

United States Patent and Trademark Office
Before the Patent Trial and Appeal Board

***Samsung Electronics Co., Ltd. and Samsung
Electronics America, Inc.***
v.
FENDGO, LLC

Hearing Date: February 19, 2025

IPR2024-00113, IPR2024-00114

Petitioners' Presentation

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

IPR2024-00113

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

2

OVERVIEW OF INSTITUTED GROUNDS

IPR2024-00113

Challenged Claims

Ground 1A: 9, 10, 12-14 obvious over Walker, Kim

Ground 1B: 14 obvious over Walker, Kim, Dixit

Ground 2: 15 obvious over Walker

Ground 3A: 9-14 obvious over Zellner, Kim

Ground 3B: 14 obvious over Zellner, Kim, Dixit

Ground 4A: 9, 10, 12-14 obvious over Martin, Kim

Ground 4B: 14 obvious over Martin, Kim, Dixit

OVERVIEW OF DISPUTED ISSUES

IPR2024-00113

- **The disputed issues:**
 1. **Walker & Martin disclose or suggest “transmitting owner identification information along with emergency information” (Claims 9, 13, 15)**
 2. **Walker, Zellner, and Martin disclose transmitting the emergency information to a “specified location.” (Claims 9, 13, 15)**
 3. **Martin discloses “send[ing] the emergency information and the specific information ... when the panic button is activated” (Claims 9, 13)**

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Walker & Martin disclose or suggest “transmitting owner identification information along with emergency information” (Claims 9, 13, 15)

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

5

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Claim 9	
9[pre]	A mobile device, comprising:
9[a]	a camera unit, adapted to obtain at least one of image data and audio data;
9[b]	a location unit, adapted to obtain location data;
9[c]	a transmitting unit, adapted to transmit as emergency information the image data, the audio data, and the location data along with specific information including owner identification information; and
9[d]	a panic button, adapted to activate the camera unit, the location unit, and the transmitting unit, and send the emergency information and the specific information to a specified location when the panic button is activated,
9[e]	wherein the panic button is activated by a series of depressings of the panic button.

Petition, Paper No. 2, at vii

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

6

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Claim 13	
13[pre]	A mobile device, comprising:
13[a]	a camera unit, adapted to obtain at least one of image data and audio data;
13[b]	a location unit, adapted to obtain location data;
13[c]	a transmitting unit, adapted to transmit the image data, the audio data, and the location data as emergency information to a specified location, along with specific information including owner identification information; and
13[d]	a panic button, which, when activated, performs the following panic button functions: (1) activating the camera unit, the location unit, and the transmitting unit to send the emergency information and the specific information to the specified location, and (2) dialing a public or private network for emergency purposes,
13[e]	wherein the panic button is activated by a series of depressings of the panic button.

Petition, Paper No. 2, at vii-viii

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Claim 15	
15[pre]	15. An emergency safety device, comprising:
15[a]	a camera unit, adapted to obtain at least one of image data and audio data;
15[b]	a location unit, adapted to obtain location data;
15[c]	a transmitting unit, adapted to transmit the image data, the audio data, and the location data as emergency information to a specified location via text message, along with specific information including owner identification information; and
15[d]	a panic button, adapted to activate the transmitting unit when activated,
15[e]	wherein the panic button is activated by a button sequence.

Petition, Paper No. 2, at viii

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

8

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Walker

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

9

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Petition:

Walker further discloses that the remote data storage facility creates a file linked with the “device owner’s identity” to record the data transmitted from the mobile device. *Id.* ¶¶[0092], [0097]; *see also id.* ¶[0106]; *Michalson* ¶89. Accordingly, a POSITA would have understood *Walker* to disclose the mobile device transmitting information to identify the device owner (“owner identification information”). *Michalson* ¶90.

Petition, Paper No. 2, at 13

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Walker:

- 4) The handheld device 1 communicates with the data storage facility 7 through the “always connected” wireless connection to the cellular network 4, which enables the device 1 to push data without requiring the user to establish a dial-up session, and transmits the time as displayed by the handheld device 1 to the data storage facility 7. The data storage facility 7 creates a unique electronic file to hold all data recorded during the call into this unique file. A new file is created for each new call received by the data storage facility 7. A database link between each file and the device owner’s identity or account is made, enabling the device owner and the data storage facility 7 to lookup and access files in the future which have previously been recorded by the device owner.

Walker ¶[0097], referenced at Petition, Paper No. 2, at 13

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Institution decision:

The fact that Walker’s data storage facility links the electronic file containing the transmitted information with the “device owner’s identity” suggests on this record that the mobile device transmits the “device owner’s identity” to the data storage facility along with the video, sound, and location data. Ex. 1007 ¶¶ 105–106. Without this information, the data storage facility could not associate the transmitted data with the electronic file linked to the “device owner’s identity.”

Institution Decision, Paper No. 11 at 29-30, referenced at Petitioners’ Reply, Paper No. 17 at 4

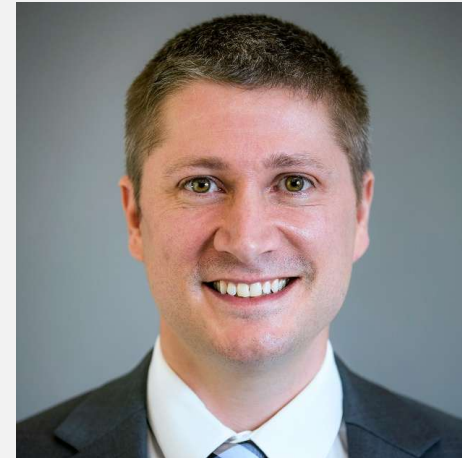
ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Q Do you agree that the mobile device must transmit some information that allows the data storage facility to create the database link between the file and the device owner's identity?

MS. MISBAH: Objection, form.

A I would agree that there must be something within the transmitted information that allows the data storage facility to create that link.



Dr. Edwards

EX1037 at 69:17-70:1, referenced at Petitioners' Reply, Paper No. 17 at 4-5

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Petition:

If PO argues or the Board finds that *Walker* does not disclose transmitting owner identification information, then, at a minimum, a POSITA would have found it obvious to modify *Walker* to do so. *Michalson* ¶¶91-97. As noted above, *Walker* discloses that the remote data storage facility creates a file linked with the “device owner’s identity” to record the data transmitted from the mobile device. *Walker* ¶¶[0092], [0097], [0106]. *Walker* is also concerned with identifying the individuals at the scene of a crime or other event. *Walker*, ¶¶[0001], [0040]-[0041], [0043], [0048]-[0049]; *Michalson* ¶93. These disclosures are at least an express suggestion to transmit information to identify the owner of the device. In particular, a POSITA would have understood that transmitting the owner identification information would have allowed the remote storage facility to link the recorded information with the device owner’s identity and would have advanced *Walker*’s objective to identify individuals present at the scene of the emergency described by the image, audio, and location data. *Michalson* ¶94.

