IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Beel

Inventors: Koen Beel *et al.*

Patent No.: 11,422,951

Filed: August 11, 2020

For: ELECTRONIC TOOL AND METHODS FOR MEETINGS BETWEEN TWO USERS

Request for Reexamination under U.S.C. §§ 302–307 and 37 C.F.R. § 1.510

Mail Stop *Ex Parte* Reexamination
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Request for *Ex Parte* Reexamination of U.S. Patent No. 11,422,951

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c) *the at least one peripheral device being adapted to communicate the user selected arbitrary media content to the wireless communications network* 38
d) *the at least one peripheral device is a connection unit comprising*: 39
e) *a connector adapted to couple to a port of a user processing device, the user processing device having a second display and a memory, and* 39
f) *a transmitter for transferring said selected arbitrary media content to the wireless communications network* 40
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g) *an input device configured to allow the user to carry out a user action on the input device that triggers transfer of said user selected arbitrary media content from the transmitter to the wireless communications network and via the wireless communication network to the base node for display on the first display* 76

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4. CLAIM 12 77

a) *The electronic meeting tool according to claim 10, wherein the input device displayed on the second display is displayed on a second layer such that during the transfer of the user selected arbitrary media content of the user processing device to the transmitter on the at least one peripheral device, the input device displayed on the second display is not transferred with the user selected arbitrary media content.* 77

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B. FACTORS (C), (E), AND (F): "(C) THE EXTENT TO WHICH THE ASSERTED ART WAS EVALUATED DURING EXAMINATION, INCLUDING WHETHER THE PRIOR ART WAS THE BASIS FOR REJECTION; (E) WHETHER PETITIONER HAS POINTED OUT SUFFICIENTLY HOW THE EXAMINER ERRED IN ITS EVALUATION OF THE ASSERTED PRIOR ART; (F) THE EXTENT TO WHICH ADDITIONAL EVIDENCE AND FACTS PRESENTED IN THIS PETITION WARRANT RECONSIDERATION OF THE PRIOR ART OR ARGUMENTS." 83

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I. LIST OF EXHIBITS

EXHIBIT	DESCRIPTION
Ex. 1001	U.S. Patent No. 11,422,951
Ex. 1002	Declaration of Kevin C. Almeroth, Ph.D.
Ex. 1003	Curriculum Vitae of Kevin C. Almeroth, Ph.D.
Ex. 1004	File History of U.S. Patent No. 11,422,951
Ex. 1005	U.S. Patent Application Publication No. 2005/0210390 ("Ono")
Ex. 1006	U.S. Patent Application Publication No. 2008/0074560 ("Ichieda")
Ex. 1007	U.S. Patent Application Publication No. 2006/0069840 ("Corbett")
Ex. 1008	U.S. Patent Application Publication No. 2011/0096138 ("Grimshaw")
Ex. 1009	English Translation of Japanese Patent Application Publication No. 2008-165007 ("Uchida")
Ex. 1010	Japanese Patent Application Publication No. 2008-165007
Ex. 1011	Certification for English Translation of Japanese Patent Application Publication No. 2008-165007
Ex. 1012	U.S. Provisional Application No. 61/255,326 ("Grimshaw Provisional")
Ex. 1013	Office Form SB/08A/B
Ex. 1014	**RESERVED**
Ex. 1015	Prosecution History of appl. no. 14/278,442
Ex. 1016–Ex. 1019	**RESERVED**
Ex. 1020	U.S. Patent Application Publication No. 2010/0087139 ("Glass")
Ex. 1021	U.S. Patent Application Publication No. 2009/0198839 ("Banerjee")
Ex. 1022	U.S. Patent Application Publication No. 2011/0115689 ("Sugiyama")
Ex. 1023	U.S. Patent Application Publication No. 2009/0187687 (Hulbert")

EXHIBIT	DESCRIPTION
Ex. 1024	U.S. Patent Application Publication No. 2003/0112975 ("Taiwanese")
Ex. 1025	U.S. Patent Application Publication No. 2010/0017744 ("Kikuchi")
Ex. 1026	U.S. Patent Application Publication No. 2009/0172219 ("Mardiks")
Ex. 1027	U.S. Patent Application Publication No. 2010/0295994 ("Kaplan")
Ex. 1028	U.S. Patent Application Publication No. 2003/0098819 ("Sukthankar")
Ex. 1029	U.S. Patent Application Publication No. 2002/0159419 ("Morris")
Ex. 1030	EP Patent Application Publication No. 2107463 ("Deforche")
Ex. 1031	English Translation of Japanese Patent Application Publication No. 2007-208606 ("Maeda")
Ex. 1032	**RESERVED**
Ex. 1033	U.S. Patent Application Publication No. 2002/0196378 ("Slobodin")
Ex. 1034	U.S. Patent Application Publication No. 2002/0174254 ("Kita")
Ex. 1035	U.S. Patent Application Publication No. 2006/0002315 ("Theurer")
Ex. 1036	Excerpt from File History of Ex Parte Reexamination 90/014,087
Ex. 1037–Ex. 1049	**RESERVED**
Ex. 1050	Imation Wireless Projection Link User Guide
Ex. 1051	EZAir Press Release, "EZAir Wireless PC to TV Solutions Now Available Across Europe," March 16, 2011
Ex. 1052	Warpia Product Brief, "Wireless USB PC to TV Audio/Video Display Adapter," 2009
Ex. 1053	Q-Waves Product Overview, "Quicklink TV," November 2010
Ex. 1054	IOGear Installation Guide, "Wireless USB to VGA Kit," 2008
Ex. 1055	JP Patent Application Publication No. 2007-208606
Ex. 1056	Certification for English Translation of JP Patent Application Publication No. 2007-208606

EXHIBIT	DESCRIPTION
Ex. 1057–Ex. 1066	**RESERVED**
Ex. 1067	CSE-800 User Guide
Ex. 1068–Ex.1071	**RESERVED**
Ex. 1072	'676 IPR Brogioli Deposition transcript
Ex. 1073	'951 IPR Brogioli Deposition transcript
Ex. 1074	What is a driver? (https://learn.microsoft.com/en-us/windows-hardware/drivers/gettingstarted/what-is-a-driver-)
Ex. 1075	ClickShare Button connection issues
Ex. 1076	ClickShare C-5 Base Unit Datasheet
Ex. 1077	https://www.barco.com/en/inspiration/news-insights/2019-05-03-different-ways-to-share-your-content-with-clickshare (retrieved September 24, 2025).
Ex. 1078- Ex. 1081	**RESERVED**
Ex. 1082	Yealink Press Release (https://www.yealink.com/en/product-detail/wireless-presentation-wpp30-eol)
Ex. 1083	Second Declaration of Kevin C. Almeroth, Ph.D. in IPR2024-01439
Ex. 1084	Dr. Brogioli Dist. Ct. Transcript
Ex. 1085	**RESERVED**
Ex. 1086	U.S. Patent No. 10,762,002
Ex. 1087	U.S. Patent No. 11,403,237
Ex. 1088	U.S. Patent No. 11,258,676
Ex. 1089-1093	**RESERVED**
Ex. 1094	Barco Press Release (https://www.barco.com/en/about/press-releases/barco-and-crestron-announce-patent-license-agreement-regarding-a)
Ex. 1095-Ex. 1099	**RESERVED**

EXHIBIT	DESCRIPTION
Ex. 1100	Ex. 2006, IPR2024-01436
Ex. 1101	Ex. 2030, IPR2024-01436
Ex. 1102-Ex.1109	**RESERVED**
Ex. 1110	Patent Owner Preliminary Response in IPR2024-01439
Ex. 1111	Patent Owner Response in IPR2024-01439
Ex. 1112	Petitioner's Reply in IPR2024-01439
Ex. 1113	Patent Owner Sur Reply in IPR2024-01439
Ex. 1114	Institution Decision in IPR2024-01439
Ex. 1115	Petition in IPR2024-01439

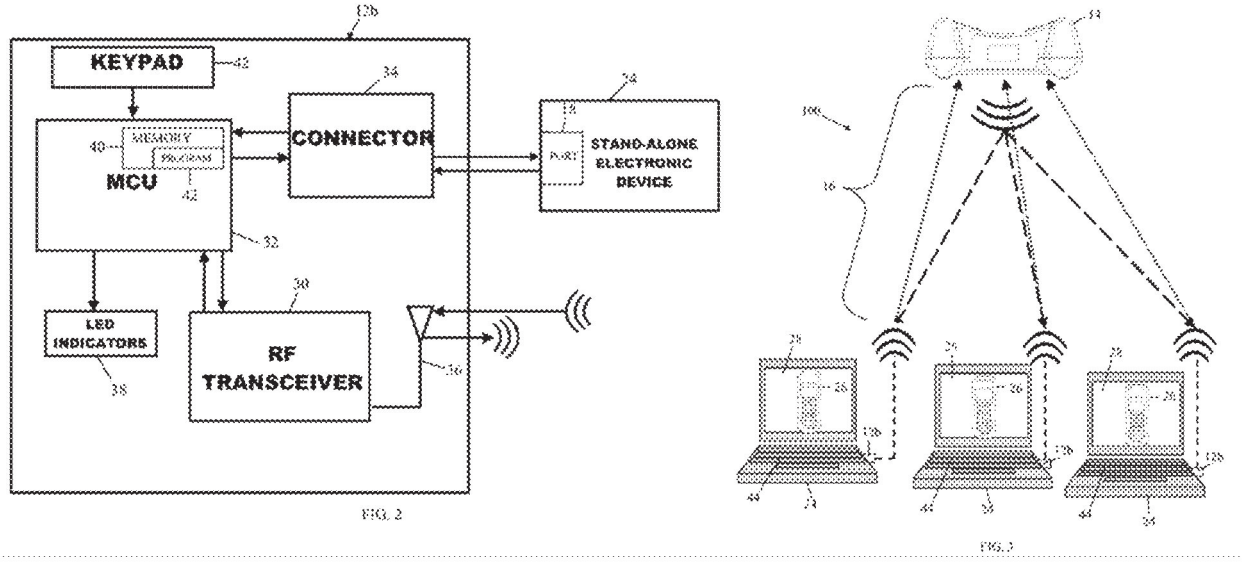
II. INTRODUCTION

Pursuant to 37 C.F.R. § 1.510, the requester respectfully requests reexamination of claim 12 of U.S. Patent No. 11,422,951 ("the '951 patent"), and a finding that claim 12 is unpatentable for the reasons set forth in SNQ Nos. 1–3.

