) **References Cited**

U.S. PATENT DOCUMENTS

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(US)

(\*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1382 days.

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(22) Filed: **Aug. 8, 2008**

(65) **Prior Publication Data**

\* cited by examiner

(51) **Int. Cl.**

|                     |           |
|---------------------|-----------|
| <i>H04N 17/02</i>   | (2006.01) |
| <i>H04N 21/61</i>   | (2011.01) |
| <i>H04N 21/2381</i> | (2011.01) |
| <i>H04N 21/414</i>  | (2011.01) |
| <i>H04N 21/45</i>   | (2011.01) |
| <i>H04N 21/647</i>  | (2011.01) |

Primary Examiner — Aung S Moe  
Assistant Examiner — Amy Hsu

(57) **ABSTRACT**

A method and apparatus to provide access to video streams associated with communication channels in a communication network are described. The method may comprise monitoring selection of a communication channel by a user of a mobile communication device, identifying at least one video feed associated with the selected channel, and providing access to the mobile communication device to the selected at least one video feed. Providing access may comprise associating the selected video stream with the mobile communication device.

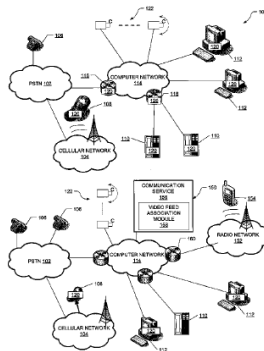
(52) U.S. Cl.

CPC ..... *H04N 21/6131* (2013.01); *H04N 21/2381*  
(2013.01); *H04N 21/41407* (2013.01); *H04N*  
*21/4524* (2013.01); *H04N 21/64707* (2013.01)  
USPC ..... 348/192

USPC .

**Field of Classification Search**  
CPC ..... G08B 13/19608; G08B 13/19645;  
G08B 13/19656; H04M 11/04; H04M  
2242/14; H04M 3/56; H04N 7/157; H04N  
7/181

**30 Claims, 12 Drawing Sheets**



*Ex. 1001 ('830 Patent), Cover*

(12) **United States Patent**  
**Shaffer et al.**

(10) **Patent No.:** **US 8,994,830 B2**  
(45) **Date of Patent:** **Mar. 31, 2015**

(54) **ACCESS TO VIDEO STREAMS ON MOBILE COMMUNICATION DEVICES**

(75) Inventors: **Shmuel Shaffer**, Palo Alto, CA (US);  
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(57) **ABSTRACT**

A method and apparatus to provide access to video streams associated with communication channels in a communication network are described. The method may comprise monitoring selection of a communication channel by a user of a mobile communication device, identifying at least one video feed associated with the selected channel, and providing access to the mobile communication device to the selected at least one video feed. Providing access may comprise associating the selected video stream with the mobile communication device.

# Petitioner Challenges Independent Claims 1 and 15

- The shortcomings in the Petition apply equally to both independent claims

1. A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.  
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

15. An apparatus, comprising:  
at least one processor; and  
a memory in communication with the at least one processor, the memory being configured to store a video stream association module executable by the at least one processor, and the video stream association module being executed by the at least one processor to cause operations to be performed, the operations comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user;  
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

*Ex. 1001 ('830 Patent), 12:28-30, 13:65-67; POR at 14*

**Ground No. 1**  
***Shaffer* in view of *Saylor* – Section 103**

- (a) A POSITA would not be motivated to combine *Shaffer* with *Saylor*
- (b) *Shaffer-Saylor* does not identify a video feed from a plurality of video feeds
- (c) *Shaffer-Saylor* is plagued with additional deficiencies

(a) A POSITA Would Not be Motivated to Combine *Shaffer* with  
*Saylor*

# A POSITA Would Not be Motivated to Combine *Shaffer* with *Saylor*

- Petitioner's motivation to combine is contradicted by Petitioner itself

16:41-51, 8:52-60. To implement these communications, Saylor describes that the central security network can identify relevant recipients in an “address book,” (*id.*, 7:48-52), but does not explain how to convey notifications to recipients in different networks. Ex[1002], ¶88. Shaffer’s IS system provides the needed mechanism for interoperable communications to achieve Saylor’s goals; using Shaffer’s IS, security personnel or other responders could directly and seamlessly receive communications and information from surveillance cameras in an alarming building. *Id.*

the references in the manner described. Ex[1002], ¶89. In the combination, Saylor’s central security network sends communications to another network via Shaffer’s IS in the manner already envisioned by both references—namely, by a first network

*Pet. at 28*

# A POSITA Would Not be Motivated to Combine *Shaffer* with *Saylor*

- Petitioner's motivation to combine is contradicted by multiple disclosures in *Saylor*

user's profile and preferences information. Alert notification may be communicated via the Internet 150, POTS 152, wireless communication portals, voice portals, and/or other methods. Contact individuals and/or entities 161<sub>1</sub>–162<sub>N</sub> identified by the user may also receive alert notification in an order determined by the user. The contact order and other actions may be predetermined. In addition, the user may select contact order and/or other actions through menu options at the time of alarm situation notification. An emergency entity 164, such as police, fire department, and/or rescue squads, may receive alert information.

*Ex. 1011 (Saylor), 6:22-32; POR at 24-25; Sur-Reply at 11*

nication techniques may be implemented. Central security server 130 may then alert users and other identified entities via wireless and/or other devices, such as mobile device 240, via a voice alarm, text message and other notifications. For example, alerts may be transmitted to the user via email or other form of electronic communication to a personal computer 242 or other device. In addition, users may check status and other data via mobile device 240, computer 242 and other devices.

*Ex. 1011 (Saylor), 7:40-48; POR at 24-25; Sur-Reply at 11*

A user may also assign various methods of notification for each alarm event or group of alarm events. Methods of notification may include cell phone, regular phone, pager, PDA, email, instant messenger, or other form of communication.

*Ex. 1011 (Saylor), 11:24-28; POR at 24-25; Sur-Reply at 11-12*

# A POSITA Would Not be Motivated to Combine *Shaffer* with *Saylor*

- Both experts agree *Saylor* discloses many ways to convey notifications to recipients in different networks

62. In addition to the statement above that Saylor already envisions a manner by which Saylor's central security network sends communication to another network, (Petition at 28; Ex. 1002 at ¶ 89), Saylor is full of other examples for how notifications can be sent. These include "the Internet 150, POTS 152, wireless communication portals, voice portals, and/or other methods," (Ex. 1011 at 6:22-32), "a voice alarm, text message, and other notifications [such as] email or other form of electronic communication" (Ex. 1011 at 7:40-48), and "cell phone, regular phone, pager, PDA, email, instant messenger, or other form of communication." Ex. 1011 at 11:24-28. Such an extensive list further confirms a POSITA would have understood that Saylor does "explain how to convey notifications to recipients in different networks."

*Ex. 2006 (Akl Decl.), ¶ 62; POR at 24-25*

Q. So, Saylor discloses how to convey notifications to recipients in a lot of different forms, right?

A. Yeah, Saylor discloses that notifications can go out over a wide variety of different communication technologies, including the ones you just listed.

Q. So, Saylor discloses how to convey notifications to recipients in different networks in a myriad of ways, right?

A. Well, Saylor discloses that you can do it in lots of different ways and that it lists a bunch of examples.

*Ex. 2008 (Polish Dep. Tr.), 53:2-8, 54:6-11; POR at 24*

# A POSITA Would Not be Motivated to Combine *Shaffer* with *Saylor*

- There is no dispute that *Saylor* already discloses a myriad of ways to convey notifications to recipients in different networks



“Because each device **independently operates effectively**, a person having ordinary skill in the art, ... would have no reason to combine the features of both devices into a single device.”

*Kinetic Concepts, Inc. v. Smith & Nephew, Inc.*, 688 F.3d 1342, 1369 (Fed. Cir. 2012); POR at 23-24



“[W]e fail to see, and Petitioner does not adequately explain, why it would be obvious to add a translator to **redundantly perform the function that Petitioner maintains is performed** by the interconnect devices and network computer located within the surgical network.”

*Stryker Corp. v. Karl Storz Endoscopy America, Inc.*, IPR2015-00764, Paper 13 at 13 (P.T.A.B. Sept. 2, 2015); POR at 8

# The Petition Assumes a POSITA *Could*, Rather Than *Would*, Combine

- Per the Petitioner, various networks *could* be provided as inputs to *Shaffer's* IS

A POSITA's motivation to make this combination is found in both references. For example, as Shaffer describes, IS 120 is designed to connect various types of networks, including a PTT radio network (typically used by security or emergency personnel) and a local area network (LAN) or public switched telephone network (PSTN) (typically used by sensors in homes and businesses). Ex[1004], ¶0037; Ex[1002], ¶86. In addition, Shaffer describes that the networks can be associated with locations such as business and campuses. Ex[1004], ¶0027. In view of these disclosures, a POSITA would have recognized that Shaffer's IS is well-suited to connect a network, such as a video security system designed to monitor particular buildings, with a different network that responds to incidents in those buildings, such as a security or emergency network. Ex[1002], ¶86.