Petition, Paper No. 2, at 13-14

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Petitioners’ Reply:

- a. **PO did not address both of Petitioners’ motivations to modify *Walker*.**

PO does not acknowledge, much less rebut, Petitioners’ first argument for why this limitation would have been obvious. That is, PO does not address Petitioner’s point that a POSITA would have been motivated to transmit the device owner’s identity along with the other transmitted information (even if *Walker* does not already expressly disclose doing so) to create the link with the “device owner’s identity.”

Petitioners’ Reply, Paper No. 17, at 6

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Petitioners’ Reply:

Nor does PO dispute that *Walker* is generally concerned with identifying the individuals at the scene of a crime and that transmitting the owner identification information would advance that goal. Rather, PO argues that “there is no motivation for Walker to provide owner identification information in tandem with the emergency information, as no emergency services are alerted when the user presses the ‘eyewitness button,’” and *Walker* is purportedly limited to “*retroactively investigating an incident.*” POR at 11 (emphasis in original); *see also id.* at 12

Petitioners’ Reply, Paper No. 17, at 6

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Petitioners’ Reply: investigations. As Dr. Michalson noted, *Walker* explains that “[t]he invention additionally *enables police* to locate all individuals who activate this function of the device, within a selected range of times and distances of any crime scene, thereby aiding police in locating and interviewing potential witnesses to a crime.” *Michalson* ¶93 (cited at Petition 13) (emphasis added); *Walker* ¶[0041]. Indeed, *Walker* expressly contemplates using the mobile device to contact emergency services. *Walker* ¶[0125] (in one embodiment, “the device may be used in emergency situations to monitor, record and transmit such data to the relevant emergency services, simultaneously as the user conducts a video call and/or video conference communication with emergency services.”); *see also id.* ¶¶141, 142 claims 94, 95, 100. To be sure, while *Walker*’s disclosure may aid police in retroactive

Petitioners’ Reply, Paper No. 17, at 7

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Walker:

The present invention additionally enables police to access all such recordings made by any individuals in possession of this mobile communications handheld device at or near the scene of a crime, thereby aiding the collection of evidence in connection with crimes. The invention additionally enables police to locate all individuals who activate this function of the device, within a selected range of times and distances of any crime scene, thereby aiding police in locating and interviewing potential witnesses to a crime. The location of users is only recorded and made accessible to police on pressing the eyewitness button of the device. When the device is used in its normal capacity as a handheld mobile communications device the whereabouts of the user is not tracked, unless the user opts in to additional services and activates an automatic tracking function.

Walker ¶[0041], referenced at Petition, Paper No. 2, at 13

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Petition:

A POSITA would have had a reasonable expectation of success in modifying *Walker* to transmit information to identify the owner to accomplish *Walker*'s objectives because techniques for doing so were well-known. *Michalson* ¶¶95-97 (discussing *Chang*, Abstract, 3:6-22, 11:1-7, 12:13-18, FIGS. 3A-3B).

Petition, Paper No. 2, at 14

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Petitioners’ Reply:

- b. PO did not dispute that a POSITA would have known how to modify *Walker* to transmit owner identification information.**

PO does not dispute Dr. Michalson’s testimony, corroborated by *Chang*, that there were well-known techniques for modifying *Walker* in a manner that would meet the claims. PO argues that *Chang* is “not part of the express Ground,” (POR at 12), but that is of no moment. PO has offered no argument or evidence that techniques for transmitting owner identification information along with the video, sound, and other data *were not* within the general knowledge of a POSITA. *See*

Petitioners’ Reply, Paper No. 17, at 9-10

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

20

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113



Koninklijke Philips N.V. v. Google LLC,
948 F.3d 1330, 1337 (Fed. Cir. 2020),
cited at Petitioners' Reply, Paper No.
17 at 10.

“Google properly alleged that a skilled artisan would have known about pipelining and been motivated to combine pipelining with SMIL 1.0 the Board relied on expert evidence, which was corroborated by Hua, in concluding that pipelining was not only in the prior art, but also within the general knowledge of a skilled artisan. Moreover, Philips offered no evidence to rebut the conclusion that a skilled artisan would have known about pipelining.”

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

21

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Martin

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

22

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Petition:

Martin also discloses a “user profile,” which includes “the name of the user of wireless device 100” and that it is sent “to establish the wireless communication session” or during the communication session. *Id.*, 4:36-42; *see also id.*, claim 43 (“The method of claim 42, further comprising the step of transmitting the user profile to the called party during the wireless communication session.”). A POSITA would have understood that the user of the device is, at least sometimes (if not most times), the owner of the device. *Michalson* ¶¶305-306. This is sufficient to meet the claim. *Hewlett-Packard*, 340 F.3d at 1326; *see also Unwired Planet*, 841 F.3d at 1002.

Petition, Paper No. 2, at 57

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Martin:

In step **304**, information related to wireless device **100** can be stored in the memory. The information may comprise the relationship created in step **102** and a user profile. The user profile may comprises, for example, the name of the user of wireless device **100**, the medical record of the user, the type of vehicle owned by the user, and/or the vehicle’s license plate number. The information can be provided to called party **200** when the keystroke sequence is used to establish the wireless communication session. The information may also be stored in a database accessible by called party **200**. For example, the information may be stored in at least one of database **290** and database **390**.

Martin, 4:34-45, referenced at Petition, Paper No. 2, at 57

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Martin:

35. A method for reporting an emergency situation to a called party, the method comprising:

- creating a relationship between a keystroke sequence and the called party;
- storing the relationship in a memory of a wireless device;
- receiving the keystroke sequence through a keyboard of the wireless device;
- deactivating a display of the wireless device;
- establishing a wireless communication session with the called party; muting incoming audio signals of the wireless device;
- generating location information pinpointing a location of the wireless device; and
- providing the location information to the called party during the wireless communication session.

42. The method of claim **35**, further comprising the step of storing a user profile in the memory.

43. The method of claim **42**, further comprising the step of transmitting the user profile to the called party during the wireless communication session.

Martin, Claim 43, referenced at Petition, Paper No. 2 at 57

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Patent Owner Response:

First, *Walker* and *Martin* do not disclose transmitting “owner identification information” along with “emergency information” as required by claim limitations 9[c], 13[c], and 15[c]. Because of this deficiency, which is included in each of the challenged independent claims, the Petition fails to establish the unpatentability of the Challenged Claims.