III. FACTUAL, PROCEDURAL, AND CLAIM CONSTRUCTION BACKGROUND

A. Admissions of Prior Art Techniques

The '951 patent recognizes an "explosion of communication electronic communication tools" and the desirability for tools allowing greater participation in meetings. Ex. 1001, 1:27–38, 2:27–45; Ex. 1002, ¶53. One example of a prior art system referenced by the '951 patent is illustrated below. Linkable response units (in the form of USB dongles) are coupled to individual laptop computers to turn each computer into an audience-participation device. Ex. 1020, abstract, ¶¶18, 30; Ex. 1002, ¶54. The dongles wirelessly transfer information via a wireless transceiver to a base station, which in turn may be displayed on a screen. *Id.*, ¶¶13, 20; Ex. 1002, ¶54. The dongles include keypad/buttons to trigger this transmission. *Id.*, ¶33; Ex. 1002, ¶54.



Ex. 1020, FIGS. 2–3.

The '951 patent also recognizes common techniques for transferring content of a computer to a projector for display. Ex. 1001, 3:13–25. According to the '951 patent, "[t]he most common ways are to use a cable that connects the display adapter of the graphics card to the video input of the projector [method 1] or to use a software that captures the display contents and sends it over a wired or wireless network to a remote base unit connected to the projector [method 2]." *Id.*, 3:13–19. Another technique was "to use a special device connected to the display adapter of the graphics card that captures, encodes and streams the display content over a wired or wireless network [method 3]." *Id.*, 3:22–25; Ex. 1002, ¶55.

Regarding "method 3," the '951 patent identifies US 2009/0198839 (Ex. 1021 ("Banerjee")) and US 2011/0115689 (Ex. 1022 ("Sugiyama")). *Id.*, 4:8–15. The '951 patent concedes these use a "well-known USB interface of the computer for extracting the display content of the computer" and transmitting to a projector. *Id.* Indeed, Banerjee describes a plug-and-play device 236 that "captures … screen display data generated at the remote computer 240 and allows screen sharing between the remote computer 240 and the master computer 238." Ex. 1021, ¶39; Ex. 1002, ¶¶56-57.

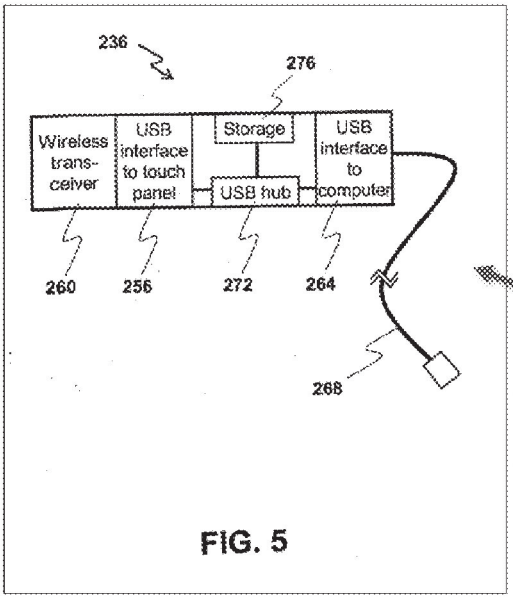


FIG. 5

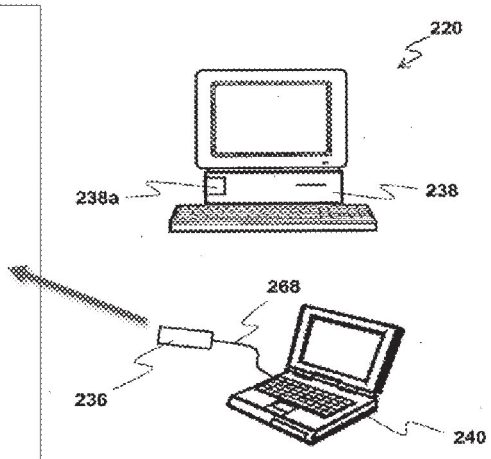


FIG. 4

Ex. 1021, FIGS. 4–5.[1]

B. The Purported Invention

Although the '951 patent purports to improve problems with previous meeting technologies (Ex. 1001, 4:44–56), the '951 patent's claims are directed to systems and methods described in the prior art. *See id.*, 4:8–19, 27:42–30:46; Ex. 1002, ¶¶58–60; §VII. For example, claim 9 recites:

> *An electronic meeting tool for communicating user selected arbitrary media content from users at a meeting comprising:*
> *a base node, the base node being coupled to a first display, the base node being adapted to receive user selected arbitrary media content from at least one peripheral device via a wireless communications network, and to control display of the user selected arbitrary media content on the first display; and*
> *the at least one peripheral device being adapted to communicate the user selected arbitrary media content to the wireless communications network;*
> *wherein the at least one peripheral device is a connection unit comprising:*
> *(a) a connector adapted to couple to a port of a user processing device, the user processing device having a second display and a memory, and*
> *(b) a transmitter for transferring said user selected arbitrary media content to the wireless communications network; and*
> *an input device configured to allow the user to carry out a user action on the input device that triggers transfer of said user selected arbitrary media content from the transmitter to the wireless communications network and via the wireless communications network to the base node for display on the first display.*

Prior art, such as Banerjee and others, describe systems with vast majority of these features. Ex. 1002, ¶¶38–57.

The examiner did not provide any reasons for allowance nor reject the ultimately allowed claims based on prior art. Ex. 1004, 53, 398–403, 416–422; Ex. 1002, ¶61. For patents in the same family as the '951 patent, Patent Owner argued that placing an input device "on the peripheral device" to trigger transmission of content distinguished the prior art. *See* Ex. 1036, 1–12 (notice of intent to issue reexamination certificate and response to final office action). However, as

[1] All color elements are added annotations throughout unless otherwise noted.

discussed below, claim 9 does not recite that feature and, regardless, the evidence here shows that such a feature was well known to be included in electronic meeting tools.

C. Summary of the Prosecution History

The file history has minimal substantive prosecution. The examiner initially rejected the claims for including terms that lacked proper antecedent basis and for obvious-type double patenting. Ex. 1004, 416–423. Claim 61 was also rejected as anticipated by US 2010/0066806. *Id.* After amendment to address informalities, filing of a terminal disclaimer, and cancellation of claim 61, the examiner allowed remaining claims. Ex. 1004, 398–403. The examiner did not address how the allowed claims purportedly distinguished over the prior art. *Id.*

The parent application of the '951 patent, appl. no. 14/278,442, received a notice of allowance after amending the claims to recite a "physical actuator," like the claimed "input device" of the '951 patent. Ex. 1015, 15. However, only claim 1 of the '951 patent requires a physical actuator, whereas independent claim 9 requires only an "input device." *Id.*, 19. Ex. 1002, ¶61.

D. The *Inter Partes* Review of the '951 Patent.

The '951 patent is the subject of IPR2024-01439. The patent owner preliminary response argued that the cited prior art fails to render obvious "an input device…that triggers transfer of said user selected arbitrary media content from the transmitter to the wireless communication network. Ex. 1110 (1/9/2025). In response, the petitioner identified errors in the patent owner's analysis of the prior art. Ex. 1112 (1/31/2025). In the patent owner sur reply, arguments were again presented related to the obviousness of the above claim limitations. Ex. 1113 (2/6/2025) Ultimately, the board instituted the *Inter Partes* Review of claims 1-11 and 13-21. Ex. 1114 (4/8/2025). Claim 12, which is at issue in this request, is not at issue in that IPR. Ex. 1002, ¶62.

E. Claim Terms to be Construed

The claim terms are presented by the requestor under 37 C.F.R. § 1.555(b) and MPEP § 2111. Each term of the claims is to be given its "broadest reasonable construction" consistent with the specification. MPEP § 2111; *In re Swanson*, 540 F.3d 1368, 1377–78 (Fed.Cir.2008); *In re Trans Texas Holding Corp.*, 498 F.3d 1290, 1298 (Fed. Cir. 2007) (*citing In re Yamamoto*, 740 F.2d 1569, 1571 (Fed. Cir. 1984). As the Federal Circuit noted in *Trans Texas*, the Office has traditionally applied a broader standard than a Court does when interpreting claim scope. MPEP § 2111. The Office applies to the verbiage of the proposed claims the broadest reasonable meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art. *In re Morris*, 127 F.3d 1048, 1054–55, 44 U.S.P.Q.2d 1023, 1027–28 (Fed. Cir. 1997). Applying the "broadest reasonable construction" standard reduces the possibility that a claim, after issue or certificate of reexamination, will be interpreted more broadly than is justified. 37 C.F.R. § 1.555(b); MPEP § 2111.