*Pet. at 27*

# The Petition Assumes a POSITA *Could*, Rather Than *Would*, Combine

- The Petition’s “well-suited” rationale fails to explain why a POSITA *would* make Saylor an input

65. The Petition and Dr. Polish describe Shaffer’s IS as “broadly interoperable” such that it would work with a wide range of networks. Petition at 27 (“Shaffer’s IS is well-suited to connect a network, such as a video security system designed to monitor particular buildings, with a different network that responds to incidents in those buildings, such as a security or emergency network.”); Ex. 1002 at ¶ 86 (“Gateways, routers, and bridges are commonly used for this purpose [interconnecting communication networks]. I have employed such hardware in this way for decades for all manner of projects.”); Ex. 2008 at 62:10-63:5 (“Shaffer’s IS is meant to be very broadly interoperable.”). But even if this is true, this does not mean a POSITA would have been motivated to pick Saylor’s notification system to combine with Shaffer’s IS.

66. Indeed, in my opinion, as discussed above the structural differences between Shaffer’s open network communication system and Saylor’s closed notification mechanism, and the fact that each reference is self-contained and would function without the other undermine the idea that a POSITA would have looked to combine these references.

*Ex. 2006 (Akl Decl.) ¶¶ 65-66; POR at 27*

# The Petition Assumes a POSITA *Could*, Rather Than *Would*, Combine

- The Petition’s “well-suited” rationale explains only why a skilled artisan *could* make the combination



“[O]bviousness concerns whether a skilled artisan not only *could have made* but *would have been motivated to make* the combinations or modifications of prior art to arrive at the claimed invention.”

*Belden Inc. v. Berk-Tek LLC*, 805 F.3d 1064, 1073 (Fed. Cir. 2015);  
POR at 26, 27

# The Petition Assumes a POSITA *Could*, Rather Than *Would*, Combine

- *Shaffer* stores network parameters in the transient endpoints to enable easy connection to “local safety and security forces”
- This is unnecessary in *Saylor*’s static central security network

[0040] The multicast IP addresses can be used to enable IS 120 to provide the functionality described above with respect to communication system 50 of FIG. 2. In accordance with some embodiments, multicast IP addresses, radio frequencies, modulation methods and encryption keys utilized by various networks (e.g., agencies) may be embedded in memory of the mobile endpoint. The multicast addresses in the IS 120 are mapped into a set of communication radio frequencies that are used by the networks (e.g., local safety and security agencies). As the mobile endpoint (e.g., in a safety vehicle) moves between communication regions, the endpoint uses GPS information to pinpoint its location and automatically adjusts communication parameters (e.g., IP addresses, radio frequencies, modulation methods and encryption keys) to achieve interoperability. This allows the mobile endpoint user to connect with local safety and security forces manually with, for example, a single key stroke or automatically based on pre-determined collaboration policies maintained in the mobile endpoint.

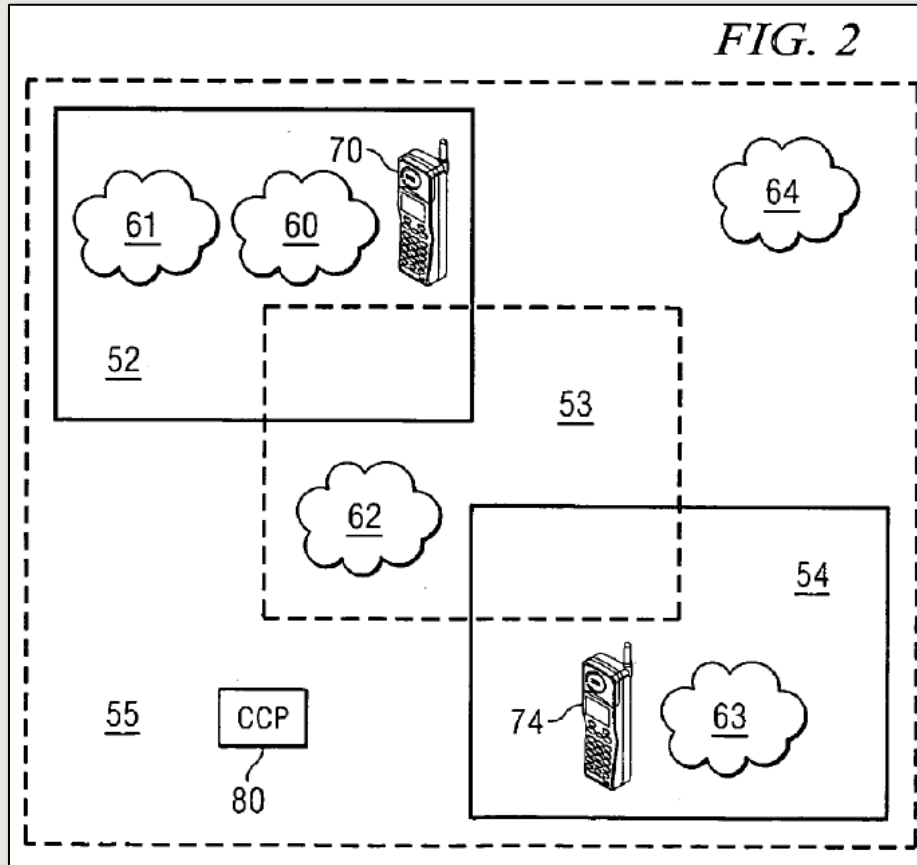
Ex. 1004 (*Shaffer*) ¶ [0040]; POR at 27-28

communication parameters....” Ex. 1004 at ¶ [0008]. There would be no reason to store network details such as multicast IP addresses in Saylor’s databases because Saylor’s databases would not be “changing locations” like the endpoints in Shaffer.

Ex. 2006 (*Akl Decl.*), ¶ 68; POR at 28

# A POSITA Would Not Be Motivated to Combine *Shaffer* With *Saylor*

- *Shaffer*'s endpoints are limited to communicating with devices in the same physical region



Ex. 1004 (*Shaffer*), Fig. 2; POR at 20

Q. Figure 2 doesn't teach endpoint 70 joining network 63, right?

A. Right. I think the way that diagram is set up -- that figure is set up is that the networks that are available to endpoint 70 are 61 and 60 and not 63.

Ex. 2008 (*Polish Dep. Tr.*), 27:16-22; POR at 20

# A POSITA Would Not Be Motivated to Combine *Shaffer* With *Saylor*

- *Shaffer* and *Saylor*'s relevant differences are irreconcilable

52. Saylor could include, as an example, a situation where the user who lives in City A has set up its notification system to contact the police department or fire department in City B in the case of an alarm situation. Ex. 2008 at 60:19-61:1. I understand that Dr. Polish has opined that Shaffer's endpoints would not work in this situation because endpoints could only connect to the network for the geographic area that the endpoint is physically present in. *Id.* at 27:10-28:2.

*Ex. 2006 (Akl Decl.) ¶ 52; POR at 20*

# A POSITA Would Not Be Motivated to Combine *Shaffer* With *Saylor*

- While *Shaffer* is based on the endpoint's physical location, *Saylor* is not

A method for communicating using position information includes communicating on a first communication network at a first location using one or more first communication parameters of the first communication network and, upon moving from the first location to a second location, receiving position information identifying the second location. The method includes adjusting the one or more first communication parameters to one or more second communication parameters based on the second location and communicating on a second communication network at the second location using the one or more second communication parameters.

[0008] Technical advantages of particular embodiments include providing a mobile endpoint user the ability to communicate, while changing locations, with different communication networks that utilize different communication parameters, such as different radio frequencies, modulation methods and/or encryption keys. As a user moves locations, GPS information may be used to recognize a new location.

Ex. 1004 (*Shaffer*), Abstract, ¶ [0008]; POR at 17-18

Q. We just talked about how *Saylor* on its own queries its databases and uses contact information to send alerts and notifications, right?

A. Yes, *Saylor* looks at its database and its rules and policies and decides who to reach out to.

Q. So you don't contend that *Saylor* discloses notification based on location, right?

A. So I don't think *Saylor* talks about specifically notifying or taking into account in notifying somebody where those -- where that somebody is. I think that that would have been obvious to do.

