

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

REOLINK INNOVATION INC. AND SHENZHEN REOLINK TECHNOLOGY
CO., LTD.,
Petitioner

v.

THROUGHTTEK CO., LTD.,
Patent Owner

Case IPR2024-01192
Patent 9,774,916

PATENT OWNER'S RESPONSE

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
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Table of Contents

I.	Introduction	1
II.	Burden of Proof	5
III.	Summary of the '916 Patent	6
IV.	The Petition Fails to Establish that the <i>Lorex Manual</i> Reference is Prior Art and the Combination of the <i>Lorex Manual</i> and <i>Kim941</i> References Fails to Support Ground 1A of the Petition	8
V.	The Petitioner Fails to Establish that the <i>Lorex Manual</i> is Prior Art and the Combination of the <i>Lorex Manual</i> , <i>Kim941</i> , and <i>Kim517</i> Fails to Support Ground 1B of the Petition	14
VI.	The Petitioner Fails to Establish that the <i>Lorex Manual</i> is Prior Art and the Combination of the <i>Lorex Manual</i> and <i>Kuo</i> Fails to Support Ground 1C of the Petition	16
VII.	The Petitioner Fails to Establish that the <i>Lorex Manual</i> is Prior Art and the Combination of the <i>Lorex Manual</i> , <i>Kuo</i> , and <i>Kim517</i> Fails to Support Ground 1D of the Petition	17
VIII.	The Petitioner Fails to Establish that the <i>Lorex Video</i> is Prior Art and the Combination of the <i>Lorex Video</i> , <i>Galvin</i> , and <i>Kuo</i> Fails to Support Ground 2A of the Petition	18
IX.	The Petitioner Fails to Establish that the <i>Lorex Video</i> is Prior Art and the Combination of the <i>Lorex Video</i> , <i>Galvin</i> , <i>Kuo</i> , and <i>Kim517</i> Fails to Support Ground 2B of the Petition	20
X.	Conclusion	21

Cases

<i>Dynamic Drinkware, LLC v. Nat’l Graphics, Inc.</i> , 800 F.3d 1375, 1378 (Fed. Cir. 2015).....	5
<i>Harmonic Inc. v. Avid Tech., Inc.</i> , 815 F.3d 1356, 1363 (Fed. Cir. 2016).....	5

Statutes

35 U.S.C. §102(a)(1)	1
35 U.S.C. §102(b)(1)(A)	2
35 U.S.C. §103	13
35 U.S.C. §312(a)(3)	5
35 U.S.C. §316(e)	5

PATENT OWNER'S EXHIBIT LIST

Exhibit No.	Description
2001	Exclusivity Agreement of Joint Venture Partnership between Lorex Corporation and ThroghTek Co., Ltd.
2002	Reolink's Petition for Inter Partes Review
2003	RESERVED
2004	RESERVED
2005	Declaration of Yu-Li Kao
2006	Meeting Photos of Lorex at ThroughTek
2007	Deposition Transcript of Mr. Vlad Kardashov

I. Introduction

The Petition challenges the claims 1-10 and 16 of U.S. Patent No. 9,774,916 (“the ’916 Patent”) under six grounds of unpatentability:

Ground 1A: Claims 1-8, 10, and 16 are obvious over the *Lorex Manual* in view of the *Kim941* reference;

Ground 1B: Claim 9 is obvious over the *Lorex Manual* in view of the *Kim941* and *Kim517*;

Ground 1C: Claims 1-8, 10, and 16 are obvious over the *Lorex Manual* in view of the *Kuo*;

Ground 1D: Claim 9 is obvious over the *Lorex Manual* in view of the *Kuo* and *Kim517*;

Ground 2A: Claims 1-8, 10, and 16 are obvious over the *Lorex Video* in view of the *Galvin* and *Kuo*; and

Ground 2B: Claim 9 is obvious over the *Lorex Video* in view of the *Galvin*, *Kuo*, and *Kim517*.

This Patent Owner Response addresses the various arguments raised in the Petitioner's three grounds of unpatentability.

1. Ground 1 fails because the *Lorex Manual* does not qualify as prior art under 35 U.S.C. §102(a)(1)¹ (“§102(a)”) based on the exception under 35 U.S.C.