1. "*arbitrary media content*" (claim 9)

The '951 patent states this term "refers to the fact that a user may generate, create or select any media content that is appropriate to display." Ex. 1001, 11:43–50. Ex. 1002, ¶66.

IV. REQUIREMENTS FOR *EX PARTE* REEXAMINATION UNDER 37 C.F.R. § 1.510

Requester satisfies each requirement for *ex parte* reexamination of the '951 patent as stated below.

A. 37 C.F.R. § 1.510 (b)(1): Statement Pointing Out Each Substantial New Question Of Patentability

Please Section VI below.

B. 37 C.F.R. §1.510 (b)(2): Detailed Explanation Of The Pertinence And Manner Of Applying The Prior Art

Please see Section VII below.

C. 37 C.F.R. § 1.510 (b)(3): Copy Of Every Patent Or Printed Publication Cited Against The Claims

Exs. 1005, 1006, 1035, 1008, and 1009 are also listed on Exhibit PTO–SB/08 (*i.e.*, Form PTO–SB/08). Each of these references constitutes effective prior art on the claims of the '951 patent under 35 U.S.C. §103 as explained in greater detail below.

D. 37 C.F.R. § 1.510 (b)(4): Copy of the Entire Patent

A full copy of U.S. Patent No. 11,422,951 is submitted herein as Ex. 1001 under 37 C.F.R. § 1.510(b)(4).

E. 37 C.F.R. § 1.510 (b)(5): Certification that a Copy of the Request has been served in its Entirety on the Patent Owner

A complete copy of this request is being served on the patent owner under 37 C.F.R. § 1.510(b)(5) at the correspondence address in PAIR on this date:

52835 - HSML P.C.
45 South Seventh Street
Suite 2700
MINNEAPOLIS, MN 55402-1683

F. 37 C.F.R. § 1.510 (a): Fee for Requesting Reexamination

Under 37 C.F.R. § 1.510(a), the reexamination fee has been paid as part of the Patent Center submission. Any deficiency or overpayment may be debited/credited to Deposit Account No. 19-3140.

G. Related Co-Pending Litigation

The '951 patent is at issue in *Barco, Inc. et al v. Yealink (USA) Network Technology Co., Ltd.*, 2:2023-cv-521 (EDTX), filed November 14, 2023 ("EDTX case"). The '951 patent is also the subject of IPR2024-01439, but claim 12 is not at issue in that IPR.

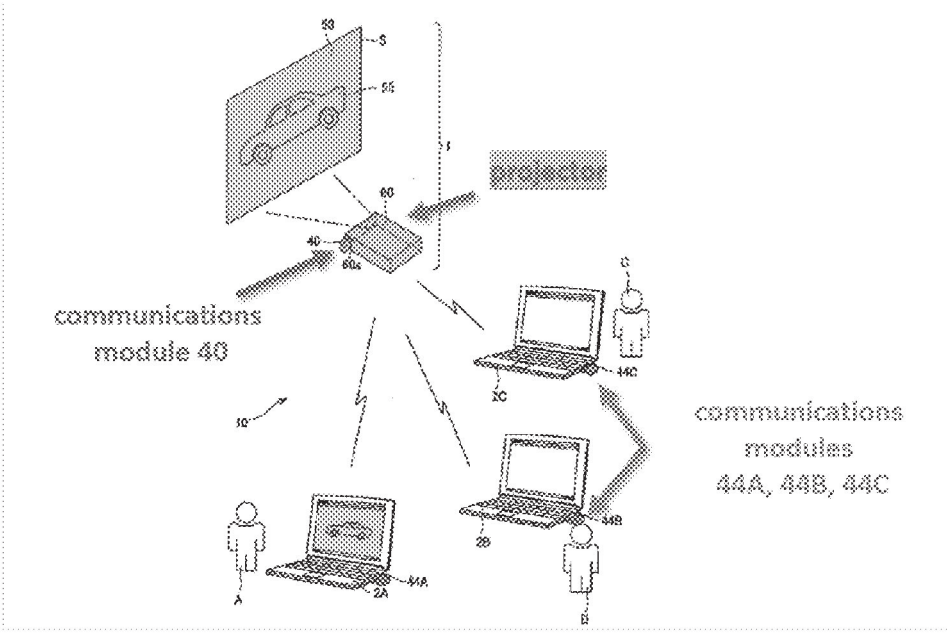
The requester, under 35 U.S.C. § 305, respectfully urges this request be granted and the reexamination be conducted not only with "special dispatch," but also with "priority over all other cases" under MPEP § 2261.

V. SUMMARY OF THE PRIOR ART

A brief description of the prior relied upon in this reexamination appears below.

A. Ono (Ex. 1005)

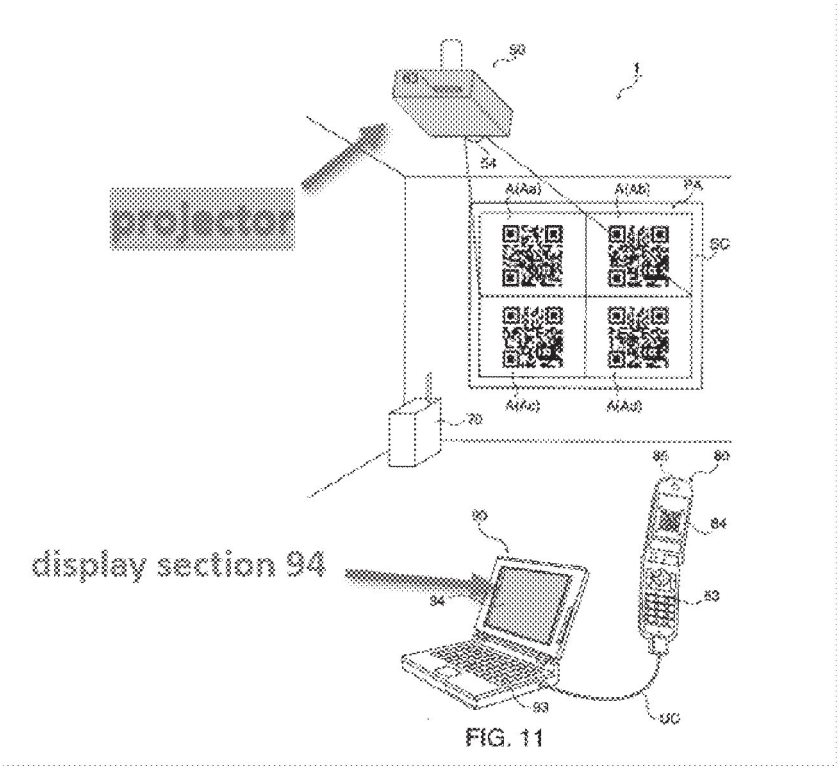
Like the '951 patent, Ono describes an image display system including an image display apparatus (*e.g.*, projector and screen) that receives images transferred from multiple information terminal apparatus (*e.g.*, personal computers (PCs)) connected via a wireless network and displays them. Ex. 1005, ¶2; Ex. 1002, ¶¶67-69. Communications modules 44A, 44B, *etc.* couple to each PC wirelessly and wirelessly connect to a communications module 40, which is coupled to projector 60. *Id.*, ¶36. A remote control can switch among PCs and display image information from the selected PC. *Id.*, ¶¶7, 144.



Ex. 1005, FIG. 1.

B. Ichieda (Ex. 1006)

Ichieda describes an image display system 1 including a projector 50 which connects to a personal computer 90 over a wireless LAN. Ex. 1006, ¶43, FIG. 1; Ex. 1002, ¶¶70–73. To wirelessly connect, the personal computer may be connected to a phone to capture an image of a barcode displayed by projector on a screen. *Id.*, ¶75–91, FIG. 3–4. The control section 81 is then used to route image data (displayed on the phone) to particular area Aa-Ad on the screen where the barcode appeared. *Id.*, ¶¶104 Once connected, the personal computer 90 transmits an image signal to the projector 50 via the wireless LAN. *Id.*, ¶¶129–150, FIG. 11; Ex. 1002, ¶¶70–73.



Ex. 1006, FIG. 11.

C. Theurer (Ex. 1035)

Theurer discloses a "layered windows technique" for selectively sharing portions of a screen between two computers. Ex. 1035, ¶8. The system includes "a control panel for starting, pausing and stopping the meeting, or for displaying and managing a list of attendees or for chatting

with attendees." *Id.*, ¶5. FIG. 6A illustrates a source node 100 including layers of icons 414, control panel 425, and other items on the display, some of which are shared to viewer 330 on a consumer node 150. Ex. 1002, ¶74.