Ex. 2008 (*Polish Dep. Tr.*), 60:19-61:1, 71:20-72:3; POR at 18-20

# The Location Requirements Make *Saylor* an Inapplicable Input to *Shaffer*

- *Saylor*'s security system has location-agnostic, predetermined communication mechanisms

The present invention relates generally to the field of security systems, in particular to a system and method for connecting a security system to a wireless communication system to automatically inform an owner and other authorized entities in a manner predetermined by the user when alarm situations and/or alarm worthy situations occur.

*Ex. 1011 (Saylor), 1:17-22; POR at 19*

According to one embodiment, the present invention provides a personal security network where one or more security devices related to a subscriber may be connected to a central security network over wireless communication. The central security network of the present invention may monitor those security devices and alert a user when an alert situation occurs. The user may set up personalized alarms and alert services; identify various methods of contact; identify the order at which to be contacted; individuals and entities to be contacted; select the type of situations for which they want to be alerted and provide other relevant security and other information.

*Ex. 1011 (Saylor), 2:20-31; POR at 19*

# The Location Requirements Make *Saylor* an Inapplicable Input to *Shaffer*

- A POSITA would not have used *Saylor* location agnostic system as an input to *Shaffer's* location dependent communication system

50. In my opinion, *Saylor* does not teach taking the location of a notification recipient into account while determining who to notify and what to send them. I understand that Dr. Polish agreed that *Saylor* does not take into account where the notification recipient is in determining when to notify the user. Ex. 2008 at 71:20-72:3.

*Ex. 2006 (Akl Decl.) ¶ 50; POR at 19*

53. Likewise, in my opinion the user of *Saylor's* notification system would want to be notified of an alarm situation irrespective of where the user was physically present. *Saylor* does not describe any situation in which the user is not notified yet some other recipient is.

*Ex. 2006 (Akl Decl.) ¶ 53; POR at 19*

Q. So you don't contend that *Saylor* discloses notification based on location, right?

A. So I don't think *Saylor* talks about specifically notifying or taking into account in notifying somebody where those -- where that somebody is. I think that that would have been obvious to do.

*Ex. 2008 (Polish Dep. Tr.), 71:20-72:3; POR at 18-19*

# The Network Models of *Shaffer* and *Saylor* Are Incompatible

- *Shaffer's* network is open – any device with the network credentials can join
- *Saylor's* network is closed – the owner predefines the notification structure and the methods of contacting recipients

operational with respect to a particular area or otherwise. In the illustrated embodiment, endpoints **122** comprise a PC (endpoint **122a**), a PDA (endpoint **122b**) and an IP phone **122c**). However, as indicated above, **IS 120** may be configured to communicate with any type of communication endpoint. Segments **130**, which may comprise any suitable wireless or wireline communication links, including one or more communication networks (e.g., WANS) as appropriate,

*Ex. 1004 (Shaffer) ¶ [0037]; POR at 21*

According to one embodiment, the present invention provides a personal security network where one or more security devices related to a subscriber may be connected to a central security network over wireless communication. The central security network of the present invention may monitor those security devices and alert a user when an alert situation occurs. The user may set up personalized alarms and alert services; identify various methods of contact; identify the order at which to be contacted; individuals and entities to be contacted; select the type of situations for which they want to be alerted and provide other relevant security and other information.

*Ex. 1011 (Saylor), 2:20-31; POR at 19*

# The Network Models of *Shaffer* and *Saylor* Are Incompatible

- The experts agree any endpoint can join *Shaffer*'s open network so long as they have the correct network requirements

55. Shaffer's communication network is set up so that any endpoint that has the appropriate communication settings—including frequency, modulation method, and encryption key—is able to join the communication network. Ex. 1004 at ¶¶ [0037] (stating the interoperability server "may be configured to communicate with any type of communication endpoint"), [0008] ("As a user moves locations,

*Ex. 2006 (Akl Decl.), ¶ 55; POR at 21*

Q. So I'm just trying to understand how a mobile endpoint... like what a mobile endpoint requires to join a specific communication network in Shaffer. And so it sounds like we talked about the right frequency, modulation method, encryption key and at some point some sort of authentication, right?

A. That seems to be the case here, yes.

*Ex. 2008 (Polish Dep. Tr.), 39:21-40:4; POR at 21*

# The Network Models of *Shaffer* and *Saylor* Are Incompatible

- The experts agree the rules and policies of *Saylor*'s closed system dictate who receives notifications through *Saylor*'s communication system

58. This predetermined method of notifying recipients closes off the ability for other endpoints to join the notification recipient list. Because other endpoints cannot join the group of recipients, Saylor's system can be thought of as a "closed" network that is "closed" off to outside endpoints. In other words, unlike Shaffer, an endpoint or entity cannot join Saylor's notification stream. Instead, the user must expressly change the notification stream to include that endpoint or entity as a recipient, meaning that entity or endpoint has not joined, but instead has been added by the user.

Ex. 2006 (Akl Decl.), ¶ 58; POR at 22

Q. We just talked about how Saylor on its own queries its databases and uses contact information to send alerts and notifications, right?

A. Yes, Saylor looks at its database and its rules and policies and decides who to reach out to.

Ex. 2008 (Polish Dep. Tr.), 60:19-61:1; POR at 20

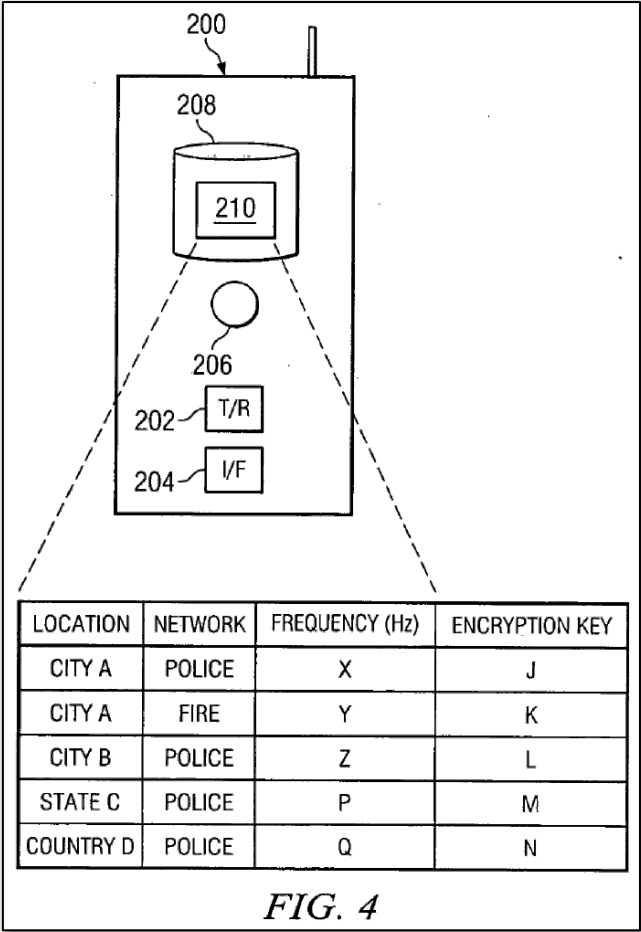
**(b) *Shaffer-Saylor* Does Not Identify a Video Feed From a Plurality of Video Feeds, as Recited in Each Independent Claim**

# Shaffer-Saylor Does Not Identify a Video Feed from a Plurality of Video Feeds

- *Shaffer* describes a dynamic “method for communicating using position information”

A method for communicating using position information includes communicating on a first communication network at a first location using one or more first communication parameters of the first communication network and, upon moving from the first location to a second location, receiving position information identifying the second location. The method includes adjusting the one or more first communication parameters to one or more second communication parameters based on the second location and communicating on a second communication network at the second location using the one or more second communication parameters.