¹ 35 U.S.C. §102(a)(1) provides that a person shall be entitled to a patent unless the claimed

§102(b)(1)(A)² (“the §102(b) exception”), and the *Kim941* alone is not sufficient to support Ground 1A of the Petition. More specifically, the disclosure in the *Lorex Manual* was made within the one year from the effective filing date of the ‘916 Patent, and subject matter disclosed therein is obtained directly or indirectly from the Patent owner ThroughTek as evidenced by the 5-year exclusivity agreement of joint venture partnership dated September 18, 2012 (“Agreement”) between ThroughTek Co., Ltd. (“ThroughTek”) and Lorex Corporation (“Lorex”). In addition, the *Kim941* reference alone is not sufficient to support Ground 1A of the Petition, the *Kim941* reference explicitly teaches away from the limitation of “wherein the remote client device does not have a unique identification (UID) to register in the at least one linking server for associating connecting information of the remote client device when the remote client device contacts the at least one linking server for establishing the P2P connection” as recited in the independent claim 1 of the ‘916 Patent; and Patent Owner respectfully submits that any modification to *Kim941* with this recited limitation will destroy the teaching of the *Kim941*.

2. Ground 1B fails because of the same rationale as for the Ground 1A.

invention was patented, described in a printed publication, or in public use, on sale, or otherwise available to the public before the effective filing date of the claimed invention.

² 35 U.S.C. §102(b)(1)(A) provides that a disclosure made one year or less before the effective filing date of a claimed invention shall not be prior art to the claimed invention under subsection (a)(1) if the disclosure was made by the inventor or joint inventor or by another who obtained the subject matter disclosed directly or indirectly from the inventor or a joint inventor.

Furthermore, the *Kim517* does not cure the deficiency. More specifically, the *Kim517* directs to a home monitoring system; it does not disclose the limitation of “wherein the remote client device does not have a unique identification (UID) to register in the at least one linking server for associating connecting information of the remote client device when the remote client device contacts the at least one linking server for establishing the P2P connection”.

3. Ground 1C fails because the *Lorex Manual* does not qualify as prior art under 35 U.S.C. §102(a)(1) (“§102(a)”) based on the exception under 35 U.S.C. §102(b)(1)(A) (“the §102(b) exception”) as discussed above for the Ground 1A. The *Kuo* is one of the prior applications that the 916 Patent claims the continue-in-part priority. Patent Owner respectfully submits that the *Kuo* alone is not sufficient to support Ground 1C of the Petition.

4. Ground 1D fails because the *Lorex Manual* does not qualify as prior art under 35 U.S.C. §102(a)(1) (“§102(a)”) based on the exception under 35 U.S.C. §102(b)(1)(A) (“the §102(b) exception”) as discussed above for the Ground 1A. The *Kuo* is one of the prior applications that the 916 Patent claims the continue-in-part priority. Patent Owner respectfully submits that the *Kuo* alone is not sufficient to support based on the same rationale as for the Ground 1C of the Petition. Furthermore, the *Kim517* does not cure the deficiency as discussed above for the Ground 1B.

5. Ground 2A fails because the *Lorex Video* does not qualify as prior art under 35 U.S.C. §102(a)(1) (“§102(a)”) based on the exception under 35 U.S.C. §102(b)(1)(A) (“the §102(b) exception”) as similarly discussed above for the Ground 1A. Patent Owner respectfully submits that neither Galvin nor *Kuo* cures the deficiency of the *Lorex Video*.

6. Ground 2B fails because the *Lorex Video* does not qualify as prior art under 35 U.S.C. §102(a)(1) (“§102(a)”) based on the exception under 35 U.S.C. §102(b)(1)(A) (“the §102(b) exception”) as similarly discussed above for the Ground 2A. Patent Owner respectfully submits that neither Galvin, *Kuo*, nor *Kim517* cures the deficiency of the *Lorex Video*.

7. EX2005 and EX2007 are documents originally prepared for a different Petition IPR2024-00509. Patent owner respectfully submits that the cited sections in these exhibits are related to the instant case; thus Patent owner includes these two exhibits in the current proceeding.

For the above reasons, and as explained in further detail below, the Patent owner submits that the Petition fails to establish that the challenged claims 1-10 and 16 of the ‘916 patent are unpatentable.