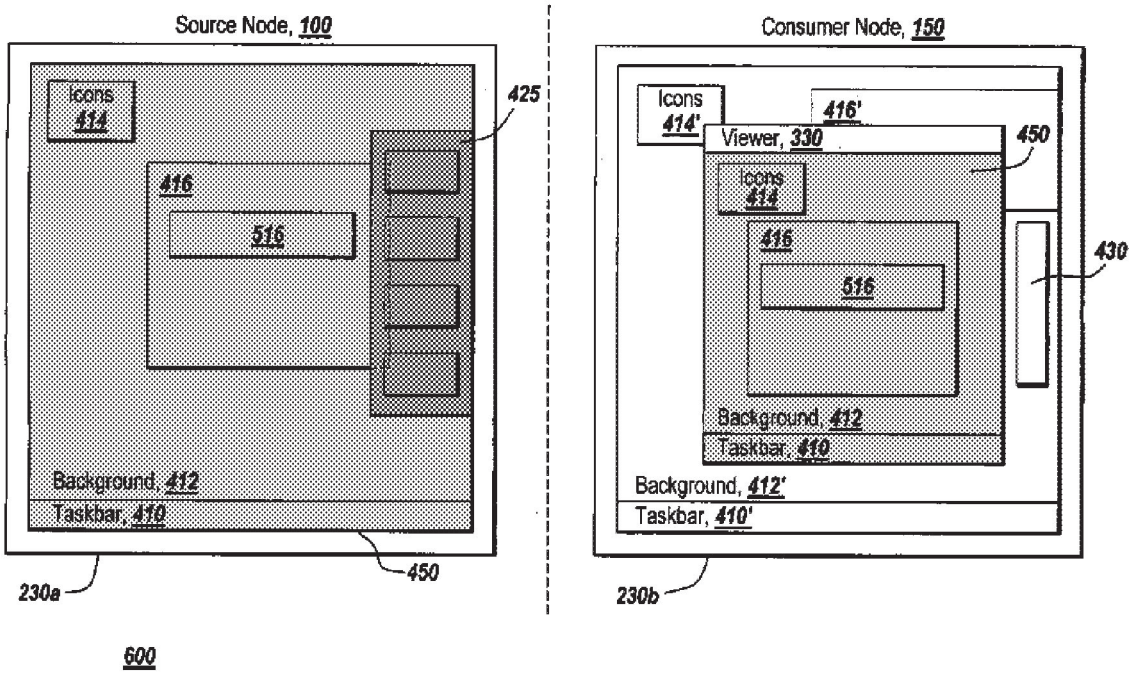


Fig. 6A

Ex. 1035, FIG. 6A

Items including icons 414 are shared to the viewer 330, but the control panel 414 is not. Therefore, Theurer discloses a screen sharing application having a control panel that appears on the presenter's screen but not on the attendee's screen. Ex. 1002, ¶75

D. Grimshaw (Ex. 1008)

Grimshaw discloses a communication system that provides presentation and conferencing functions. Ex. 1008, ¶2; Ex. 1012, 1:4–7; Ex. 1002, ¶¶76–78. The Grimshaw system includes individual user modules 14–20 that each connect to a laptop computer and allow them to send content to display module 22. Ex. 1008, ¶12; Ex. 1012, 1:23–2:6. The user modules include a

button which let a user take control over the content of display module 22 and switch the displayed content to the content on their respective laptop. *Id.*, ¶19; Ex. 1012, 5:8–24.

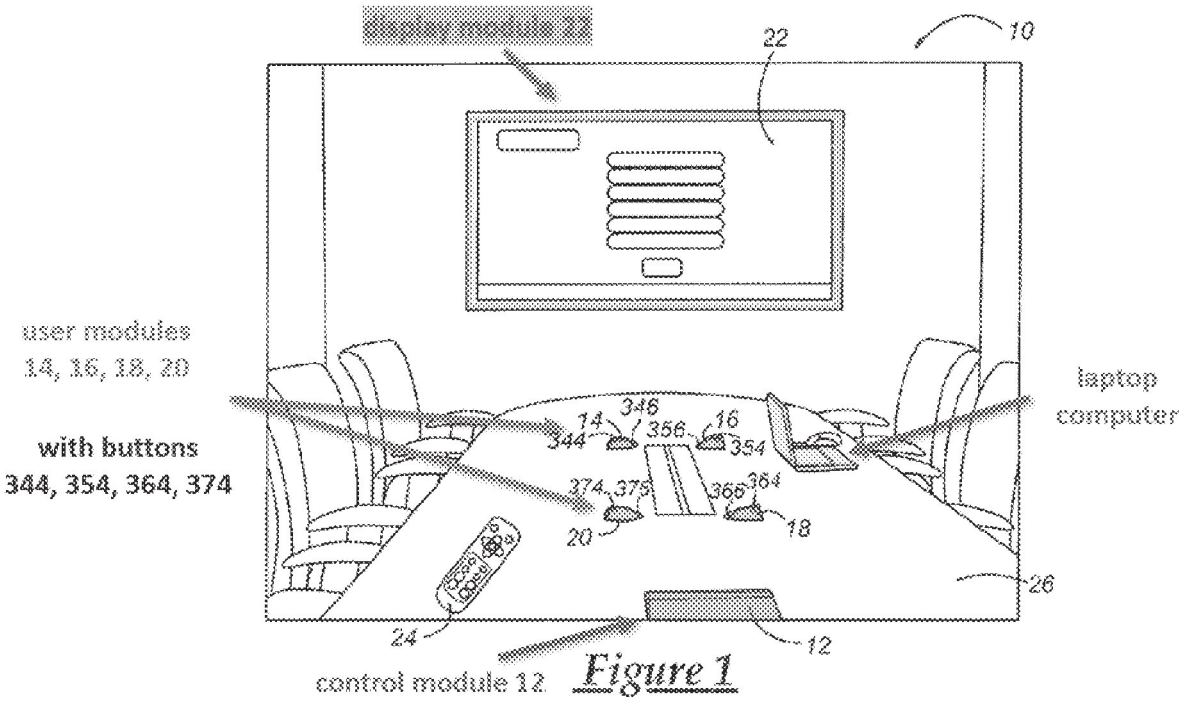
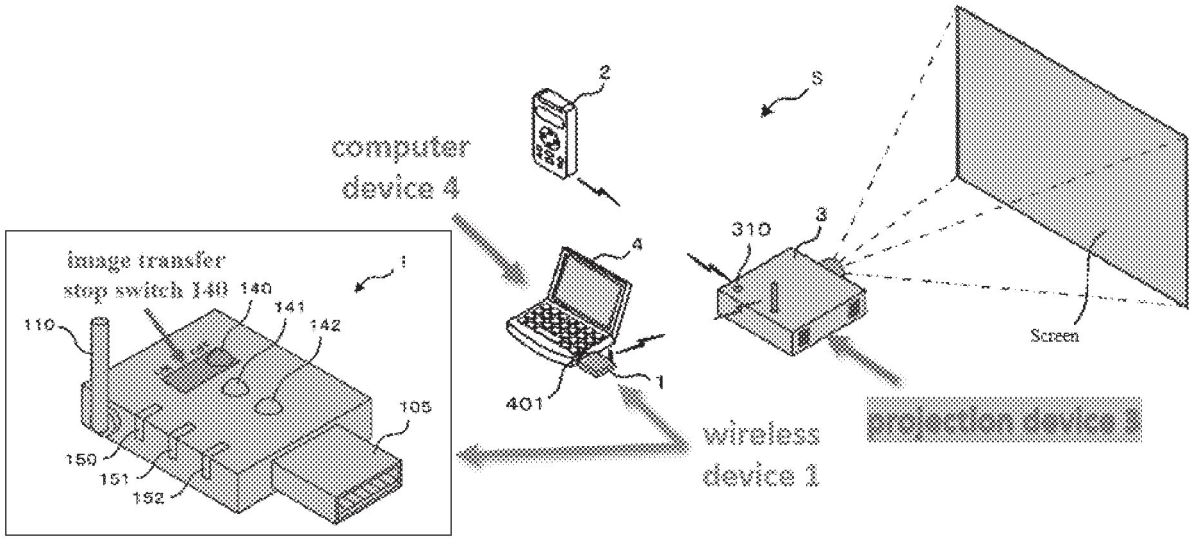


Figure 1

Ex. 1008, FIG. 1; Ex. 1012, FIGS. 1–3.

E. Uchida (Ex. 1009)

Uchida discloses a method for wireless connecting an image projection device to a computer device. Ex. 1009, Abstract; Ex. 1002, ¶¶79–81. A wireless USB dongle (wireless device 1) couples to computer device 4 through a USB connector 105. *Id.*, ¶¶4, 39. Wireless device 1 "transmit[s] image data [from the computer device 4] to the image projection device 3" where, thereafter, the image projection device "projects an image corresponding to the image data on the screen." *Id.* An image transfer stop switch 140 may halt or allow image transfer. *Id.*, ¶¶70–72.



Ex. 1009, FIG. 1.

VI. STATEMENTS ESTABLISHING SUBSTANTIAL NEW QUESTIONS OF PATENTABILITY ("SNQs") OF CLAIMS

Requestor respectfully submits that the SNQs identified below satisfy the SNQ requirement. The specific rationale for each substantial new question of patentability ("SNQ") based on the cited patents, and a separate detailed explanation of the pertinence and manner of applying the prior art patents to the challenged claims are presented below under 37 C.F.R. § 1.510 (b)(1) and (b)(2).