Patent Owner Response, Paper No. 15, at 2

ISSUE 1: “OWNER IDENTIFICATION INFORMATION”

IPR2024-00113

Petitioners’ Reply:

PO summarily argued in the Introduction section of the POR that *Martin* does not “disclose transmitting ‘owner identification information’ along with ‘emergency information’ as required by claim limitations 9[c], 13[c], and 15[c].” POR at 2. Other than this single sentence in the Introduction, however, PO did not make any argument or provide any supporting evidence. Cf. POR at 21-25 (arguing that *Martin* does not disclose claim limitations 9[d] and 13[d]). PO’s argument should be rejected because it is contradicted by the record evidence.

Petitioners’ Reply, Paper No. 17, at 16

OVERVIEW OF DISPUTED ISSUES

IPR2024-00113

- **The disputed issues:**

1. Walker & Martin disclose or suggest “transmitting owner identification information along with emergency information” (Claims 9, 13, 15)
2. **Walker, Zellner, and Martin disclose transmitting the emergency information to a “specified location.” (Claims 9, 13, 15)**
3. Martin discloses “send[ing] the emergency information and the specific information ... when the panic button is activated” (Claims 9, 13)

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

**Walker, Zellner, and Martin
disclose transmitting the
emergency information to a
“specified location.” (Claims 9,
13, 15)**

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

29

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Claim 9	
9[pre]	A mobile device, comprising:
9[a]	a camera unit, adapted to obtain at least one of image data and audio data;
9[b]	a location unit, adapted to obtain location data;
9[c]	a transmitting unit, adapted to transmit as emergency information the image data, the audio data, and the location data along with specific information including owner identification information; and
9[d]	a panic button, adapted to activate the camera unit, the location unit, and the transmitting unit, and send the emergency information and the specific information to a specified location when the panic button is activated,
9[e]	wherein the panic button is activated by a series of depressings of the panic button.

Petition, Paper No. 2 at vii

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

30

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Claim 13	
13[pre]	A mobile device, comprising:
13[a]	a camera unit, adapted to obtain at least one of image data and audio data;
13[b]	a location unit, adapted to obtain location data;
13[c]	a transmitting unit, adapted to transmit the image data, the audio data, and the location data as emergency information to a specified location, along with specific information including owner identification information; and
13[d]	a panic button, which, when activated, performs the following panic button functions: (1) activating the camera unit, the location unit, and the transmitting unit to send the emergency information and the specific information to the specified location, and (2) dialing a public or private network for emergency purposes,
13[e]	wherein the panic button is activated by a series of depressings of the panic button.

Petition, Paper No. 2, at vii-viii

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

31

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Claim 15	
15[pre]	15. An emergency safety device, comprising:
15[a]	a camera unit, adapted to obtain at least one of image data and audio data;
15[b]	a location unit, adapted to obtain location data;
15[c]	a transmitting unit, adapted to transmit the image data, the audio data, and the location data as emergency information to a specified location via text message, along with specific information including owner identification information; and
15[d]	a panic button, adapted to activate the transmitting unit when activated,
15[e]	wherein the panic button is activated by a button sequence.

Petition, Paper No. 2, at viii

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

32

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

'404 Patent:

The present invention in one embodiment communicates the emergency information (image information, location information, owner information, etc.) through a TCP/IP (Transmission Control Protocol/internet Protocol) connection on the phone or mobile device, or through another such as WAP (Wireless Application Protocol). TCP/IP is a communications protocol that is used to connect hosts on the Internet, and TCP/IP is the de facto standard for transmitting data over networks. The present invention may also use an MMS (Multimedia Message Service) system, which is a mix between internet protocol and e-mail protocol. More specifically, MMS is a store-and-forward method of transmitting graphics, video clips, sound files, and short text messages over wireless networks using WAP. MMS implementations also support e-mail addressing, so that the device can send e-mails directly to an e-mail address. The presentation of the MMS message is coded into the presentation file so that images, sounds, and text are displayed in a predetermined order as one singular message. The most common use of MMS is for communication between mobile phones/devices. MMS is one method enabling the present invention to obtain video/audio information and send the data to a specified location. Of course, the present invention is not limited to using protocols such as TCP/IP and MMS.

'404 Patent, 6:20-43, cited at
Petition, Paper No. 2, at 22

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Institution Decision:

On the current record, we do not agree with Patent Owner’s argument. Although Patent Owner argues that the user must be able to select a “specified location” in claim 9, there is no language to this effect in the claim. *See In re Self*, 671 F.2d 1344, 1348 (CCPA 1982) (stating that limitations not appearing in the claims cannot be relied upon for patentability). In other words, claim 9 does not recite that the mobile device’s user specifies the location to which the recorded data is to be sent.

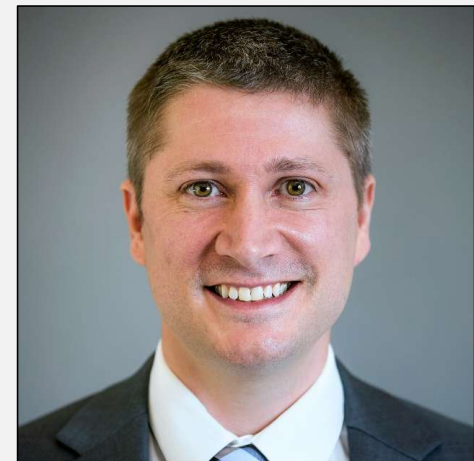
Institution Decision, Paper No. 11, at 33

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Dr. Edwards Declaration:

By including owner identification information with each instance of emergency information, the system does not require any preregistration of the owner identification information at the “specified location,” and the architecture of the system does not have a fixed recipient such as one dedicated operation center or one dedicated data storage facility. The user is therefore able to specify the recipient as a 911 Call Center or some other recipient, such as a “private emergency network specifically set up for these purposes to work with the public authorities in assisting victims.” Ex. 1001 (’404 Patent), 5:47-50. The recipient



Dr. Edwards

EX2001 ¶[0062], referenced at PO Sur-Reply, Paper No. 19, at 5

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113



“[T]he written description is not a substitute for, nor can it be used to rewrite, the chosen claim language.”

Resonate Inc. v. Alteon Websystems, Inc., 338 F.3d 1360, 1364 (Fed. Cir. 2003), cited at Petitioners’ Reply, Paper No. 17, at 10-11.

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

36

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113



“ARM points to passages of the patent specification that describe specific embodiments that have fully-enclosed structures. But ARM ignores other embodiments in the specification, which clearly show that a ‘brewing chamber’ is not fully enclosed.”