*Ex. 1004 (Shaffer), Abstract; POR at 5*



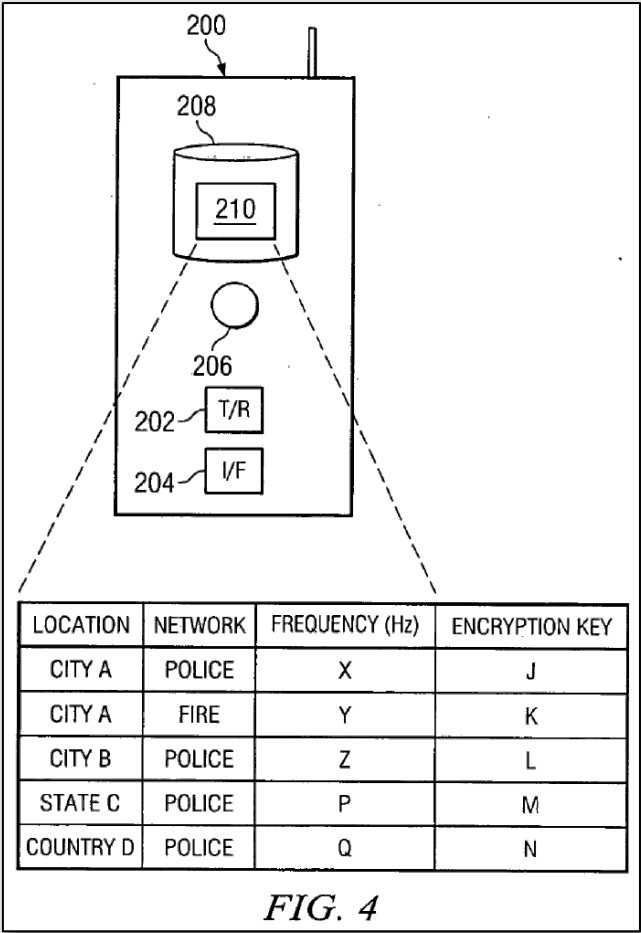
*Ex. 1004 (Shaffer), Fig. 4; Petition, 18*

# Shaffer-Saylor Does Not Identify a Video Feed from a Plurality of Video Feeds

- Shaffer describes a dynamic “method for communicating using position information”

[0008] Technical advantages of particular embodiments include providing a mobile endpoint user the ability to communicate, while changing locations, with different communication networks that utilize different communication parameters, such as different radio frequencies, modulation methods and/or encryption keys. As a user moves locations, GPS information may be used to recognize a new location. A user’s endpoint may then, either automatically, through specific user command or predefined instructions, alter its communication parameters so that the user may communicate on one or more local or other networks that correspond to the user’s location. Accordingly, effort and time associated with determining appropriate communication parameters when moving to a new location are reduced.

Ex. 1004 (Shaffer), ¶ [0008]; POR at 17-18



Ex. 1004 (Shaffer), Fig. 4; Petition, 18

# Shaffer-Saylor Does Not Identify a Video Feed from a Plurality of Video Feeds

- Saylor describes a static security system that notifies the owner irrespective of where the owner is

The present invention relates generally to the field of security systems, in particular to a system and method for connecting a security system to a wireless communication system to automatically inform an owner and other authorized entities in a manner predetermined by the user when alarm situations and/or alarm worthy situations occur.

*Ex. 1011 (Saylor), 1:17-22; POR at 18*

Q. So you don't contend that Saylor discloses notification based on location, right?

A. So I don't think Saylor talks about specifically notifying or taking into account in notifying somebody where those -- where that somebody is. I think that that would have been obvious to do.

*Ex. 1011 (Saylor), 71:20-72:3; POR at 18-19*

# Shaffer-Saylor Does Not Identify a Video Feed from a Plurality of Video Feeds

1. A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.  
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

*Ex. 1001 ('830 Patent), Cl. 1; POR at 14*

# Shaffer-Saylor Does Not Identify a Video Feed from a Plurality of Video Feeds

- Petitioner relies on *Saylor*, which only monitors “a specific video feed”
- This is not a “plurality of video feeds” as recited in each independent claim

1. A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
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identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

First, Saylor’s central security network [1] *identifies and selects a video feed associated with the geographic zone*. Ex[1002], ¶104. In particular, as shown in FIG. 10 (below), in step 1010, Saylor’s central security network monitors a specific video feed in an “identified location” of a building (*the geographic zone*) and, in steps 1012, 1014, 1016, and 1020, selects and identifies that feed when a “trigger[]” event occurs, such as “motion.” Ex[1011], 16:52-60, 34:6-10, FIG. 10. In steps 1022 and

*Petition, 37*

# Shaffer-Saylor Does Not Identify a Video Feed from a Plurality of Video Feeds

- Petitioner relies on *Saylor*, which only monitors “a specific video feed”
- This is not a “plurality of video feeds” as recited in each independent claim

1. A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.  
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

*Ex. 1001 ('830 Patent), Cl. 1; POR at 14*

At step 1010, an identified location may be monitored by a video or other recording device. At step 1012, video images may be compared to detect motion or other event. For example, an image taken at time X+1 may be compared to a previous image taken at time X. The interval of comparison may be predetermined. In addition, the interval of comparison may be defined based on various factors, such as the importance of the property being monitored. For example, if motion is detected, an alarm may be triggered.

*Ex. 1011 (Saylor), 16:52-60; POR at 14*

# Shaffer-Saylor Does Not Select a Video Feed from a Plurality of Video Feeds

- With no plurality of video feeds, *selecting* a video feed from the plurality of video feeds is not possible

1. A method comprising:

monitoring a selection of a communication channel by a user of a mobile communication device;

providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;

monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.

identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and

providing access to the identified at least one video feed to the mobile communication device based on the user policy.

geographic zone. In Shaffer-Saylor, the geographic zone can be a “building” that includes multiple cameras, each with a video feed, and one feed is selected when motion is detected at a particular camera. Petition, 35-36; POR, 1 (acknowledging Saylor has multiple video feeds and “[e]ach camera ... monitors its own feed”).

*Reply at 3-4*

*Ex. 1001 ('830 Patent), Cl. 1; POR at 14*

# Shaffer-Saylor Does Not Select a Video Feed from a Plurality of Video Feeds

- Because each camera monitors its own feed, there is no plurality to select from
- Petitioner's declarant diverges from Petitioner, admitting the "video or other recording device" monitors its own (i.e., non-plural) feed

A. Monitoring a video feed. Yeah, I don't think it's the central security server that's doing the monitoring there. I think it's being done by the video or other recording device that's doing the monitoring and then sending out to the remote user.

*Ex. 2008 (Polish Dep. Tr.), 69:11-22; POR at 16*

# Shaffer-Saylor Does Not Select a Video Feed from a Plurality of Video Feeds

- Dr. Polish's deposition remarks align with Dr. Akl's declaration: because each "specific video feed" is monitored independently, there cannot be a video feed selected from a plurality

71. In particular, the Petition does not address how Shaffer or Saylor identifies at least one video feed by selecting the at least one video feed *from the plurality of video feeds.*" Petition at 37; Ex. 1002 at ¶ 104. First, both the Petition and Dr. Polish's declaration state that "Saylor's central security network monitors a specific video feed in an 'identified location'...." *Id.* The "specific video feed" that Saylor's central security system allegedly monitors confirms that a video feed is not selected from a plurality of video feeds. *Id.*

*Ex. 2006 (Akl Decl.) ¶ 71; POR at 14*

# ***Shaffer-Saylor Does Not Select a Video Feed from a Plurality of Video Feeds***

- Petitioner's reference to Dr. Pooley's infringement report is inapposite
- Dr. Pooley's infringement opinion referred to a plurality of cameras (a camera group) as required by the claims

“The plurality of video feeds, from which the at least one video feed is selected, may comprise a camera group.”

*Ex. 1037, ¶ 387; Sur-reply at 5-6*

**(c) *Shaffer-Saylor* is Plagued With Additional Deficiencies**

# Shaffer-Saylor is Plagued With Additional Deficiencies

- The '830 Patent was allowed when the subject matter of original claims 7 and 19 were added to their respective independent claims, granted claims 1 and 15

1. (Currently Amended) A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user;  
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

*Ex. 1003 ('830 Patent File History), 108; Petition, 13*

# Petitioner Assumes Too Much About *Shaffer*

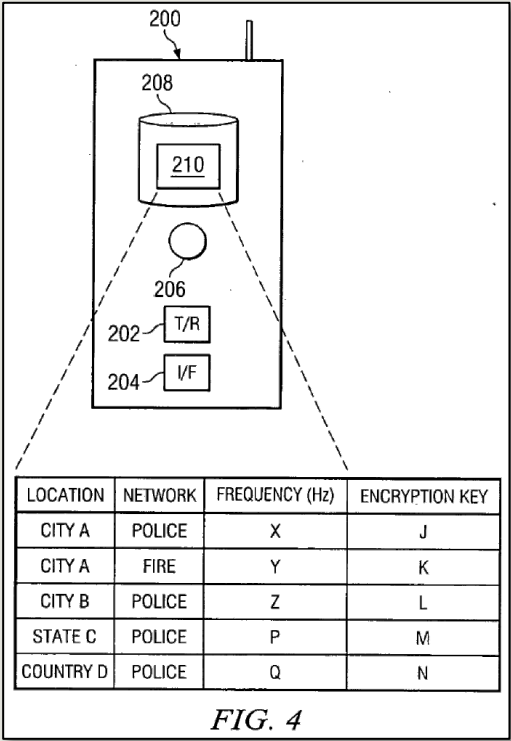
- Petitioner assumes parameters are displayed

1. A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;

Ex. 1001 ('830 Patent), Cl. 1; POR at 29

[0044] In the illustrated embodiment, endpoint 200 includes a transmitter/receiver 202, a user interface 204, a processor 206 and a memory module 208. Transmitter/receiver 202 obtains signals from GPS satellites or ground stations of a communication network in order to determine a position of endpoint 200 and receives and transmits voice and other data between endpoint 200 and other network devices and components. User interface 204 provides a mechanism through which a user of mobile endpoint 200 may operate the endpoint and communicate with other network devices. For example, through interface 204 a user may input instructions regarding adjustment of the endpoint's communication settings (e.g., radio frequency, modulation method and encryption key) upon entering a new communication network. Interface 204 may comprise a keypad, display, touch screen, audio input or any other suitable interface. Instructions may be submitted through speech recognition, collection of keystrokes, soft key or otherwise.