Claim 12 further limits the *input device* of claim 1, requiring it to be on the display and not transmitted to other meeting participants. The three proposed grounds present SNQs for at least the claimed *input device*. Ex. 1002, ¶82.

A. SNQ No. 1 – The Ono and Theurer renders obvious claim 12 of the '951 patent under 35 U.S.C. § 103.

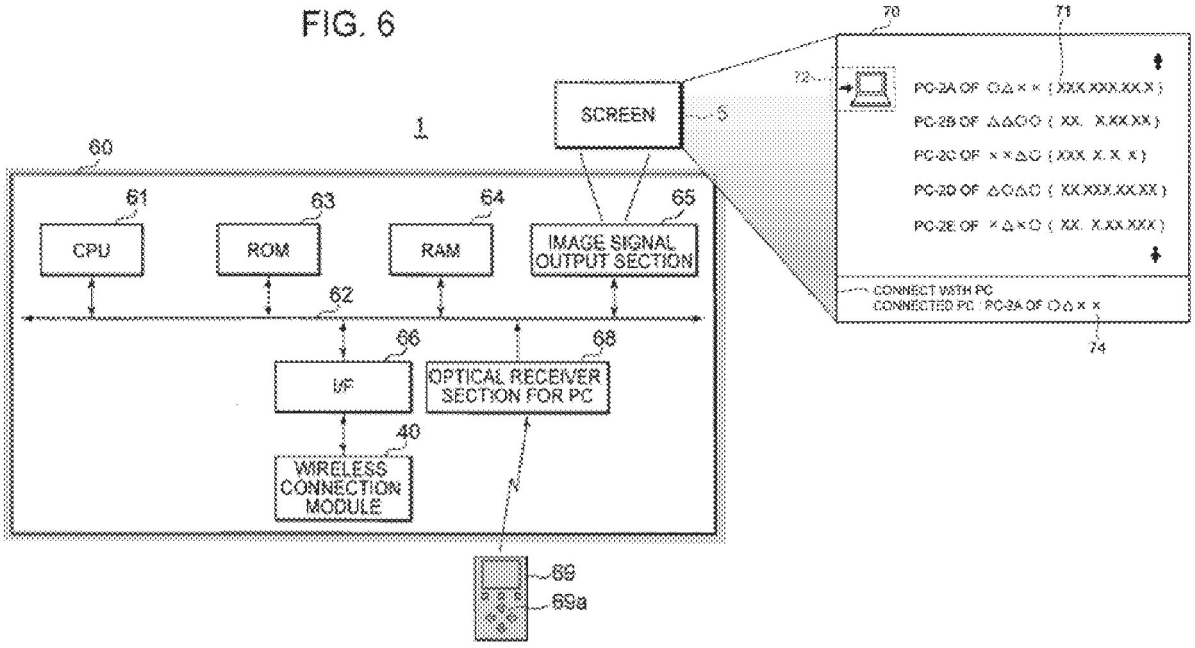
The new, non-cumulative, and not previously considered arguments with respect to Ono combined with Theurer establish an SNQ for claim 12 of the '951 patent. Neither reference was previously considered, and the combination presents an SNQ for at least the claimed *input device*. Ex. 1002, ¶83.

1. ***an input device configured to allow the user to carry out a user action on the input device that triggers transfer of said user selected arbitrary media content from the transmitter to the wireless communications network and via the wireless communication network to the base node for display on the first display***

Ono discloses *an input device* (*e.g.*, remote controller 69) *configured to allow the user to carry out a user action* (*e.g.*, pressing up or down selection key on the operation section of the remote controller 69 and pressing the confirm (enter) key) *on the input device that triggers transfer of said user selected arbitrary media content* (*e.g.*, image information) *from the transmitter to the wireless communications network and to the base node* (*e.g.*, wireless communications module 40 and control section 61) *through the wireless communications network for display on the first display* (*e.g.*, an image display apparatus 1 including, *e.g.*, an image signal output section 65 and screen 5). Ex. 1005, ¶¶44–48, 66–71, 77–78, 80–89, Figs. 3, 6, 8, 9; Ex. 1002, ¶¶84–89.

FIG. 8

FIG. 6



Ex. 1005, FIGS. 6, 8.

Ono discloses that remote controller 69 can call up list 71 of available PCs (FIG. 8) for connection to the image display apparatus. Ex. 1005, ¶¶66–72, 77–78. The user presses the up/down selection key on remote controller 69 to select a particular PC and then presses the confirm (enter) key when the user reaches the desired PC. Ex. 1005, ¶¶66–72, 77–78. This selection *triggers* a connection process between the selected information terminal apparatus and the image display apparatus, which results in the *transfer* of the image information from the wireless connection module 44 to the wireless network and communications module 40 via the network. Once received the image information is displayed on screen 5. Ex. 1005, ¶¶66–70, 77–78, 80–89, FIG. 9; Ex. 1002, ¶¶85–86.

The patent owner argued in its preliminary response that Ono failed to teach an input device "*that triggers transfer of said user selected arbitrary media content.*" Ex. 1110, 23–25. However, Ono discloses, "transmit[ing] the image information signal … to … the projector 60" in response to pressing a key on the remote control 69. Ex. 1115, 31–33 (citing, *e.g.*, Ex. 1005, ¶82–83, 88); *see also*, FIG. 1 (illustrating transmitting image of a vehicle; and FIG. 9, "IMAGE TRANSFER" step of the "connection process."); Ex. 1002, ¶86. Patent Owner is incorrect that pressing the key on the remote control is only "used to select the desired information terminal apparatus to request connection." Ex. 1110, 23; Ex. 1002, ¶86. Instead, pressing the key results in an "image transfer." Ex. 1005, FIG. 9; Ex. 1002, ¶86.

Patent owner makes a second incorrect argument that "connecting to a network brings the danger of virus, malware or spyware transfer in either direction, and there is danger of copying of confidential information." Ex. 1110, 24 (citing Ex. 1001, 3:3-6). There is nothing in the claims of the '951 patent addressing this issue. Ex. 1002, ¶87. Moreover, the claims expressly require

transferring the media content "*to the wireless communications network*." Therefore, the malware issue is irrelevant. Ex. 1002, ¶87.

Additionally, Ono discloses that, once the desired PC is connected, remote controller 69 may fast-forward/rewind images on the PC screen and, in conjunction therewith, the images projected on screen 5. Ex. 1002, ¶88. A POSITA would have understood this fast-forwarding/rewinding to trigger additional transmissions of image information. Ex. 1005, ¶70; Ex. 1002, ¶127. Hence, Ono discloses the claimed *input device*. Ex. 1002, ¶88.

Theurer teaches that Ono's input device can alternatively be part of an on-screen "control panel for starting, pausing and stopping the meeting, or for displaying and managing a list of attendees or for chatting with attendees." Ex. 1035, ¶¶5, 11, FIG. 6A; Ex. 1002, ¶89.

2. *wherein the input device displayed on the second display is displayed on a second layer such that during the transfer of the user selected arbitrary media content of the user processing device to the transmitter on the at least one peripheral device, the input device displayed on the second display is not transferred with the user selected arbitrary media content.*

Ono discloses the *input device* (*e.g.*, "remote controller 69"). Ex. 1002, ¶90. Theurer discloses an alternative location of an input device as a software control panel *wherein the input device [is] displayed on the second display*. Ex. 1035, ¶87 ("On the display 230a of source node 100, the screen sharing presenter 325 may provide and display a control panel 425"), Ex. 1002, ¶90. Theurer further discloses that *the input device … is displayed on a second layer such that during the transfer of the user selected arbitrary media content of the user processing device to the transmitter on the at least one peripheral device, the input device displayed on the second display is not transferred with the user selected arbitrary media content.* Ex. 1002, ¶90.

> Using the window layering technique of the present invention, the source node 100 may display the control panel 425… and transmit a set of screen data 310 that does not provide the control panel 425 or user interface element for display on the screen sharing viewer 320. As such, any screen changes 516 may be screen shared with the consumer node 150 as they occur without screen sharing a portion

> of the screen view 450 desired not to be shared. For example, as illustrated in FIG. 6D, the consumer node 150 may view the screen view 450 of the source node 100 without showing the deployment of the control panel 425. In some embodiments, the consumer node 150 receives screen data 310′ from the source node 100 to display the portion of the screen view 450 behind the deployed control panel 425 instead of the deployed control panel 425.

Id., ¶109 (emphasis added). FIG. 6A illustrates how the control panel 425 (dark gray) appears on the presenter's "source node 100" and does not appear on the receiver's "consumer node 150." *See also id.*, ¶90 FIGS. 4A, 6D. Ex. 1002, ¶91.