Eko Brands, LLC v. Adrian Rivera Maynez Enterprises, Inc., 946 F.3d 1367, 1373 (Fed. Cir. 2020), cited at Petitioners’ Reply, Paper No. 17, at 12

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

'404 Patent:

Further, cellular telephones typically comply with e-911, which is emergency 911. Thus, when one dials 911, the dispatch operator can immediately obtain the location. For example, the panic button of the present invention can automatically contact 911 upon a press or series of presses of the button, or upon a codeward. There can also be a

'404 Patent, 6:54-59, cited at Petitioners' Reply, Paper No. 17, at 12

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113



“To be clear, Patent Owner could have filed a motion to amend the claim language, but did not do so. ... ‘[C]onstruing claim language does not equate to rewriting the claim.’)”

Resmed, Inc. v. New York University, IPR2022-00989, Paper 69 n.9 (Dec. 4, 2023), cited at Petitioners’ Reply, Paper No. 17, at 13.

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113



The Board “is not required to accept a patent owner’s arguments as disclaimer when deciding the merits of those arguments.”

CUPP Computing AS v. Trend Micro Inc., 53 F.4th 1376, 1383-84 (Fed. Cir. 2022), cited at Petitioners’ Reply, Paper No. 17, at 12

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Walker

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

41

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Petition:

Walker further discloses that data from the handheld communications device is transmitted to a specified location (e.g., a data storage facility) as opposed to merely broadcast. *Michalson* ¶¶138-139. The mobile device transmits the recorded data to the data storage facility “through a dialup connection or by email or by email attachment or by an electronic messaging service.” *Id.* ¶[0134]; see also *id.* ¶¶[0084]-[0085], claim 86 (“wherein said handheld device transmits said data to said data storage facility through a dialup connection or by email or by email attachment or by an electronic messaging service”).

Petition, Paper No. 2, at 22

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

42

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Petition:

A POSITA would have understood that a dial-up connection, email, or electronic messaging service would have required a recipient location to be selected or specified, for example, by the system designer or the user (e.g., by inputting a phone number or an email address). *Michalson* ¶140 (citing EX1023). This is consistent with how the '404 patent describes transmitting to a “specified location.” '404pat., 6:38-42 (“MMS is one method enabling the present invention to obtain video/audio information and send the data to a specified location.”); *see also id.*, 7:41-44 (describing transmission “to the emergency personnel”), 3:4-21 (describing transmitting data “to the authorities”), 6:44-53 (describing transmission through “regular e-mail”). Thus, a POSITA would have understood *Walker* to disclose sending the data and information to a specified location. *Michalson* ¶¶141-142.

Petition, Paper No. 2, at 22

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

43

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Walker:

In another embodiment of the invention the handheld device 1 transmits recorded data to the data storage facility 7 through a dialup connection or by email or by email attachment or by an electronic messaging service.

Walker ¶[00134], referenced at Petition, Paper No. 2, at 22

electronic messaging Any form of sending, receiving, and exchanging messages, such as emails, instant messages, MMSs, or SMSs, utilizing a communications network.

EX1023, referenced at Petition, Paper No. 2, at 22

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

'404 Patent:

The present invention in one embodiment communicates the emergency information (image information, location information, owner information, etc.) through a TCP/IP (Transmission Control Protocol/internet Protocol) connection on the phone or mobile device, or through another such as WAP (Wireless Application Protocol). TCP/IP is a communications protocol that is used to connect hosts on the Internet, and TCP/IP is the de facto standard for transmitting data over networks. The present invention may also use an MMS (Multimedia Message Service) system, which is a mix between internet protocol and e-mail protocol. More specifically, MMS is a store-and-forward method of transmitting graphics, video clips, sound files, and short text messages over wireless networks using WAP. MMS implementations also support e-mail addressing, so that the device can send e-mails directly to an e-mail address. The presentation of the MMS message is coded into the presentation file so that images, sounds, and text are displayed in a predetermined order as one singular message. The most common use of MMS is for communication between mobile phones/devices. MMS is one method enabling the present invention to obtain video/audio information and send the data to a specified location. Of course, the present invention is not limited to using protocols such as TCP/IP and MMS.

'404 Patent, 6:20-43, cited at
Petition, Paper No. 2, at 22

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Zellner

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

46

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Petition:

Zellner also discloses that the information is transmitted to a specific location (i.e., the ESC) as opposed to merely broadcast, and that the user may program the portable IP device with information about the ESC, including the name, IP address, telephone number, email, and name of a contact person at the ESC. *Zellner*, 10:3-8. A POSITA would have understood such programming to comprise specifying the ESC to which the information is transmitted. *Michalson* ¶¶259-260. This is consistent with how the ’404 patent describes transmitting to a “specified location,” as described in §VIII.A.1.e(ii). Thus, a POSITA would have understood *Zellner* to disclose sending the data and information to a specified location. *Id.*

Petition, Paper No. 2, at 22

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

47

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Zellner:

The keypad interface logic **44** is coupled to the keyboard **30** and receives signals sent from the keyboard **30** when the user presses one or more keys thereon. The user may “program” the IP device **20** with pertinent data about the ESC **12** including, for example, the name of the ESC **12**, the IP address of the ESC **12**, the telephone number and name of the contact person at the ESC **12**, the e-mail address of the ESC **12**, etc. These data may be entered using various keys

Zellner, 10:3-8, referenced at Petition, Paper No. 2, at 47

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

PO Response:

recipient is part of the system's architecture and is not user-configurable. Although Zellner discloses “[t]he user may ‘program’ the IP device 20 with pertinent data about the 5 ESC 12 including, for example, the name of the ESC 12, the IP address of the ESC 12, the telephone number and name of the contact person at the ESC 12, the e-mail address of the ESC 12, etc.”, this still limits Zellner to an ESC and does not allow the user to specify any location. Ex. 1008 at 10:3-8; Ex. 2001 (Edwards Decl.) at ¶78.

PO Response, Paper No. 15, at 19-20

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Martin

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

50

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Petition:

Martin further discloses that data from the mobile device is transmitted to a specified location as opposed to merely broadcast. *Martin* discloses defining or creating a relationship between keystroke sequence and a called party (i.e., the called number), for example, “911.” *Martin*, 2:23-27, 4:22-25, 4:45-50, Fig. 5 (step 502); *Michalson* ¶327. The called party may be a public safety answering point (PSAP), undercover law enforcement operation center, and/or other parties. *Martin*, 6:29-34, 6:43-46, 7:18-25. *Michalson* ¶328. More particularly, *Martin* discloses that to