Ex. 1004 (Shaffer) ¶ [0044]; POR at 30



Ex. 1004 (Shaffer), Fig. 4; POR at 30

## Petitioner Assumes Too Much About *Shaffer*

- With the benefit of hindsight, Petitioner assumes a plurality of *Shaffer*'s stored network parameter listings would have been provided on a display



“We have observed that ‘the prejudice of hindsight bias’ often overlooks that the ‘genius of invention is often a combination of known elements which in hindsight seems preordained.’”

*Polaris Industries, Inc. v. Arctic Cat, Inc.*, 882 F.3d 1056, 1068 (Fed. Cir. 2018); POR at 30

# Petitioner Assumes Too Much About *Shaffer*

- Instructions submitted for future use do not require monitoring a selection

1. A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.  
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

*Ex. 1001 ('830 Patent), Cl. 1; POR at 31*

[0044] In the illustrated embodiment, endpoint 200 includes a transmitter/receiver 202, a user interface 204, a processor 206 and a memory module 208. Transmitter/receiver 202 obtains signals from GPS satellites or ground stations of a communication network in order to determine a position of endpoint 200 and receives and transmits voice and other data between endpoint 200 and other network devices and components. User interface 204 provides a mechanism through which a user of mobile endpoint 200 may operate the endpoint and communicate with other network devices. For example, through interface 204 a user may input instructions regarding adjustment of the endpoint's communication settings (e.g., radio frequency, modulation method and encryption key) upon entering a new communication network. Interface 204 may comprise a keypad, display, touch screen, audio input or any other suitable interface. Instructions may be submitted through speech recognition, collection of keystrokes, soft key or otherwise.

*Ex. 1004 (Shaffer) ¶ [0044]; POR at 30*

# Petitioner Assumes Too Much About *Shaffer*

1. A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.  
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

*Ex. 1001 ('830 Patent), Cl. 1; POR at 31*

80. As described above, Shaffer does not teach providing a plurality of radio frequencies on a display. Instead, Shaffer allows a user to input instructions regarding adjustment of an endpoint's settings. *Ex. 1004 at ¶ [0044]*. When this disclosure is viewed within the context of Shaffer as a whole, these "instructions" do not monitor for the selection of a radio frequency from a plurality of radio frequencies provided to a user, but instead prescribe how to change networks as the endpoint moves between locations. For example, the instructions would tell an endpoint to tune to the City B frequency, modulation method, and encryption key as the user moves into range of City B.

*Ex. 2006 (Akl Decl.) ¶ 80; POR at 32*

# Petitioner Assumes Too Much About Saylor

## ■ Notification logic does not determine relevancy

1. A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.  
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

*Ex. 1001 ('830 Patent), Cl. 1; POR at 32*

Finally, Shaffer-Saylor discloses that the association between video feed and communication channel is [3] *based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel*. Ex[1002], ¶103. The user policy is the set of preferences stored in Saylor's databases identifying when to notify users (such as security personnel) and what to send them. *Id.*; see also Ex[1011], 8:34-60, Abstract

*Pet. at 40-41*

# Petitioner Assumes Too Much About Saylor

- Saylor associates only with the selected channel, contrary to the District Court's construction

1. A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.  
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

court's construction. Saylor's configurable central security network (in the combined system) associates its video feeds with the selected communication channel, regardless of which channel the user selected. Petition, 41-42. Likewise,

*Reply at 2*

## 2. Court's Construction

For the reasons set forth above, the Court construes the phrase “the one or more video feeds being independent of the selected communication channel” to mean “the one or more video feeds being capable of being associated with more than the selected communication channel.”

*Ex 2005 (E.D. Tex. Markman Order), 20-21; Sur-reply at 3*

*Ex. 1001 ('830 Patent), Cl. 1; POR at 32*

# Petitioner Assumes Too Much About *Saylor*

- *Saylor*'s notification preferences do not associate video feeds with communication channels based on relevance

91. The Petition and Dr. Polish argue “[t]he user policy is the set of preferences stored in Saylor’s databases identifying when to notify users (such as security personnel) and what to send them.” Petition at 40 (citing Ex. 1011 at 8:34-60); Ex. 1002 at ¶103. The set of preferences stored in Saylor’s databases does not include associating video feeds with a communication channel based on relevance.

*Ex. 2006 (Akl Decl.), ¶¶ 91-92; POR at 32-33*

92. Saylor provides detailed disclosure regarding its “user preferences.” See Ex. 1011 at 5:29-36. “User database 140 may contain user information, such as profile information, user preferences, contact information, special instructions and/or other information.” *Id.* at 8:34-60. “User profile information may include one or more of name, identification information, address information, and other profile information. User preferences may include mode of communication, order of communication, contact information and other preferences.” *Id.* “Different alarm situations that may be detected in various locations or systems may warrant different levels of response.” *Id.* The notification can be accompanied by “[s]pecial instructions [that] may include information to be conveyed to entities reacting to the alarm” such as “to inform the fire department that the user has two pets living at the user’s primary residence.” *Id.* In my opinion, none of this factual information would render obvious the subjective determination that something is relevant to the user when the user accesses the communication channel.

# Petitioner Assumes Too Much About *Saylor*

- *Saylor's* notification preferences are predetermined by the user

The present invention relates generally to the field of security systems, in particular to a system and method for connecting a security system to a wireless communication system to automatically inform an owner and other authorized entities in a manner predetermined by the user when alarm situations and/or alarm worthy situations occur.

*Ex. 1011 (Saylor), 1:17-22; POR at 34*

94. In either scenario, the predetermined manner of issuing notifications does not include any subjective determination, such as one of relevance. In my opinion, this type of determination is not contemplated in *Saylor*, and would not have been obvious over *Saylor*. Instead, only objective information is stored and used, such as how long to wait for a response before sending a follow-up notification to a separate entity. In my opinion, the predetermined nature of *Saylor's* notification scheme all but prohibits using a finding of relevance to associate video feeds and communication channels, and nothing in *Saylor*, the Petition, or Dr. Polish's declaration suggests otherwise.

*Ex. 2006 (Akl Decl.), ¶ 94; POR at 34*

# Petitioner Fails to Articulate Invalidating Disclosures

- Petitioner's claim 2 analysis does not identify any emergency response team members as recited in claim 3

2. The method of claim 1, wherein providing access comprises associating the identified at least one video feed with the mobile communication device in a database that is used to manage access to independent video feeds in a network based on audio communication channels that are selected by communication devices in the network.

3. The method of claim 1, further comprising:

accessing a database to identify a plurality of members of an emergency response team that includes the user of the mobile communication device; and

presenting a plurality of available video feeds on the display of the mobile communication device, the plurality of available video feeds including video streams associated with the plurality of members of the emergency response team.

see Ground 1, limitation 1[e]; Ex[1002], ¶112. It would have been obvious to also associate video feeds with the particular user selecting the channel based on the user's location. For example, Saylor discloses that the system can be configured to send notifications to users based on a defined area. Ex[1011], 5:49. Shaffer

communication device.” As described for claim 2, Saylor's database may contain location information to identify members of an emergency response team associated with a communication channel. Ex[1002], ¶114.

Ex. 1001, 12:40-54; Petition at 42-44

Pet. at 43

# Petitioner Fails to Articulate Invalidating Disclosures

- Dr. Polish simply parrots the Petition

Shaffer-Saylor discloses “*accessing a database to identify a plurality of members of an emergency response team that includes the user of the mobile communication device.*” As described for claim 2, Saylor’s database may contain location information to identify members of an emergency response team associated with a communication channel. Ex[1002], ¶114.

*Pet. at 43 (analysis of claim 3)*

114. Shaffer-Saylor discloses “*accessing a database to identify a plurality of members of an emergency response team that includes the user of the mobile communication device.*” As described for claim 2, Saylor’s database may contain location information to identify members of an emergency response team associated with a communication channel. *See* Ground 1, claim 2.