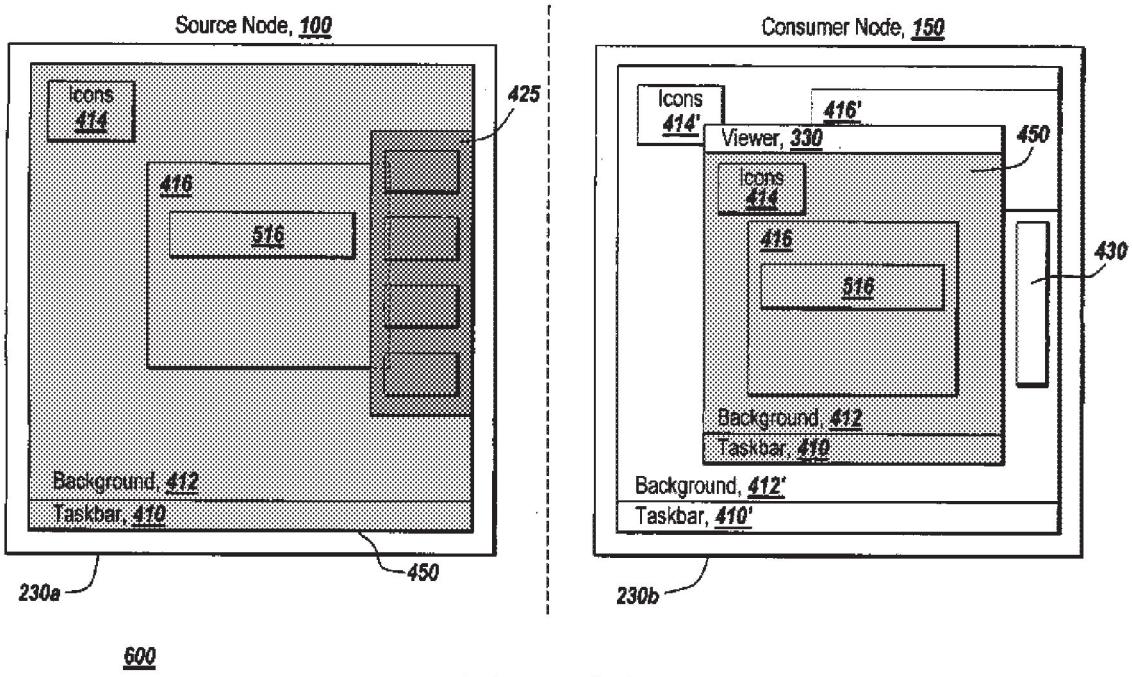


Fig. 6A

Ex. 1035, FIG. 6A

These technical teachings of Ono in combination with Theurer were not cited, considered or discussed on the record by the examiner during prosecution of the '951 patent or in IPR2024-01439 with respect to claim 12, and an examiner would have considered the new technical teachings of Ono in combination with Theurer important in deciding the patentability of claim 12. The new technical teachings of Ono in combination with Theurer are not cumulative of any technical teachings discussed or suggested during the original prosecution of the '951 patent.

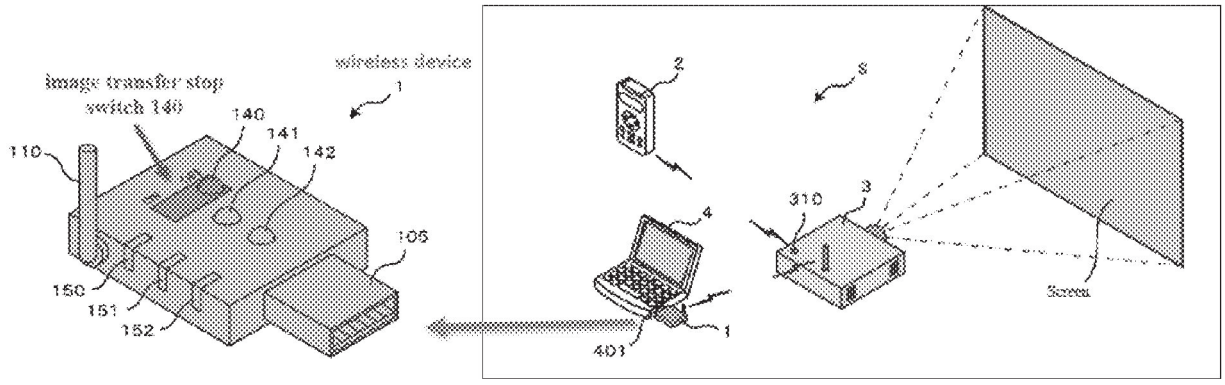
Therefore, Ono in combination with Theurer establishes an SNQ with respect to claim 12 of the '951 patent. Ex. 1002, ¶92.

B. SNQ No. 2 – The combination of Uchida, Grimshaw, and Theurer renders obvious claim 12 of the '951 patent under 35 U.S.C. § 103.

The new, non-cumulative, and not previously considered arguments with respect to Uchida combined with Grimshaw and Theurer establish an SNQ for claim 12 of the '951 patent. Uchida was cited in an IDS but was never considered on the record, and is therefore presented in a new light. The combination presents an SNQ for at least the claimed *input device*. Ex. 1002, ¶93

1. *an input device configured to allow the user to carry out a user action on the input device that triggers transfer of said user selected arbitrary media content from the transmitter to the wireless communications network and via the wireless communication network to the base node for display on the first display*

Uchida in view of Grimshaw discloses *an input device* (*e.g.*, image transfer stop switch 140 on wireless device 1) *configured to allow the user to carry out a user action* (*e.g.*, sliding switch 140) *on the input device that triggers transfer of said user selected arbitrary media content* (*e.g.*, image data) *from the transmitter* (*e.g.*, wireless communication unit 107) *to the wireless communications network* (*e.g.*, WLAN) *via the wireless communication network to the base node* (*e.g.*, control unit 303 and wireless unit 306) *for display on the first display* (*e.g.*, LCD 323 of the image projection unit). Ex. 1009, ¶¶10–13, 39–40, 70–72, 134, 139, 176, FIGS. 1–3; Ex. 1002, ¶¶94–98. For example, Uchida discloses that "image transfer stop switch 140 is a slide switch that serves as an image transmission stop operation unit for instructing the image projection device 3 to stop transmitting the image data, and is a changeover switch that switches between an image stop ON mode and an image stop OFF mode." Ex. 1009, ¶71; Ex. 1002, ¶95.



Ex. 1009, FIGS. 1, 3.

A POSITA would have understood that moving the switch to the "ON" position stops image transfer, while sliding it back to the "OFF" position resumes (and thus triggers) image data transmission. Ex. 1009, ¶¶70–72; Ex. 1002, ¶96.

Moreover, the input device of limitation 1(f) is also taught by Grimshaw and it would have been obvious to include with Uchida's wireless device for the reasons discussed regarding Grimshaw's disclosure where each button *triggers transfer of said user selected arbitrary media content.* Ex. 1008, ¶¶5, 19 ("[T]he users of modules 14, 16, 18, 20 can take control of the display module 22 by respectively engaging buttons 344, 354, 364, 374, which causes switch controller 318 to pass the data signals from the selected user module on to the display module."), 20, 27–28, FIGs. 1–4; Ex. 1002, ¶97; *see also* §VII.A.2 .

Theurer teaches that Uchida's input device can alternatively be part of an on-screen "control panel for starting, pausing and stopping the meeting, or for displaying and managing a list of attendees or for chatting with attendees." Ex. 1035, ¶¶5, 11, FIG. 6A; Ex. 1002, ¶98.

2. *wherein the input device displayed on the second display is displayed on a second layer such that during the transfer of the user selected arbitrary media content of the user processing device to the transmitter on the at*

least one peripheral device, the input device displayed on the second display is not transferred with the user selected arbitrary media content.

Uchida discloses the *input device* (*e.g.*, "image transfer stop switch 140"). Ex. 1002, ¶99. Theurer discloses an alternative location of an input device as a software control panel *wherein the input device [is] displayed on the second display*. Ex. 1035, ¶87 ("On the display 230a of source node 100, the screen sharing presenter 325 may provide and display a control panel 425"); Ex. 1002, ¶99. Theurer further discloses that *the input device ... is displayed on a second layer such that during the transfer of the user selected arbitrary media content of the user processing device to the transmitter on the at least one peripheral device, the input device displayed on the second display is not transferred with the user selected arbitrary media content.* Ex. 1002, ¶99.

> Using the window layering technique of the present invention, the source node 100 may display the control panel 425… and transmit a set of screen data 310 that does not provide the control panel 425 or user interface element for display on the screen sharing viewer 320. As such, any screen changes 516 may be screen shared with the consumer node 150 as they occur without screen sharing a portion of the screen view 450 desired not to be shared. For example, as illustrated in FIG. 6D, the consumer node 150 may view the screen view 450 of the source node 100 without showing the deployment of the control panel 425. In some embodiments, the consumer node 150 receives screen data 310′ from the source node 100 to display the portion of the screen view 450 behind the deployed control panel 425 instead of the deployed control panel 425.

Id., ¶109 (emphasis added). FIG. 6A illustrates how the control panel 425 (dark gray) appears on the presenter's "source node 100" and does not appear on the receiver's "consumer node 150." *See also id.*, ¶90 FIGS. 4A, 6D; Ex. 1002, ¶100.