Petition, Paper No. 2, at 62

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

51

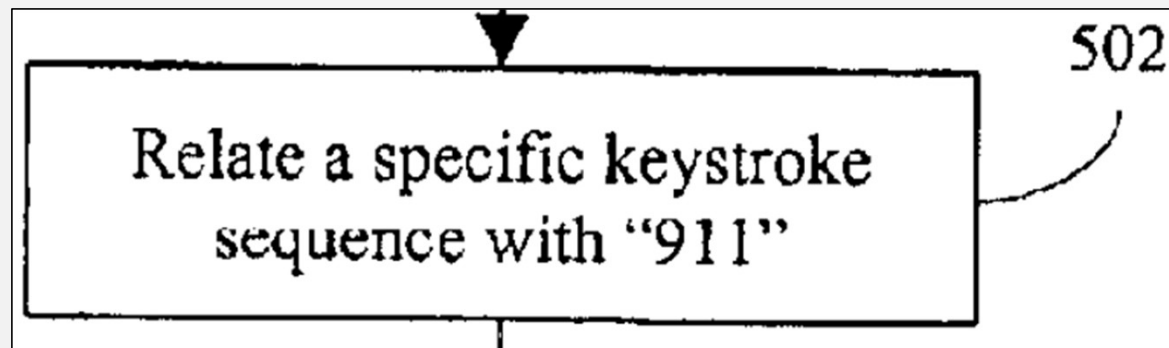
ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

Martin:

A preferred method for using the present invention comprises the following steps. First, a relationship between a telephone number that is associated with the called party (the called number) and a sequence of keystrokes is created, and the relationship is programmed into the wireless device.

Martin, 2:23-27, referenced at Petition, Paper No. 2, at 62



Martin, FIG. 5 (step 502), referenced at Petition, Paper No. 2, at 62

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

52

ISSUE 2: “SPECIFIED LOCATION”

IPR2024-00113

PO Response:

A POSITA would not understand these systems to include a “specified location” **configurable by the user**, because Martin favors long-term storage capabilities or otherwise depends on prior associations between the user device and called party, as opposed to a flexible system that shares all the necessary emergency and owner identification information on-the-fly without any requirement for a “user profile” or otherwise maintenance of a database for reference and retrieval at a later time. Ex. 2001 (Edwards Decl.) at ¶87.

PO Response, Paper No. 15, at 24

OVERVIEW OF DISPUTED ISSUES

IPR2024-00113

- **The disputed issues:**

1. Walker & Martin disclose or suggest “transmitting owner identification information along with emergency information” (Claims 9, 13, 15)
2. Walker, Zellner, and Martin disclose transmitting the emergency information to a “specified location.” (Claims 9, 13, 15)
3. **Martin discloses “send[ing] the emergency information and the specific information ... when the panic button is activated” (Claims 9, 13)**

ISSUE 3: “EMERGENCY INFO & SPECIFIC INFO WHEN THE PANIC BUTTON IS ACTIVATED”

IPR2024-00113

**Martin discloses “send[ing] the
emergency information and the
specific information ... when the
panic button is activated”
(Claims 9, 13)**

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

55

ISSUE 3: “EMERGENCY INFO & SPECIFIC INFO WHEN THE PANIC BUTTON IS ACTIVATED”

IPR2024-00113

Claim 9	
9[pre]	A mobile device, comprising:
9[a]	a camera unit, adapted to obtain at least one of image data and audio data;
9[b]	a location unit, adapted to obtain location data;
9[c]	a transmitting unit, adapted to transmit as emergency information the image data, the audio data, and the location data along with specific information including owner identification information; and
9[d]	a panic button, adapted to activate the camera unit, the location unit, and the transmitting unit, and send the emergency information and the specific information to a specified location when the panic button is activated,
9[e]	wherein the panic button is activated by a series of depressings of the panic button.

Petition, Paper No. 2, at vii

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

56

ISSUE 3: “EMERGENCY INFO & SPECIFIC INFO WHEN THE PANIC BUTTON IS ACTIVATED”

IPR2024-00113

Claim 13	
13[pre]	A mobile device, comprising:
13[a]	a camera unit, adapted to obtain at least one of image data and audio data;
13[b]	a location unit, adapted to obtain location data;
13[c]	a transmitting unit, adapted to transmit the image data, the audio data, and the location data as emergency information to a specified location, along with specific information including owner identification information; and
13[d]	a panic button, which, when activated, performs the following panic button functions: (1) activating the camera unit, the location unit, and the transmitting unit to send the emergency information and the specific information to the specified location, and (2) dialing a public or private network for emergency purposes,
13[e]	wherein the panic button is activated by a series of depressings of the panic button.

Petition, Paper No. 2, at viii

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

57

ISSUE 3: “EMERGENCY INFO & SPECIFIC INFO WHEN THE PANIC BUTTON IS ACTIVATED”

IPR2024-00113

Petition:

Martin in combination with *Kim* discloses or suggests this feature. *Michalson* ¶¶322-331. *Martin* discloses that entering the keystroke sequence with a keyboard key triggers the device to perform various tasks. With reference to the exemplary method in Figure 3, *Martin* discloses:

- Entering a keystroke sequence at the wireless device to establish a wireless communication session with the called party. *Id.*, 4:46-53, 4:64-5:3, Fig. 3 (steps 306, 310);
- Generating and providing location information of the wireless device to the called party. *Id.*, 5:4-14, Fig. 3 (steps 312, 314); and
- Capturing content (such as images and sound) and transmitting that content to the called party. *Id.*, 5:39-47, Fig. 3 (steps 320, 322).

Petition, Paper No. 2, at 61-62

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

ISSUE 3: "EMERGENCY INFO & SPECIFIC INFO WHEN THE PANIC BUTTON IS ACTIVATED"

IPR2024-00113

Martin:

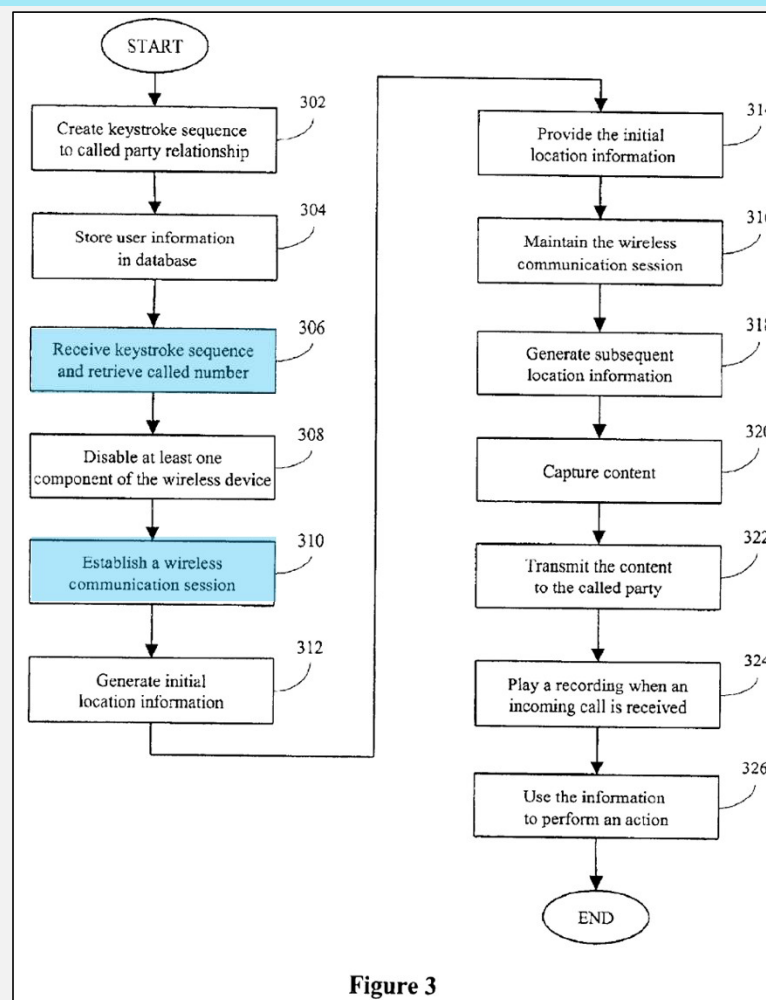


Figure 3

Martin, FIG. 3 (annotated), cited at Petition, Paper No. 2, at 61-63; EX1002 ¶324

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

ISSUE 3: "EMERGENCY INFO & SPECIFIC INFO WHEN THE PANIC BUTTON IS ACTIVATED"

IPR2024-00113

Martin:

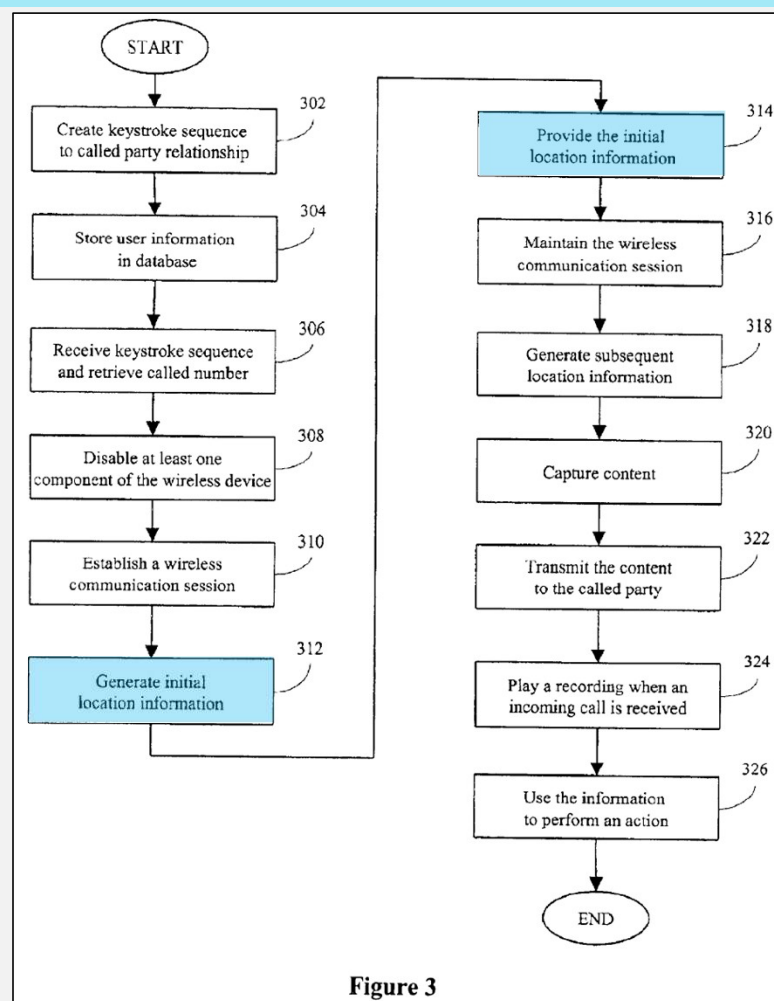


Figure 3

Martin, FIG. 3 (annotated), cited at Petition, Paper No. 2, at 61-63; EX1002 ¶324

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

ISSUE 3: "EMERGENCY INFO & SPECIFIC INFO WHEN THE PANIC BUTTON IS ACTIVATED"

IPR2024-00113

Martin:

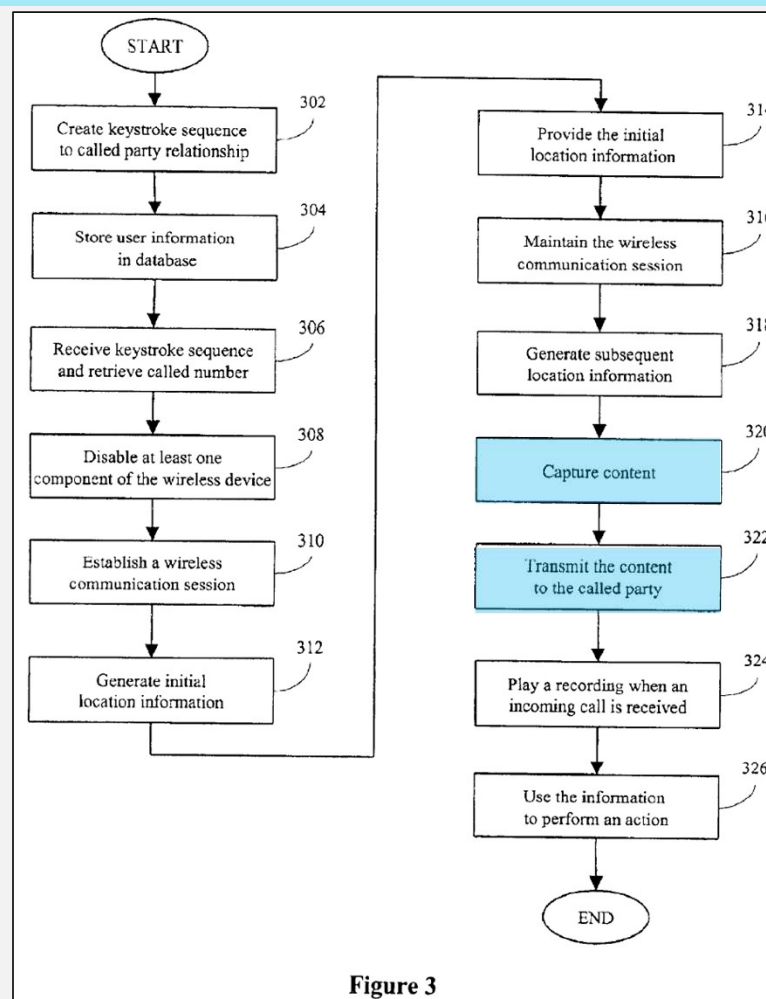


Figure 3

Martin, FIG. 3 (annotated), cited at Petition, Paper No. 2, at 61-63; EX1002 ¶324