II. Burden of Proof

“In an [*inter partes* review], the petitioner has the burden from the onset to show with particularity why the patent it challenges is unpatentable.” *Harmonic Inc. v. Avid Tech., Inc.*, 815 F.3d 1356, 1363 (Fed. Cir. 2016) (citing 35 U.S.C. § 312(a)(3)³ (requiring *inter partes* review petitions to identify “with particularity . . . the evidence that supports the grounds for the challenge to each claim”)). This burden of persuasion never shifts to Patent Owner. *See Dynamic Drinkware, LLC v. Nat'l Graphics, Inc.*, 800 F.3d 1375, 1378 (Fed. Cir. 2015) (discussing the burden of proof in *inter partes* review). To prevail in an *inter partes* review, Petitioner must show by a preponderance of the evidence that a patent is invalid. 35 U.S.C. §316(e)⁴.

³ 35 U.S.C. §312(a)(3) provides that a petition filed under section 311 may be considered only if the petition identifies, in writing and with particularity, each claim challenged, the grounds on which the challenge to each claim is based, and the evidence that supports the grounds for the challenge to each claim...

⁴ 35 U.S.C. §316(e) provides that in an *inter partes* review instituted under this chapter, the petitioner shall have the burden of proving a proposition of unpatentability by a preponderance of the evidence.

III. Summary of the '916 Patent

The '916 Patent discloses an information concentrating center, which comprises one module for receiving information from at least one information source, and one module coupling to the Internet for establishing a P2P connection with a remote client device.

The independent claim 1 of the '916 Patent recites the following limitations:

“An electronic device for concentrating information, comprising:

at least one first interface for receiving information from at least one information source;

a second interface coupling to the Internet, for establishing a connection with a remote client device through the Internet;

a third interface for connecting to a television for viewing said information; and

a unique identification (UID) embedded in the electronic device for concentrating information, wherein the *electronic device for concentrating information contacts at least one linking server through the Internet to register said embedded unique identification (UID) into the at least one linking server* for identifying network addressing information of the electronic device for concentrating information so as to enable the remote client device to establish a P2P connection with the electronic device for concentrating information for viewing said information received by the electronic device for concentrating information;

wherein the remote client device contacts the at least *one linking server* through the Internet according to said unique identification (UID) of the electronic device for concentrating information for establishing a P2P connection between the remote client device and the electronic device for concentrating information via the Internet, wherein at least one

portion of the information received by the electronic device for concentrating information is delivered to the remote client device on the P2P connection, *wherein the remote client device does not have a unique identification (UID) to register in the at least one linking server for associating connecting information of the remote client device when the remote client device contacts the at least one linking server for establishing the P2P connection.*

The Fig. 19 of the '916 Patent is provided below, which shows an embodiment which the electronic device for concentrating information is the set top box 1730. The 1730 has a unique identification (UID) 1760, and the electronic device 1730 contacts the at least one linking server 1750 for registering the UID. The remote client device 1706 contacts the at least one linking server 1750 for establishing a P2P connection between the 1706 and 1730. However, the remote device 1706 does not have a UID to register in the linking server 1750.