*Ex. 1002 (Polish Decl.), ¶ 114; Petition at 43.*

# Petitioner Fails to Articulate Invalidating Disclosures

- Expert testimony is not a substitute for disclosure in a prior art reference itself

*LLC*, 751 F.3d 1362, 1365 (Fed. Cir. 2014). Furthermore, because an *inter partes* review may only be requested “on the basis of prior art consisting of patents or printed publications,” 35 U.S.C. § 311(b), expert testimony cannot take the place of disclosure from patents or printed publications. In other words, expert testimony may explain “patents and printed publications,” but is not a substitute for disclosure in a prior art reference itself.

*Consolidated Trial Practice Guide*, 36; *POR* at 36

# Petitioner Fails to Articulate Invalidating Disclosures

- Similarly, for claims 7 and 21, Petitioner relies only on its declarant
- Expert testimony is not a substitute for disclosure in a prior art reference itself

16:41-51, and a camera near that door can identify motion. *Id.*; Ex[1002], ¶119. It would have been obvious that a “sound” sensor could also be installed by the door to detect breaking glass, or another sign of a break-in, in addition to movement.

Ex[1002], ¶¶119-20.

*Pet. at 45*

## Ground No. 2

### *Gogic* in view of *Opitz* – Section 103

- (a) *Gogic* fails to teach “monitoring a selection of a communication channel”
- (b) A POSITA would not be motivated to combine *Gogic* with *Opitz*
- (c) *Gogic-Opitz* fails to teach “providing a plurality of radio frequencies on a display”
- (d) *Gogic* fails to teach identifying and selecting a video feed from a plurality

**(a) *Gogic* Fails to Teach “Monitoring a Selection of a Communication Channel”**

# *Gogic* Fails to Teach “Monitoring a Selection of a Communication Channel”

- *Gogic* teaches an ad-hoc communication network where endpoints join when they meet received group membership location criteria

[0010] A system and method for providing group communication services to an ad-hoc group formed according to vicinity with other users of communication devices in a communication system. In one embodiment of the present invention, a method of communicating among a communication group of a plurality of wireless communication devices in a communication system includes forming the communication group including transmitting an invitation including group membership location criteria to join the communication group to the plurality of wireless communication devices. The group membership location criteria is evaluated at each of the plurality of wireless communication devices receiving the invitation and the communication group is formed by ones of the plurality of wireless communication devices that meet the group membership location criteria. Permission to transmit to others of the plurality of wireless communication devices of the communication group is granted to one of the wireless communication devices of the communication group.

*Ex. 1006 (Gogic) ¶ [0010]; POR at 7*

# Gogic Fails to Teach “Monitoring a Selection of a Communication Channel”

- *Gogic* teaches simple PTT communication

[0042] In one embodiment of the present invention, the CD is configured to request the transmission privilege through initiation or activation of a push-to-talk (PTT) key or switch. When a user of a CD in communication system 200 desires to transmit information to other group members, the push-to-talk switch located on the CD is depressed, sending a request (e.g., floor request) to obtain the transmission privilege from communication manager 218. If no other group member is currently assigned the transmission privilege and the communication criteria in effect does not so prohibit or deny the floor, the requesting user is granted (e.g., floor grant) the transmission privilege and is notified by an audible, visual, or tactile alert through the CD. After the requesting user has been granted the transmission privilege, information may then be transmitted from that user to the other group member(s).

*Ex. 1006 (Gogic) ¶ [0042]; POR at 39*

# Gogic Fails to Teach “Monitoring a Selection of a Communication Channel”

## ■ Petitioner relies on *Gogic*’s PTT switch

1. A method comprising:

monitoring a selection of a communication channel by a user of a mobile communication device;

providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;

monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.

identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and

providing access to the identified at least one video feed to the mobile communication device based on the user policy.

The user of a mobile CD also *selects* a communication channel to set the CD to that channel, for example, through “activation of a push-to-talk (PTT) key or switch.” *Id.*, ¶0042. For instance, “[w]hen a user of a CD in communication system 200 desires to transmit information to other group members, the push-to-talk switch located on the CD is depressed.” selecting the channel over which other group members can receive communications. *Id.*, ¶¶0042, 0045. As Gogic describes, PTT

*Pet. at 57*

*Ex. 1001 ('830 Patent), Cl. 1; POR at 32*

# Gogic Fails to Teach “Monitoring a Selection of a Communication Channel”

- Gogic’s PTT switch merely requests the floor

1. A method comprising:

monitoring a selection of a communication channel by a user of a mobile communication device;

providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;

monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.

identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and

providing access to the identified at least one video feed to the mobile communication device based on the user policy.

*Ex. 1001 ('830 Patent), Cl. 1; POR at 32*

[0042] In one embodiment of the present invention, the CD is configured to request the transmission privilege through initiation or activation of a push-to-talk (PTT) key or switch. When a user of a CD in communication system 200 desires to transmit information to other group members, the push-to-talk switch located on the CD is depressed, sending a request (e.g., floor request) to obtain the transmission privilege from communication manager 218. If no other group member is currently assigned the transmission privilege and the communication criteria in effect does not so prohibit or deny the floor, the requesting user is granted (e.g., floor grant) the transmission privilege and is notified by an audible, visual, or tactile alert through the CD. After the requesting user has been granted the transmission privilege, information may then be transmitted from that user to the other group member(s).

*Ex. 1006 (Gogic) ¶ [0042]; POR at 39*

# Gogic Fails to Teach “Monitoring a Selection of a Communication Channel”

123. Gogic’s switch, which is used to request the transmission grant (otherwise known as a request for the “floor”), is not used to select a communication channel, but is instead used to request the floor after the CD is in an existing communication channel. Ex. 1006 at ¶ [0042]; Ex. 2008 at 91:5-92:3. The Petition also supports this view, noting that Gogic teaches “pushing a button to allow voice communication to be transmitted and releasing the button to allow voice communication to be received.” Petition at 57-58 (quoting Ex. 1006 at ¶ [0026]); Ex. 1002 at ¶ 157 (same).

*Ex. 2006 (Akl Decl.) ¶ 123; POR at 39*

# Gogic Fails to Teach “Monitoring a Selection of a Communication Channel”

- Gogic’s channels are set up to select users, the users do not select a channel

[0061] CDs 412, 414, 416 monitor 422, 424, 426 the emergency broadcast channel as broadcast by MSC/BS<sub>N</sub> 408 and while monitoring the common channel, recipient CDs 412, 414, 416 recognize the set emergency flag and appropriately respond by actively monitoring 428, 430, 432 a designated or known emergency broadcast channel to obtain further information. The CDs 412, 414, 416 receive the broad indiscriminant invitation to join the group with the right to accept the invitation being conditional upon the CD qualifying according to the location criteria also transmitted with the broad indiscriminant invitation in the emergency broadcast channel.

*Ex. 1006 (Gogic) ¶ [0061]; POR at 40*

[0062] CDs 412, 414, 416 calculate their location and evaluate 434, 436, 438 their location against the group membership location criteria, an example of which includes specified location criteria, to determine qualification for acceptance of the invitation to join the group. By way of example and not limitation, FIG. 4 illustrates CD<sub>1</sub> 412 as qualifying to join the group and accordingly accepting 440 the invitation which is relayed back to dispatcher 400 through CM 404. Dispatcher 400 amends 442 the group list to include CD<sub>1</sub> 412 as a confirmed member of the group. Similarly, FIG. 4 also illustrates CD<sub>2</sub> 414 as qualifying to join the group and accordingly accepting 444 the invitation which is relayed back to dispatcher 400 through CM 404. Dispatcher 400 amends 446 the group list to include CD<sub>2</sub> 414 as a confirmed member of the group. Since more CDs may receive the broad indiscriminant invitation than will qualify for inclusion in the group, FIG. 4 illustrates CD<sub>x</sub> 416 as failing to qualify to join the group and accordingly forgoing forwarding of any acceptance of the invitation.

*Ex. 1006 (Gogic) ¶ [0062]; POR at 40*

# Gogic Fails to Teach “Monitoring a Selection of a Communication Channel”

- Gogic’s channels are set up to select users, the users do not select a channel

125. That the CD makes the determination and accordingly accepts the invitation means the user of the CD does not make a selection, the CD itself makes the connection and the “[d]ispatcher 400 amends 442 the group list to include CD<sub>1</sub> 412 as a confirmed member of the group.” *Id.* My understand of Gogic appears to match the assessment of Gogic in the Petition and Dr. Polish declaration, which they describe as “[t]he user of a CD accesses the communication channel for the ad-hoc group *when the CD determines* that it satisfies the group membership location criteria.” Petition at 67; Ex. 1002 at ¶ 172.