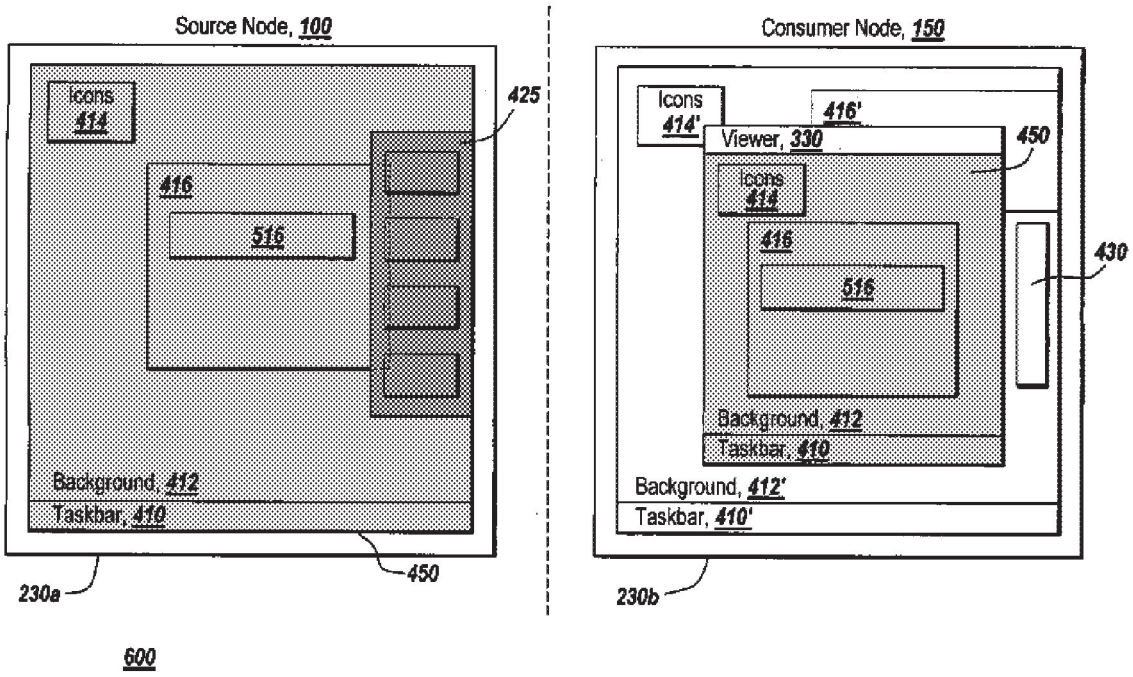


Fig. 6A

Ex. 1035, FIG. 6A

These technical teachings of Uchida in combination with Grimshaw and Theurer were not cited, considered or discussed on the record by the examiner during prosecution of the '951 patent or in IPR2024-01439 with respect to claim 12, and an examiner would have considered the new technical teachings of Uchida in combination with Grimshaw and Theurer important in deciding the patentability of claim 12. The new technical teachings of Uchida in combination with Grimshaw and Theurer are not cumulative of any technical teachings discussed or suggested during the original prosecution of the '951 patent. Therefore, Uchida in combination with Grimshaw and Theurer establishes an SNQ with respect to claim 12 of the '951 patent. Ex. 1002, ¶101.

C. SNQ No. 3 – The combination of Ichieda and Theurer renders obvious claim 12 of the '951 patent under 35 U.S.C. § 103.

The new, non-cumulative, and not previously considered arguments with respect to Ichieda combined with Theurer establish an SNQ for claim 12 of the '951 patent. Neither reference was

previously considered, and the combination presents an SNQ for at least the claimed *input device*. Ex. 1002, ¶102.

1. *an input device configured to allow the user to carry out a user action on the input device that triggers transfer of said user selected arbitrary media content from the transmitter to the wireless communications network and via the wireless communication network to the base node for display on the first display*

In a third embodiment, Ichieda discloses *an input device* (*e.g.*, operation section 83) *configured to allow the user to carry out a user action* (*e.g.*, pressing a button on operation section 83) *that triggers transfer of said user selected arbitrary media content* (*e.g.*, image signal) *from the transmitter* (*e.g.*, communication section 86) *to the wireless communications network* (*e.g.*, LAN) *and to the base node* (*e.g.*, communications section 63 and control section 55) *through the wireless communications network for display on the first display* (*e.g.*, screen of projector 50). Ex. 1006, ¶¶44, 60, 69 ("The operation section 83 is equipped with a plurality of operation buttons for performing various instructions to the information terminal 80 [such as] 'a connection button' for instructing the wireless LAN connection...."), 81–83, 107, FIGS. 3, 7, 13; Ex. 1002, ¶¶103–104. As illustrated in processes shown in Figures 3, 7, and 13, once a connection is established, the image signal is sent, such that establishing a connection also triggers transfer of the image signal. *Id*. Ichieda also describes a first embodiment in which the input device is used for transmission and suggests that the input device of the first embodiment can also be used in conjunction with the third embodiment. Ex. 1006, ¶¶42-119, FIGs. 1-9; Ex. 1002, ¶¶103–104; § VII.C.2.

Theurer teaches that Ichieda's input device can alternatively be part of an on-screen "control panel for starting, pausing and stopping the meeting, or for displaying and managing a list of attendees or for chatting with attendees." Ex. 1035, ¶¶5, 11, 87, FIG. 6A; Ex. 1002, ¶105.

2. *wherein the input device displayed on the second display is displayed on a second layer such that during the transfer of the user selected arbitrary media content of the user processing device to the transmitter on the at*

least one peripheral device, the input device displayed on the second display is not transferred with the user selected arbitrary media content.

Ichieda discloses the *input device* (*e.g.*, operation section 83). Ex. 1002, ¶106. Theurer discloses an alternative location of an input device as a software control panel *wherein the input device [is] displayed on the second display*. Ex. 1035, ¶87 ("On the display 230a of source node 100, the screen sharing presenter 325 may provide and display a control panel 425"); Ex. 1002, ¶106. Theurer further discloses that *the input device ... is displayed on a second layer such that during the transfer of the user selected arbitrary media content of the user processing device to the transmitter on the at least one peripheral device, the input device displayed on the second display is not transferred with the user selected arbitrary media content.* Ex. 1002, ¶106.

> Using the window layering technique of the present invention, the source node 100 may display the control panel 425… and transmit a set of screen data 310 that does not provide the control panel 425 or user interface element for display on the screen sharing viewer 320. As such, any screen changes 516 may be screen shared with the consumer node 150 as they occur without screen sharing a portion of the screen view 450 desired not to be shared. For example, as illustrated in FIG. 6D, the consumer node 150 may view the screen view 450 of the source node 100 without showing the deployment of the control panel 425. In some embodiments, the consumer node 150 receives screen data 310′ from the source node 100 to display the portion of the screen view 450 behind the deployed control panel 425 instead of the deployed control panel 425.

Id., ¶109 (emphasis added). FIG. 6A illustrates how the control panel 425 (dark gray) appears on the presenter's "source node 100" and does not appear on the receiver's "consumer node 150." *See also id.*, ¶90 FIGS. 4A, 6D. Ex. 1002, ¶107.

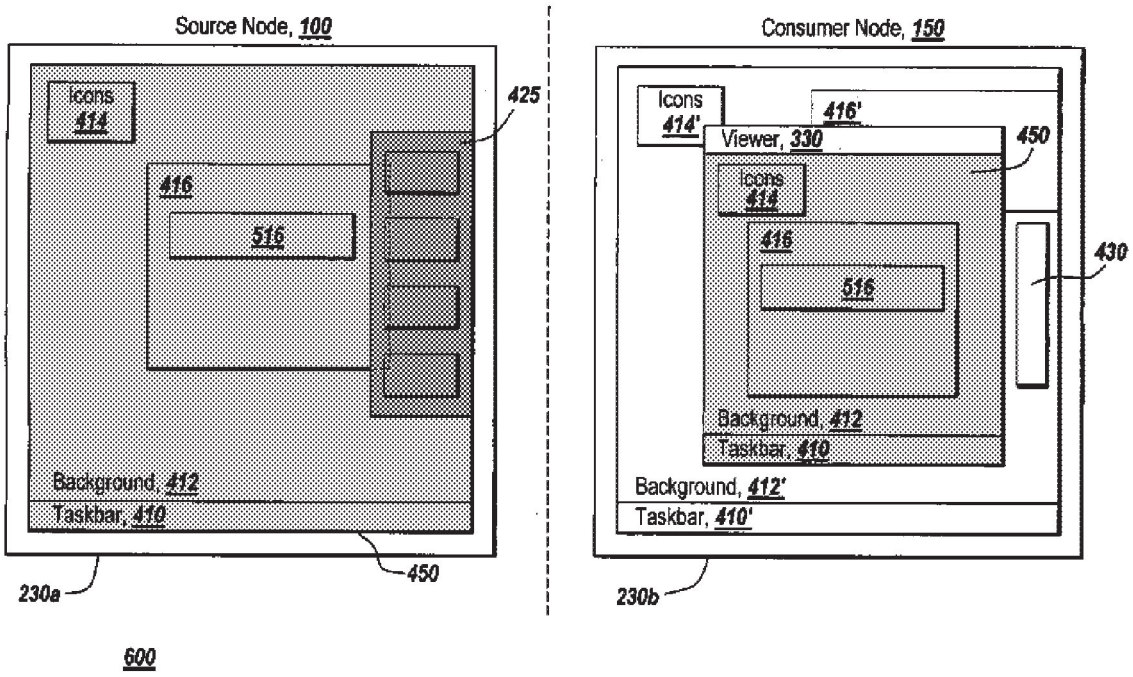


Fig. 6A

Ex. 1035, FIG. 6A

These technical teachings of Ichieda in combination with Theurer were not cited, considered or discussed on the record by the examiner during prosecution of the '951 patent or in IPR2024-01439 with respect to claim 12, and an examiner would have considered the new technical teachings of Ichieda in combination with Theurer important in deciding the patentability of claim 12. The new technical teachings of Ichieda in combination with Theurer are not cumulative of any technical teachings discussed or suggested during the original prosecution of the '951 patent. Therefore, Ichieda in combination with Theurer establishes an SNQ with respect to claim 12 of the '951 patent. Ex. 1002, ¶108.