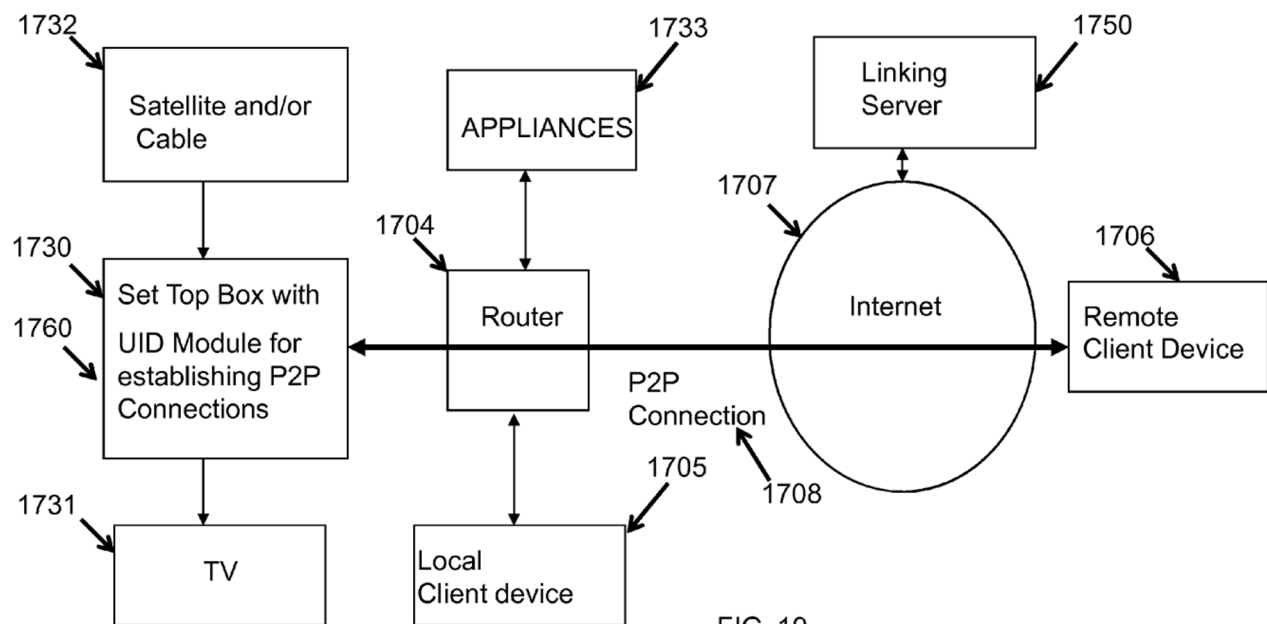


FIG. 19

IV. The Petition Fails to Establish that the *Lorex Manual* Reference is Prior Art and the Combination of the *Lorex Manual* and *Kim941* References Fails to Support Ground 1A of the Petition

The Petitioner alleged that the claims 1-8, 10, and 16 are obvious over the *Lorex Manual* in view of the *Kim941* reference. Patent owner respectfully disagrees.

Patent owner submits that Petitioner fails to establish that the *Lorex Manual* qualifies as prior art. The '916 Patent claims a priority of a provisional application 61/924,240 filed on January 7, 2014. EX1001, 1. The *Lorex Manual* was published on 2013 without precise date to support if it was published more than one year prior to the '916 Patent. EX1007, 1.

Patent owner submits that the *Lorex Manual* is not prior art under the §102(a) based on the §102(b) exception since the subject matter disclosed therein is obtained directly or indirectly from the inventor (Patent Owner) as evidenced by the Agreement between ThroughTek and Lorex. EX2001.

The Agreement specifically states that ThroughTek is the owner of all right, title and interest in and to the asserts more particularly described on Schedule A, which specifically states that ThroughTek provides “a connection platform based on P2P (Point to Point) network connection architecture and advanced Cloud computing technology via API (Application Programming Interface) for cross-platform connection to build up the connection between different devices an across different

operation systems.” EX2001, ¶¶001 and ¶¶007. Pursuant to the Agreement, the Patent Owner ThroughTek has disclosed its complete P2P solution to Lorex at the time. In essence, the Agreement provides that the P2P network connection solution disclosed in the *Lorex Manual* is developed by ThroughTek, and that the product featured in the *Lorex Manual* is manufactured by a third party, and sold under brand names associated with Lorex. EX2001, ¶¶001-007. In particular, Petitioner's witness Mr. Kardashove was also present during the execution of this Agreement. EX2006.

The Patent Owner ThroughTek via the declaration and exhibits illustrate the business cooperation between Lorex and ThroughTek. Although the execution of the Exclusive Agreement was initiated at 9/18/2012, the actual technical collaboration started far before in order to facilitate and solidify the cooperation. EX2005, ¶¶9-9B.

Hence, for the reasons stated, ThroughTek submits that any alleged P2P solution shown in the *Lorex Manual* is either obtained from ThroughTek based on the on-going business cooperation between Lorex and ThroughTek. Therefore, the *Lorex Manual* reference should not be qualified as a prior art.