*Ex. 2006 (Akl Decl.) ¶ 125; POR at 40*

# Gogic Fails to Teach “Monitoring a Selection of a Communication Channel”

- *Gogic*’s CM does not monitor the selection of a communication channel, its purpose is to prevent crosstalk between CDs already in a common channel

[0042] In one embodiment of the present invention, the CD is configured to request the transmission privilege through initiation or activation of a push-to-talk (PTT) key or switch. When a user of a CD in communication system 200 desires to transmit information to other group members, the push-to-talk switch located on the CD is depressed, sending a request (e.g., floor request) to obtain the transmission privilege from communication manager 218. If no other group member is currently assigned the transmission privilege and the communication criteria in effect does not so prohibit or deny the floor, the requesting user is granted (e.g., floor grant) the transmission privilege and is notified by an audible, visual, or tactile alert through the CD. After the requesting user has been granted the transmission privilege, information may then be transmitted from that user to the other group member(s).

*Ex. 1006 (Gogic) ¶ [0042]; POR at 39*

127. Instead, CM 218 is monitoring for requests to transmit. *Ex. 1006 at ¶ [0042].* The purpose of CM 218 is to prevent multiple users from transmitting at the same time, or to prevent cross-talk between users. Because *Gogic*’s users request the floor after joining the ad-hoc communication group, CM 218’s functionality is limited to CDs that are already in the communication group on the communication channel. *Ex. 2008 at 91:5-92:3.* Therefore, in my opinion, *Gogic*’s CM 218 does not monitor the selection of a communication channel by a user of a CD.

*Ex. 2006 (Akl Decl.) ¶ 127; POR at 40-41*

**(b) A POSITA Would Not be Motivated to Combine *Gogic* with *Opitz***

# A POSITA Would Not be Motivated to Combine *Gogic* with *Opitz*

- Petitioner's motivation to combine is based on a misrepresentation of *Gogic*

determine the user's "location." *Id.*, ¶0058. Accordingly, Gogic discloses that CDs connect to a base station in a particular area, but Gogic does not expressly disclose how the CDs makes that initial connection (as needed to form the ad-hoc group central to Gogic's disclosure). Ex[1002], ¶¶160-61. A POSITA would have

*Pet. at 59*

# A POSITA Would Not be Motivated to Combine *Gogic* with *Opitz*

- Petitioner itself outlines how Gogic's CDs connect to the base station based on service area

FIG. 4 below depicts how CM 218 forms an ad-hoc communication group. *Id.*, FIG. 4. First, each of CD<sub>1</sub>, CD<sub>2</sub>, and CD<sub>x</sub>, are communicating separately with a “base station” in a particular geographic area. *See, e.g.*, Ex[1006], FIG. 2 (illustrating base station), ¶¶0034-0035, 0039, 0047. Then, CM 218 sends a message (406) directing a base station (MSCBSN 408) to send an invitation (420) to all CDs in its service area (412, 414, 416). *Id.*, ¶¶0060-0061. CDs “calculate their location and evaluate [] their location against the group membership location criteria,” provided in the invitation 420. *Id.*, ¶0062. If a CD qualifies and accepts the invitation, the CD accesses the communication group. *Id.*

*Pet. at 21; POR at 44*

# A POSITA Would Not be Motivated to Combine *Gogic* with *Opitz*

- Gogic even provides additional modes of connection to the base station

[0037] CD further includes conventional transmitters and receivers for compatibly interacting in the wireless communication system. CD may be configured to operate in one or more modes, or in a single mode of communication. By way of example and not limitation, one mode of operation includes a standard audio call mode from a CD to a base station. Such a mode is used to make typical point-to-point telephone calls using the given technology of the associated communication system. For example, the voice service mode for CD may refer to point-to-point audio communications using CDMA telecommunications standards promulgated by the Telecommunications Industry Association.

*Ex. 1006 (Gogic), ¶ 37; POR at 42*

# A POSITA Would Not be Motivated to Combine *Gogic* with *Opitz*

- The initial connection between CD and base station is immaterial to Gogic's functionality

110. This reasoning lacks a true motivation, and instead relies on a conclusory assumption about Gogic. In my opinion, while the initial connection between CD and base station is immaterial to Gogic's functionality, Gogic does provide a long list of ways that CDs and base stations can be connected. Thus, even this purported "motivation" is undermined by Gogic itself. For example, Gogic explains that base stations transmit on "a common channel that is regularly monitored by CDs 412, 414, 416, etc." Ex. 1006 at ¶ [0060]. In other words, in my

*Ex. 2006 (Akl Decl.) ¶ 110; POR at 42*

# A POSITA Would Not be Motivated to Combine *Gogic* with *Opitz*

- Dr. Polish confirms a POSITA would understand how the connection is made

Q. So a POSITA doesn't need to know how the CDs of Gogic make an initial connection to the base station of Gogic?

A. Well, a POSITA would certainly know a variety of ways to make such an initial connection to a base station, and what I'm talking about in the declaration is a specific way to do it that is -- that's informed by Optiz.

*Ex. 2008 (Polish Dep. Tr.) , 106:23-107:6; POR at 47*

# A POSITA Would Not be Motivated to Combine *Gogic* with *Opitz*

- The method of connecting endpoints/CDs and base stations that is “informed by *Opitz*” falls far short of the requirement to detail why a POSITA would have been motivated to combine *Gogic* and *Opitz*



“the reasons provided in the Petition and the Polish Declaration are too generic to provide a credible reason ‘why’ a person of ordinary skill in the art would combine the cited teachings.”

*Apple Inc. v. Uniloc Luxembourg S.A.*, IPR2018-00420, Paper 7 at 14 (P.T.A.B. Aug. 6, 2018); *POR* at 43

# A POSITA Would Not be Motivated to Combine *Gogic* with *Opitz*

- Connecting to base stations via proximity is the very same method taught by *Opitz*

[0031] FIG. 1 is an illustration of a typical prior art wireless communication system 100 incapable of implementing the formation and control of ad-hoc group communications, otherwise known as point-to-multipoint communications, or push-to-talk communications. CDs 102, 104, and 106 represent three of a vast number of wireless telephones dispersed over a small geographic area 118 served by communication system 100. CDs 102, 104, and 106 transmit and receive communication signals from base stations 108 and/or 110, generally depending on their proximity to each base station. In a typical wireless communication system, there are many base stations in use to support the vast numbers of CDs active in communication system 100.

Ex. 1006 (*Gogic*), ¶ 31; POR at 42

change along the route. For example, in close proximity to region 100, local municipal police, fire and rescue channels for city 100 will generally be available to be received. Further, these channels have particular relevance to persons and vehicles located in or near region 100. As the vehicle 110 reaches some distance from region 100, the signal strength of these channels will drop off. Further, the relevance of these channels to vehicle 110 becomes much reduced as vehicle 110 leaves the region 100. Conversely, as the vehicle 110 approaches region 102, the municipal police, fire and rescue channels for region 102 will become available, and will have increased relevance as vehicle 110 approaches region 102.

Ex. 1007 (*Opitz*), 2:47-58; POR at 44

# A POSITA Would Not be Motivated to Combine *Gogic* with *Opitz*

- Petitioner relies on analogy, not motivation to combine

A POSITA would have been particularly motivated to look to *Opitz* for a suitable implementation because *Opitz*, like *Gogic*, discloses a system relating to “emergency communication situations” in which a user desires to monitor and communicate with specific groups in specific locations, such as “[p]olice, [e]mergency [c]rews, [f]ire [d]ept. personnel, etc.” Ex[1006], ¶¶0003, 0056; Ex[1007], 3:3-4 (describing “[m]unicipal police, fire and rescue communications channels”), 11:52-57-67 (monitoring an “emergency”). *Gogic*’s CDs communicate via base stations, just like the scanning radios in *Opitz*. Ex[1006], ¶¶0043-0045, FIG. 2; Ex[1007], 2:40-44, FIGs. 1-2. *Gogic*’s CDs are mobile and can move between base station locations, just like the scanning radios in *Opitz*. Ex[1006], ¶¶0057-58

*Pet. at 62*

## A POSITA Would Not be Motivated to Combine *Gogic* with *Opitz*

- The reasons why “a POSITA would have been particularly motivated” to combine are merely statements that the references are analogous



“We agree with the Board that Cross-Appellants’ first, second, and third reasons to combine were merely assertions that the references were analogous art, which, without more, is an insufficient articulation for motivation to combine.”