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

ISSUE 3: “EMERGENCY INFO & SPECIFIC INFO WHEN THE PANIC BUTTON IS ACTIVATED”

IPR2024-00113

PO Preliminary Response:

To the extent that *Martin* discloses transmitting image data, audio data, and location data, the Petition does not establish that the image data, audio data, and location data are collected and transmitted at the same time and together, such as when a panic button is pressed. For example, Petitioners rely heavily on Figure 3 of *Martin* to show that emergency information is transmitted once a keystroke sequence is entered. See Petition at 61-62. However, Figure 3 (and the rest of *Martin*) is clear that certain information, such as location information and images, are transmitted sequentially rather than at the same time together. Figure 3 of *Martin* is reproduced

PO Response, Paper No. 10, at 16-17

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

62

ISSUE 3: “EMERGENCY INFO & SPECIFIC INFO WHEN THE PANIC BUTTON IS ACTIVATED”

IPR2024-00113

Institution Decision:

Patent Owner argues that Petitioner does not establish that image data, audio data, and location data are collected and transmitted at the same time together in response to a user pressing the panic button. Prelim.

Resp. 15–18. Instead, Patent Owner contends that Martin sends location information and images sequentially. *Id.* at 16–18.

Reviewing claims 9, 10, and 12–14, we do not find any language requiring image data, audio data, and location data to be sent at the same time. Limitations not appearing in the claims cannot be relied upon for patentability. *Self*, 671 F.2d at 1348.

Institution Decision, Paper No. 11, at 45

ISSUE 3: “EMERGENCY INFO & SPECIFIC INFO WHEN THE PANIC BUTTON IS ACTIVATED”

IPR2024-00113

PO Response:

To the extent that *Martin* discloses transmitting image data, audio data, and location data, the Petition does not establish that the image data, audio data, and location data are collected and transmitted at the same time and together, such as when a panic button is pressed. For example, Petitioners rely on Figure 3 of *Martin* to show that emergency information is transmitted once a keystroke sequence is entered. See Petition at 61-62. However, Figure 3 (and the rest of *Martin*) is clear that certain information, such as location information and images, are transmitted sequentially rather than at the same time together. *Martin* discloses that receiving a

PO Response, Paper No. 15, at 25

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

64

ISSUE 3: “EMERGENCY INFO & SPECIFIC INFO WHEN THE PANIC BUTTON IS ACTIVATED”

IPR2024-00113

Dr. Michalson:

BY MS. MISBAH:

Q. I understand. So as part of this communication session, you agree that data is being transmitted sequentially as the communication session is open?

MR. REIDY: Objection, form.

THE WITNESS: Well, I mean, we're talking about a single communications path. So by definition, it would be sequentially being transmitted through that path. But you've opened a communication system, so all the data that is being transferred in that session is being transferred contemporaneously.



Dr. Michalson

EX2002 at 64:21-65:8, referenced at Petitioners' Reply, Paper No. 17, at 19

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

ISSUE 3: “EMERGENCY INFO & SPECIFIC INFO WHEN THE PANIC BUTTON IS ACTIVATED”

IPR2024-00113

Dr. Michalson:

10 Q. Do you see any language in Column 5 or
11 in the spec which says that all of this data is
12 being transmitted contemporaneously?

13 A. Well, this is a -- this is a scenario
14 in which you're capturing information that's being
15 reported to a third party in the event of an
16 emergency, so it has to be being transmitted
17 contemporaneously in the flow of that emergency.

18 So these -- these boxes in this flow chart are
19 occurring at computer speeds, so they'd only be
20 throttled by the bandwidth of that communication
21 session.



Dr. Michalson

EX2002 at 65:10-65:21, referenced at Petitioners' Reply, Paper No. 17, at 19

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

IPR2024-00114

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

67

OVERVIEW OF INSTITUTED GROUNDS

IPR2024-00114

Challenged Claims

Ground 1: 1-8 obvious over *DiPerna* in view of *Strack*

- **The sole disputed issue:** claims 1-8 are not entitled to priority before January 30, 2019

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

Institution Decision:

Petitioner bears the burden of persuasion regarding unpatentability throughout an *inter partes* review proceeding. *Dynamic Drinkware, LLC v. Nat’l Graphics, Inc.*, 800 F.3d 1375, 1378 (Fed. Cir. 2015). Petitioner thus bears the initial burden to show that a reference is prior art, for example, by showing that the challenged patent’s priority chain does not provide written description support under § 112(a). *Id.* at 1379. Once this is met, the burden of production then shifts to Patent Owner to show that the reference is not prior art, such as by proving entitlement to an earlier priority date. *Id.* at 1380. The Board has extended the *Dynamic Drinkware* framework to the institution stage on many occasions. *See, e.g., Polaris Wireless, Inc. v. TruePosition, Inc.*, IPR2013-00323, Paper 9 at 29 (PTAB Nov. 15, 2013); *Unified Patents, LLC v. MasterObjects, Inc.*, IPR2020-01201, Paper 26 at 9 (PTAB January 11, 2021).

Institution Decision, Paper No. 10, at 16

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

Institution Decision:

Petitioner has demonstrated a reasonable likelihood that a POSITA would have been motivated to combine DiPerna964 with Strack with a reasonable expectation of success, and that each limitation of claim 1 is disclosed or at least suggested by the combination of DiPerna964 and Strack. Accordingly, Petitioner has demonstrated a reasonable likelihood that claim 1 is unpatentable as obvious over the combination of DiPerna964 and Strack notwithstanding Patent Owner’s arguments.

Institution Decision, Paper No. 10, at 27

The Board made similar a substantive finding with respect to each of dependent claims 2-8. See Institution Decision, Paper 10, at 28-31

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

70

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

Prosecution History of '404 Patent (EX1004)

7. (Currently Amended) A mobile device, comprising:

- a camera unit, adapted to obtain at least one of image data and audio data;
- a location unit, adapted to obtain location data;
- a transmitting unit, adapted to transmit at least one of the image data, the audio data, and the location data as emergency information to a specified location, along with specific information including owner identification information; and
- a panic button, adapted to, when activated, ready itself to perform at least one of the following panic button functions: (1) dialing a public or private network for emergency purposes or (2) activating the transmitting unit,

wherein the panic button is activated by a depressing of the panic button together with another button at substantially the same initial time such that no panic button function is activated unless both buttons are depressed.