Kim941 teaches away from the '916 Patent. In particular, the *Kim941* teaches away from the following limitation of the '916 Patent's claim 1:

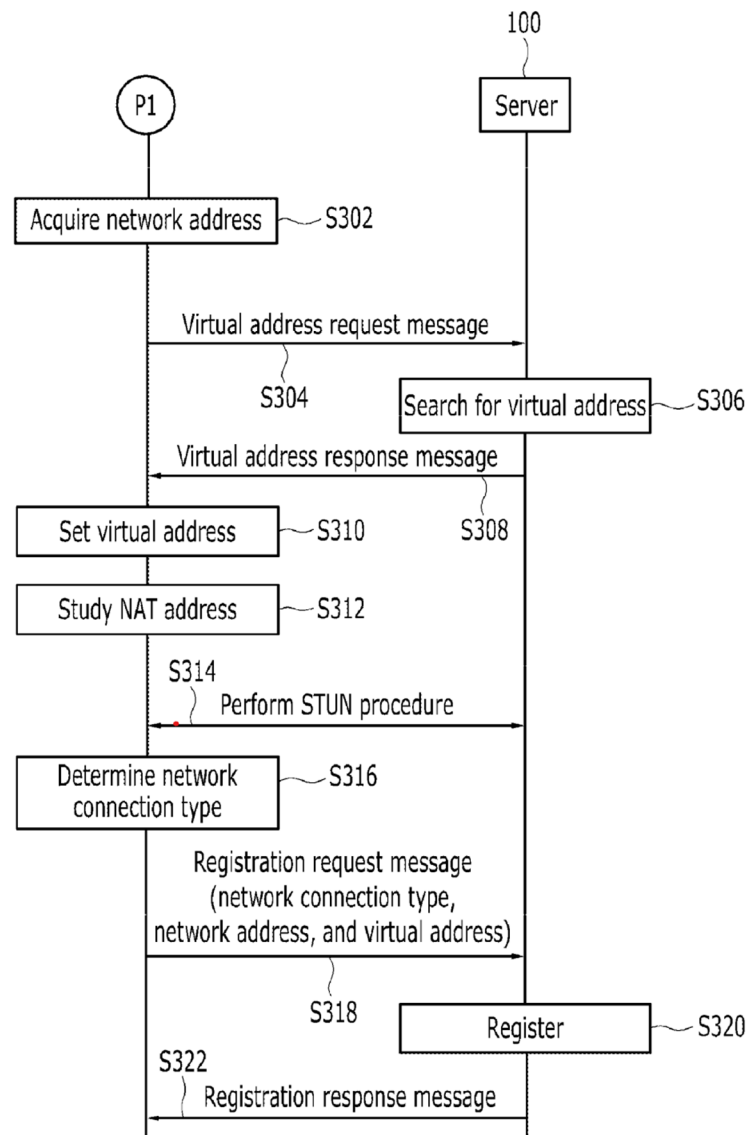
“wherein the remote client device does not have a unique identification (UID) to register in the at least one linking server for associating connecting information of the remote client device when the remote client device contacts the at least one linking server for establishing the P2P connection”