*Sisvel Int’l v. Sierra Wireless*, 82 F.4th 1355, 1364 (Fed. Cir. 2023);  
POR at 46

**(c) *Gogic-Opitz* Fails to Teach “Providing a Plurality of Radio Frequencies on a Display”**

## *Gogic-Opitz* Fails to Teach “Providing a Plurality of Radio Frequencies on a Display”

- Because *Gogic* fails to teach this limitation, and there is no motivation to combine *Gogic* with *Opitz*, the prior art fails to teach this limitation

As set forth below, *Gogic* discloses each and every limitation of claims 1-5, 8-19, and 22-24, except the limitation requiring radio frequencies displayed on a mobile device and selected by a user. Ex[1002], ¶153. But *Gogic*, which discloses

*Pet. at 55*

# Gogic-Opitz Fails to Teach “Providing a Plurality of Radio Frequencies on a Display”

- *Opitz* is equal to art cited by the Examiner, *Winters*, which also failed to teach the providing a plurality of radio frequencies on a display limitation

1. A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.  
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

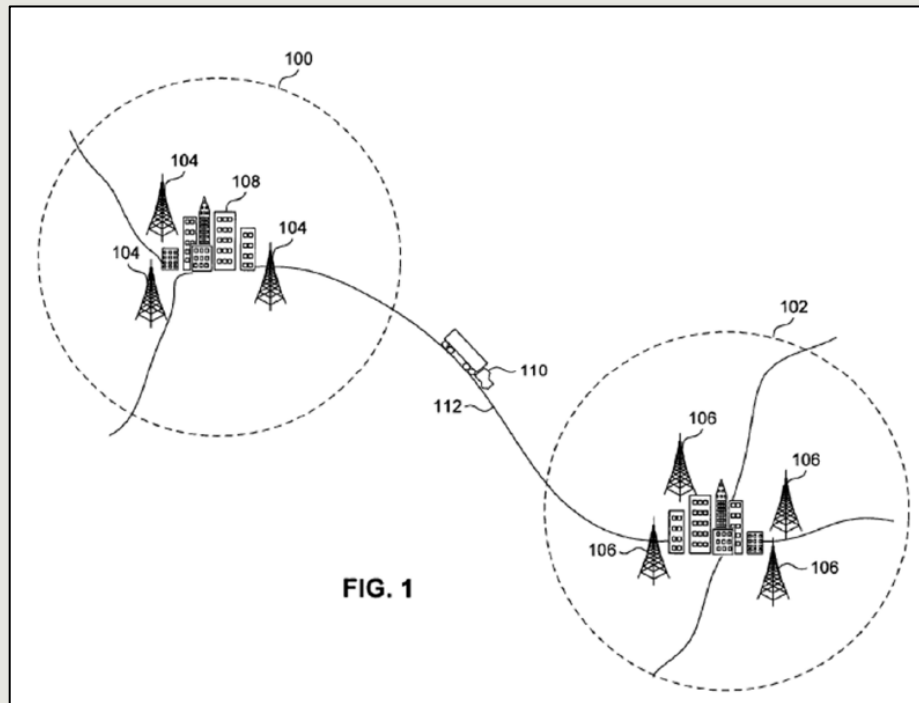
Ex. 1001 ('830 Patent), Cl. 1; POR at 46

Further, with respect to claim 7, the cited references do not disclose or suggest  
*“providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced; monitoring a selection of a radio frequency of the plurality of radio frequencies by the user; and identifying the at least one video feed by selecting the at least one video feed from the video feeds associated with the geographic zone.”* The Examiner has cited Winter at Figure 2 and argued “Winter teaches in Fig. 2 teaches radio frequency for certain geographic area and **determining customer location.**”<sup>14</sup> However, the Examiner has ignored limitations including *“providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced.”*

Ex. 1003 ('830 File History), 174-75; POR at 48

# Gogic-Opitz Fails to Teach “Providing a Plurality of Radio Frequencies on a Display”

- *Opitz* is equal to art cited by the Examiner, *Winters*, which also failed to teach the providing a plurality of radio frequencies on a display limitation



Ex. 1007 (Opitz), Fig. 1; POR at 50

A communication system is disclosed that uses a received wireless signal combined with stored location data about the received signal to determine a location of the communication system or a component of the communication system. The communication system can include a receiver, a processor, and a memory. The processor is adapted to detect identification information in the received wireless signal, search the memory for identification data that matches the detected identification information, and retrieve location data associated with the matching identification information, thereby determining a general location or geographic region in which the receiver is located.

Ex. 1007 (Opitz), Abstract; POR at 49

**(d) *Gogic* Fails to Teach Identifying and Selecting a Video Feed From  
a Plurality of Video Feeds**

# Gogic Fails to Teach Identifying and Selecting a Video Feed From a Plurality

- The '830 Patent describes video feeds as “media streams from” a camera

1. A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.  
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

*Ex. 1001 ('830 Patent) Cl. 1; POR at 54*

**120.** As explained in more detail below, the video feed association module **120** may be configured to associate one or more video feeds (e.g., media streams from one or more of the cameras **122**) transmitted over the computer network **114** with one or more communication channels (e.g., audio channels in a radio network). In an example embodiment, the

*Ex. 1001 (830 Patent), 3:5-10; POR at 52*

# Gogic Fails to Teach Identifying and Selecting a Video Feed From a Plurality

- Petitioner relies on *Gogic's* CDs as the claimed video feeds

1. A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.  
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

*Ex. 1001 ('830 Patent) Cl. 1; POR at 54*

First, Gogic's system (including, for example, CM 218) forms an ad-hoc group of CDs that identifies and selects at least one video feed (at least one CD, which can have video streaming capability, §VIII.B.1.d) from the plurality of video feeds (CDs) in the identified geographic zone (the location of the base station to which the CDs are connected). Ex[1002], ¶107. CM 218 "controls formation" of an

*Pet. at 65*

# Gogic Fails to Teach Identifying and Selecting a Video Feed From a Plurality

- Petitioner relies on *Gogic's* CDs as the claimed video feeds
- Petitioner also maps *Gogic's* CDs to the claimed mobile communication device
- Petitioner also maps *Gogic's* “other group members” to the claimed video feeds

1. A method comprising:  
monitoring a selection of a communication channel by a user of a mobile communication device;  
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;  
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user.  
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and  
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

Ex. 1001 ('830 Patent) Cl. 1; POR at 54

For instance, as shown in FIG. 2 below, Gogic discloses communication devices (“CDs”) 202, 204, 206, where the CDs can be mobile devices such as “terrestrial wireless telephones,” e.g., “CD 202 could comprise a wireless terrestrial telephone equipped with a video camera and display.” Ex[1006], ¶0035. Gogic also describes that the CDs can be formed into an ad-hoc “group” or “net” that “denotes a collection

*Pet. at 56*

And when the user accesses the channel, the group membership location criteria (user policy) that exists will identify the other group members (other CDs, including CDS with video streaming capability) relevant to the user at the time of access. Ex[1002], ¶172. As Gogic describes, the user policy is selected by a dispatcher who

*Pet. at 68*

# Gogic Fails to Teach Identifying and Selecting a Video Feed From a Plurality

- Petitioner's incomprehensible citations to both CDs and group members for both the claimed mobile communication device and the claimed video feed fail to render Claims 1 and 15 invalid as a matter of law



“The Petition improperly shifts the burden of deciphering Petitioner’s arguments onto Patent Owner and the Board, which, as we discussed above, is contrary to the statutory and regulatory provisions governing inter partes review proceedings, as well as the best practices outlined in the Office Patent Trial Practice Guide.”

*Whole Space Industries Ltd. v. Zipshade Industrial (B.V.I.) Corp.*, IPR2015-00488, Paper 14 at 18 (P.T.A.B. July 24, 2015); *POR at 54*

# Gogic Fails to Teach Identifying and Selecting a Video Feed From a Plurality

- *Gogic*'s communication manager ensures there is no plurality of transmissions occurring at the same time
- Thus, there can be no selection of a video feed from the plurality of video feeds

Q. Only one CD can transmit at a time, right?

A. Well, I think they all can transmit. I think the whole point of this taking the floor thing is to prevent more than one CD from transmitting at a time.

*Ex. 2008 (Polish Dep. Tr.), 92:12-18; POR at 55-56*

[0042] In one embodiment of the present invention, the CD is configured to request the transmission privilege through initiation or activation of a push-to-talk (PTT) key or switch. When a user of a CD in communication system 200 desires to transmit information to other group members, the push-to-talk switch located on the CD is depressed, sending a request (e.g., floor request) to obtain the transmission privilege from communication manager 218. If no other group member is currently assigned the transmission privilege and the communication criteria in effect does not so prohibit or deny the floor, the requesting user is granted (e.g., floor grant) the transmission privilege and is notified by an audible, visual, or tactile alert through the CD. After the requesting user has been granted the transmission privilege, information may then be transmitted from that user to the other group member(s).

*Ex. 1006 (Gogic) ¶ [0042]; POR at 55*