EX1004 at 122, cited at
Petition, Paper No. 2, at 6

DEMONSTATIVE EXHIBIT – NOT EVIDENCE

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

Petition:

As shown above, application claim 7 was amended to require that the panic button is adapted to, when activated, “ready itself to”² perform certain functions. In the remarks accompanying the amendments, the applicant did not explain or provide specification support for the “ready itself” amendment. See EX1004 at 128-132

Petition, Paper No. 2, at 6

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

Petition:

At best, the '353 application describes an embodiment in which the mobile device includes a “separate ‘safety’ switch which, upon being moved into position, readies the panic button to contact 911 upon being pressed.” EX1007 at 13. Otherwise, the '353 application generally describes that when the panic button is activated (e.g., pressed) the various functions or processes are triggered. *See, e.g., Id.*, 5-6, 10, 15. A POSITA would not have understood the '353 application to disclose expressly or inherently any feature by which the panic button, when pressed or activated, merely readies itself to perform certain functions (as opposed to, for example, just performing the functions). *Michalson* ¶53. Accordingly, a POSITA

Petition, Paper No. 2, at 6

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

73

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

'353 Application (EX1006):

Further, cellular telephones typically comply with e-911, which is emergency 911. Thus, when one dials 911, the dispatch operator can immediately obtain the location. For example, the panic button of the present invention can automatically contact 911 upon a press or series of presses of the button, or upon a codeword. There can also be a separate “safety” switch which, upon being moved into position, readies the panic button to contact 911 upon being pressed. The panic button can be activated upon dialing 911 itself or upon pressing the panic button along with an emergency touchpad “picture.” The present invention can obtain location

EX1006 at 13, cited at Petition, Paper No. 2, at 9

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

Institution Decision:

Thus, moving the safety switch into position readies the panic button, which is not the same as the panic button readying itself to perform functions in claims 1–8 of the ’404 patent. Patent Owner does not sufficiently address this issue in its assertions. *See* Prelim. Resp. 5–7.

Institution Decision, Paper No. 10, at 17

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

Patent Owner Response:

Petitioners incorrectly argue that the '353 application does not disclose readying a panic button. The '353 application discloses readying the panic button and the safety device in general. *See* Ex. 1006 at 23. Petitioners themselves point to a portion of the '353 application that discloses readying the panic button. Petition

Patent Owner Response, Paper No. 14, at 6

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

Petitioners’ Reply:

As an initial matter, this argument misrepresents Petitioners’ actual position. Petitioners are not arguing that the ’353 application does not disclose “readying a panic button”; rather, Petitioners argue that there is no written description support prior to January 30, 2019 for the full scope of limitation 1[d], which requires:

Petitioner Reply, Paper No. 16, at 6

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

Patent Owner Response:

itself” to perform the functions outlined in limitation 1[d]. For example, the ’353 application discloses an embodiment where “the button can start the speech recognition process... to trigger the device.” Ex. 1006 at 25. This means that the panic button performs the function of “start[ing] the speech recognition process,” without immediately dialing 911 or activating the transmitter. Ex. 2001 (Edwards Decl.), ¶64. In this case, the button readies the device to dial 911 by initiating the speech recognition process which would then further trigger the dialing of 911 upon recognition of the correct voice prompt. *Id.*

Patent Owner Response, Paper No. 14, at 8

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

78

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114



To satisfy the written description requirement, “one skilled in the art, reading the original disclosure, must immediately discern the limitation at issue in the claims.”

Purdue Pharma L.P. v. Faulding Inc., 230 F.3d 1320, 1323 (Fed. Cir. 2000), cited at Petitioners’ Reply, Paper No. 16, at 9

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

79

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114



“While the meaning of terms, phrases, or diagrams in a disclosure is to be explained or interpreted from the vantage point of one skilled in the art, all the limitations must appear in the specification.”

Lockwood v. Am. Airlines, Inc., 107 F.3d 1565, 1572 (Fed. Cir. 1997), cited at Petitioners' Reply, Paper No. 16, at 9

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

80

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

Petitioners’ Reply:

First, the sentence identified by PO *does not* disclose that “activating” the panic button causes the panic button to “ready itself” to do anything. Nor does it say that “activating” the button starts the speech recognition process. When this sentence is read in context, it merely discloses that, in one embodiment, the button can start the speech recognition process, which allows the panic button to subsequently be *activated* by utterance of “911” or a “code word.” See ’404pat., 3:59-64 (“[a] voice

Petitioner Reply, Paper No. 16, at 6

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

81

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

Petitioners’ Reply:

Second, PO’s argument fails to acknowledge that limitation 1[d] requires that the panic button “ready *itself*” to perform the claimed functions. PO asserts that “[i]n this case, the button readies *the device*” to perform a function (POR at 7-8), but PO provides no evidence or argument as to why a POSITA would have considered that equivalent to the claim, which requires the button to “*ready itself*.” *Lockwood*, 107

Petitioner Reply, Paper No. 16, at 6

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

'404 Patent:

A voice activation unit may be provided which **activates the panic button using a codeword**. The panic button may be activated by at least one of: (1) a depressing or series of depressions of the panic button, (2) a depressing of the panic button for a predetermined time period, (3) a depressing of the panic button together with another button, and (4) **a codeword**. The location unit may obtain the location data

EX1001 at 3:59-64, cited at Petitioners' Reply, Paper No. 16, at 8-9

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

Institution Decision:

Patent Owner’s reliance on disclosures elsewhere in the ’404 patent is likewise not persuasive. Prelim. Resp. 5–6. For example, the ’353 application mentions “ready” in relation to using a self-defense mechanism such as pepper spray, which has not been shown to be related to the panic button. Ex. 1006, 5, 9–10. Although Patent Owner relies on the ’353 application’s description of voice activation using a codeword, voice activation does not ready the panic button for activation to perform functions, but actually activates the panic button to perform those functions. Prelim. Resp. 6 (citing Ex. 1006, 17).

Institution Decision, Paper No. 10, at 17

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

NO SUPPORT FOR “READY ITSELF” LIMITATION

IPR2024-00114

Petitioners’ Reply:

Finally, PO fails to acknowledge that limitation 1[d] requires performance of *two* functions. At best, PO addresses the first function, i.e., “dialing a public or private network,” by noting that “the button readies the device *to dial 911* by initiating the speech recognition process which would then further *trigger the dialing of 911* upon recognition of the correct voice prompt.” POR at 7-8. But this is not sufficient because it ignores that the claim also requires that the panic button “ready itself” to “activat[e] the transmitting unit.” See *Purdue Pharma*, 230 F.3d at 1323; *Lockwood*, 107 F.3d at 1572. The POR is silent as to this requirement of the claim.

Petitioner Reply, Paper No.
16, at 10

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

85

United States Patent and Trademark Office
Before the Patent Trial and Appeal Board

***Samsung Electronics Co., Ltd. and Samsung
Electronics America, Inc.***

v.

FENDGO, LLC

Hearing Date: February 19, 2025

IPR2024-00113, IPR2024-00114

Petitioners' Presentation

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

86