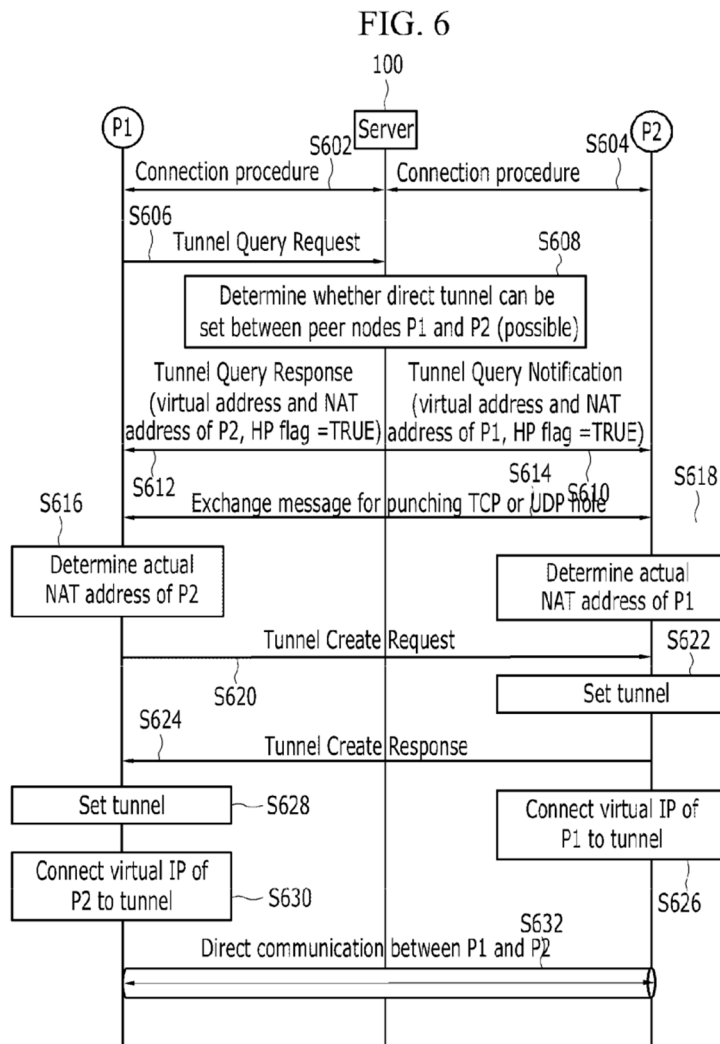
Kim941 discloses performing a direct communication between two peer nodes in an Internet protocol network. *Kim941* discloses that the peer node receives a virtual address of the correspondent peer node from a server, and then when the peer node can directly set a tunnel with the correspondent peer node, the peer node sets a tunnel with the correspondent peer node, and when the peer node cannot directly set a tunnel with the correspondent peer node, the peer node sets a tunnel with a tunnel repeater. Thereafter, the peer node connects a virtual address of the correspondent peer node as route information to the tunnel. Thereby, a packet using a virtual address of the correspondent peer node as a destination is transmitted to the correspondent peer node through a predetermined tunnel. EX1008, Abstract.

The Fig. 3 of the *Kim941* is provided below, which illustrates how each node registers with the server 100 for obtaining a virtual address. *Kim941* discloses that the peer node P1 sends a virtual address request S304 to server 100 and receives a virtual address in the virtual address response message S308. Further, a registration request S318 including the information of the network connection type is sent from P1 to server 100, and a registration response message is returned back to the P1. *Kim941* discloses the server 100 stores the registration information in a storage unit 120. EX1008, ¶0072 and Fig. 4. Although the Fig. 3 of the *Kim941* only shows the registration of the peer node P1, such registration is applicable to each node which desires to obtain a virtual address from the server 10. EX2002, P12, 2nd paragraph.

The Fig. 6 of the *Kim941* is also provided below. *Kim941* discloses the peer node P1 transmits a tunnel query request message S606 to the server 100, and the server 100 determines whether the network connection types of P1 and P2 are compatible in S608, and forwards the tunnel information to P1 and P2 if the direct tunnel can be set. EX1008, ¶0082.

FIG. 3





As both peer nodes P1 and P2 are required to register with the server 100 for obtaining the virtual address and storing the information such as the network connection type in the storage unit 120 of the server 100 before establishing a direct communication, Patent owner submits that *Kim941* explicitly teaches away from the recited limitation of “*wherein the remote client device does not have a unique*

identification (UID) to register in the at least one linking server for associating connecting information of the remote client device when the remote client device contacts the at least one linking server for establishing the P2P connection". Furthermore, as *Kim941* requires both peer nodes P1 and P2 to be registered in order for the server to determine whether it is possible to establish a direct tunnel/communication between P1 and P2, any modification on *Kim941* to prohibit the registration of any peer node will hinder the *Kim941*'s intended function.

The *Lorex Manual* was combined with the *Kim941* reference as a basis to support the asserted rejection under 35 USC §103⁵ ("§103"). As discussed above, the *Lorex Manual* is not a prior art under the §102(b) exception; and the *Kim941* explicitly teaches away from the '916 Patent. Therefore, the alleged combination of the cited references cannot be properly constructed, and thus cannot support Ground 1A of the Petition.

For the reasons stated above, Patent owner prays that the Board should find that the alleged combination of the *Lorex Manual* and *Kim941* cannot be properly constructed and thus fails to support the purported rejection under §103. Hence, none of the challenged claims 1-8, 10, and 16 of the '916 Patent is unpatentable under Ground

⁵ 35 U.S.C. §103 provides that a patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

1A of the Petition.

V. The Petitioner Fails to Establish that the *Lorex Manual* is Prior Art and the Combination of the *Lorex Manual*, *Kim941*, and *Kim517* Fails to Support Ground 1B of the Petition

Petitioner alleged that the claim 9 is obvious over the *Lorex Manual* in view of the *Kim941* and *Kim517*. Patent owner respectfully disagrees.

Patent owner submits that claim 9 depends from claims 1 and 7, thus it incorporates every limitation recited in claims 1 and 7. As discussed above, Petitioner fails to establish that the *Lorex Manual* reference qualifies as prior art, and the *Kim941* explicitly teaches away from the recited limitation of '916 Patent. *Kim517* discloses a home monitoring method and apparatus; in particular the *Kim517* is introduced to teach the usage of router as recited in the claim 9. EX2002, P42. Patent owner submits that *Kim517* alone does not cure the deficiencies of *Lorex Manual* and *Kim941* as discussed earlier.

The *Lorex Manual* was combined with the *Kim941* and *Kim517* as a basis to support the asserted rejection under 35 USC §103 ("§103"). As discussed above, the *Lorex Manual* is not a prior art under the §102(b) exception; and the *Kim941* explicitly teaches away from the '916 Patent. Therefore, the alleged combination of the cited references cannot be properly constructed, and thus cannot support Ground

1B of the Petition.

For the reasons stated above, Patent owner prays that the Board should find that the *Lorex Manual* fails to qualify as prior art to the '916 Patent, and the combination of the *Lorex Manual*, *Kim941*, and *Kim517* fails to support the purported rejection under §103. Thus, the challenged claim 9 of the '916 Patent is not unpatentable under Ground 1B of the Petition.

VI. The Petitioner Fails to Establish that the *Lorex Manual* is Prior Art and the Combination of the *Lorex Manual* and *Kuo* Fails to Support Ground 1C of the Petition

Petitioner alleged that the claims 1-8, 10, and 16 are obvious over the *Lorex Manual* in view of the *Kuo*. Applicant respectfully disagrees.

As discussed above, Petitioner fails to establish that the *Lorex Manual* reference qualifies as prior art. The '916 Patent claims the continuation-in-part priority of the *Kuo*, as the '916 Patent is a continuation-in-part of the *Kuo*, *Kuo* does not disclose every recited limitation of the '916 Patent.

The *Lorex Manual* was combined with the *Kuo* as a basis to support the asserted rejection under 35 USC §103 ("§103"). As discussed above, the *Lorex Manual* is not a prior art under the §102(b) exception; and the *Kuo* do not disclose every recited limitation of the '916 Patent. Therefore, the alleged combination of the cited references cannot be properly constructed, and thus cannot support Ground 1C of the Petition.

For the reasons stated above, Patent owner prays that the Board should find that the *Lorex Manual* fails to qualify as prior art to the '916 Patent, and the combination of the *Lorex Manual*, and *Kuo* fails to support the purported rejection under §103. Thus, none of the challenged claims 1-8, 10, and 16 of the '916 Patent is unpatentable under Ground 1C of the Petition.

VII. The Petitioner Fails to Establish that the Lorex Manual is Prior Art and the Combination of the Lorex Manual, Kuo, and Kim517 Fails to Support Ground 1D of the Petition

Petitioner alleged that claim 9 is obvious over the *Lorex Manual* in view of the *Kuo* and *Kim517*; Patent owner respectfully disagrees.

Patent owner submits that claim 9 depends from claims 1 and 7, thus it incorporates every limitation recited in claims 1 and 7. As discussed above, Petitioner fails to establish that the *Lorex Manual* reference qualifies as prior art, and the *Kuo* does not teach every recited limitation of the '916 Patent. *Kim517* discloses a home monitoring method and apparatus; in particular the *Kim517* is introduced to teach the usage of router as recited in the claim 9. EX2002, P42. Patent owner submits that *Kim517* alone does not cure the deficiencies of *Lorex Manual* and *Kuo*. Therefore, the alleged combination of the cited references cannot be properly constructed, and thus cannot support Ground 1D of the Petition.

For the reasons stated above, Patent owner prays that the Board should find that the *Lorex Manual* fails to qualify as prior art to the '916 Patent, and the combination of the *Lorex Manual*, *Kuo*, and *Kim517* fails to support the purported rejection under §103. Thus, the challenged claim 9 of the '916 Patent is not unpatentable under Ground 1B of the Petition.

VIII. The Petitioner Fails to Establish that the *Lorex Video* is Prior Art and the Combination of the *Lorex Video*, *Galvin*, and *Kuo* Fails to Support Ground 2A of the Petition

Petitioner alleged that claims 1-8, 10, and 16 are obvious over the *Lorex Video* in view of the *Galvin* and *Kuo*. Patent owner respectfully disagrees.

Petitioner fails to establish that the *Lorex Video* reference qualifies as prior art. The '916 Patent claims a priority of a provisional application 61/924,240 filed on January 7, 2014. EX1001, 1. The *Lorex Video* was published on June 18, 2013, which is within one year prior to the '916 Patent. EX2002, P2.

Similarly to the rationale as discussed above for the *Lorex Manual*, Patent owner submits that the *Lorex Video* is not prior art under the §102(a) based on the §102(b) exception since the subject matter disclosed therein is obtained directly or indirectly from the inventor (Patent Owner) as evidenced by the Agreement between ThroughTek and Lorex. EX2001. As similarly discussed above for the *Kuo*, *Kuo* does not disclose every recited limitation in the '916 Patent. *Galvin* is introduced for video display monitor. EX2002, P56.

The *Lorex Video* was combined with the *Galvin* and *Kuo* as a basis to support the asserted rejection under 35 USC §103 ("§103"). As discussed above, the *Lorex Video* is not a prior art under the §102(b) exception; and the *Kuo* do not disclose every recited limitation of the '916 Patent. Therefore, the alleged combination of the cited

references cannot be properly constructed, and thus cannot support Ground 2A of the Petition.

For the reasons stated above, Patent owner prays that the Board should find that the *Lorex Video* fails to qualify as prior art to the '916 Patent, and the combination of the *Lorex Video*, *Galvin* and *Kuo* fails to support the purported rejection under §103. Thus, none of the challenged claims 1-8, 10, and 16 of the '916 Patent is unpatentable under Ground 2A of the Petition.

IX. The Petitioner Fails to Establish that the *Lorex Video* is Prior Art and the Combination of the *Lorex Video*, *Galvin*, *Kuo*, and *Kim517* Fails to Support Ground 2B of the Petition

Petitioner alleged that claim 9 is obvious over the *Lorex Video* in view of the *Galvin*, *Kuo*, and *Kim517*.

Patent owner submits that claim 9 depends from claims 1 and 7, thus it incorporates every limitation recited in claims 1 and 7. As discussed above, Petitioner fails to establish that the *Lorex Video* reference qualifies as prior art, and the *Kuo* does not teach every recited limitation of the '916 Patent. *Kim517* discloses a home monitoring method and apparatus; in particular the *Kim517* is introduced to teach the usage of router as recited in the claim 9. EX2002, P42. *Galvin* is introduced for video display monitor. EX2002, P56. Patent owner submits that *Kim517* alone does not cure the deficiencies of *Lorex Video*, *Kuo*, and *Galvin*. Therefore, the alleged combination of the cited references cannot be properly constructed, and thus cannot support Ground 2B of the Petition.

For the reasons stated above, Patent owner prays that the Board should find that the *Lorex Video* fails to qualify as prior art to the '916 Patent, and the combination of the *Lorex Video*, *Galvin*, *Kuo*, and *Kim517* fails to support the purported rejection under §103. Thus, the challenged claim 9 of the '916 Patent is not unpatentable under Ground 2B of the Petition.

X. Conclusion

For at least all of these reasons, the Petitioner has failed to meet its burden of proving by a preponderance of the evidence that the challenged claims 1-10 and 16 of the '916 Patent are not patentable in view of the references cited by the Petitioner. The Petition should therefore be denied in its entirety, and the Board should reaffirm the patentability of claims 1-10 and 16.

Dated: April 21, 2025

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CERTIFICATION REGARDING WORD COUNT

Pursuant to 37 C.F.R. § 42.24(d), Patent Owner certifies that there are 4675 words in the paper excluding the portions exempted under 37 C.F.R. § 42.24(a)(1).

Dated: April 21, 2025

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

Pursuant to 37 C.F.R. § 42.6, I hereby certify that on April 22, 2025 the foregoing Patent Owner's Response from Patent Owner ThroughTek Co., Ltd. was served via email on the following counsel of record for the Petitioner:

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