VII. MANNER OF APPLYING THE CLAIMS AS REQUIRED BY 37 C.F.R. § 1.510 (B)(2)

Claim 12 depends from claim 10, which depends from claim 9. Therefore, Requester address all limitations of claim 12, including those in claims 9 and 10.

The person having ordinary skill in the art of the '103 patent would have had at least a master's degree in electrical engineering with at least five years of work experience in computer science and embedded systems, or a master's degree in computer science with at least five years of work experience in electrical and computer engineering and embedded systems. Additional educational experience could substitute for some of the work experience. Ex. 1002, ¶¶36-37.

A. Ground 1 – The combination of Ono and Theurer renders obvious claim 12.

1. Rationale to Modify Ono's System with Theurer

Ono discloses an electronic meeting tool in the form of an image display system. Ex. 1005, abstract, ¶2. Ex. 1002, ¶110. A peripheral device (*e.g.*, communications module 44) couples to a PC (*e.g.*, information terminal apparatus 2) to wirelessly transfer image information to an image display apparatus 1. *Id.*, ¶36; Ex. 1002, ¶110. Ono also discloses *an input device* (*e.g.*, remote controller 69) that can call up list 71 of available PCs (FIG. 8) for connection to the image display apparatus 1. Ex. 1005, ¶¶66–72, 77–78; Ex. 1002, ¶111. The user presses the up/down selection key on remote controller 69 to select a particular PC and then presses the confirm (enter) key when the user reaches the desired PC. Ex. 1005, ¶¶66–72, 77–78; Ex. 1002, ¶111. This selection *triggers* a connection process between the selected information terminal apparatus and the image display apparatus, which results in the *transfer* of the image information from the wireless connection module 44 to the wireless network and communications module 40 via the network. Once received the image information is displayed on screen 5. Ex. 1005, ¶¶66–70, 77–78, 80–89, FIG. 9; Ex. 1002, ¶111.

FIG. 6

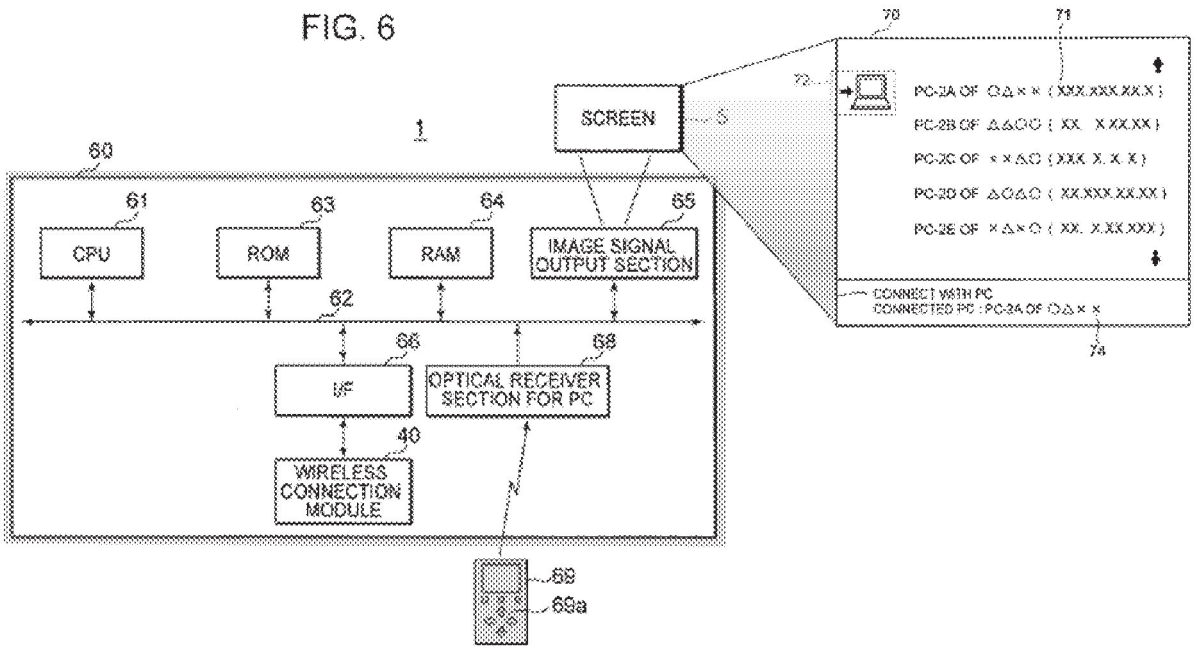


FIG. 8

Ex. 1005, FIGS. 6, 8.

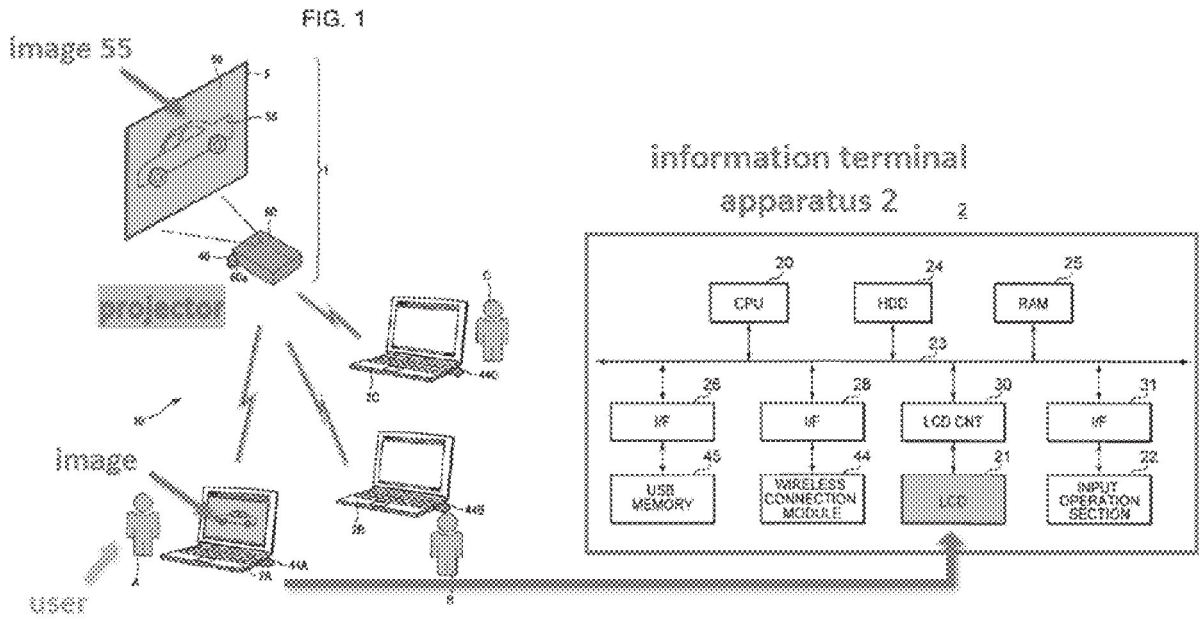
Theurer discloses that an input device like Ono's remote controller 69 can alternatively be part of a control panel displayed on a screen "for starting, pausing and stopping the meeting, or for displaying and managing a list of attendees or for chatting with attendees." Ex. 1035, ¶5, FIG. 6A; Ex. 1002, ¶114. Such a control panel would be part of a software application, such as Ono's "connection application 41." Ex. 1005, ¶¶53–55; Ex. 1002, ¶114. Further, in displaying such a control panel, Theurer suggests that a POSITA would be motivated to use a layering technique "to create and manage user interface elements that are not to be screen shared with another computing device." Ex. 1035, ¶8; Ex. 1002, ¶114. The POSITA would therefore be motivated to apply Theurer's known technique to Ono's known device for screen sharing, which has a connection application ready to be improved to yield the predictable result of a control panel for controlling transfer of a/v data from one computer to another. Ex. 1002, ¶114.

Furthermore, because the art identifies a limited number of known locations for a user input device, it would have been obvious to present the input device on a display, as claimed. *See Uber Techs., Inc. v. X One, Inc.*, 957 F.3d 1334, 1340 (Fed. Cir. 2020); *KSR*, 550 U.S. at 421. It would have been a "predictable variation" of Ono's system, using a technique that was known to a POSITA, particularly since the location of the input device solves no stated problem in the art. *KSR*, 550 U.S. at 417; *Wyers v. Master Lock Co.*, 616 F.3d 1231, 1238 (Fed. Cir. 2010) (finding obviousness when "it is simply a matter of common sense" to combine known elements of the prior art to solve a known problem); *In re Kuhle,* 526 F.2d 553, 555 (C.C.P.A. 1975) (relocating electrical connection "solves no stated problem and would be an obvious matter of design choice"). See also Ex. 1002, ¶¶112-113, 115.

2. Claim 9

a) *An electronic meeting tool for communicating user selected arbitrary media content from users at a meeting*

To the extent limiting, Ono discloses *an electronic meeting tool* (*e.g.*, image display system 10) *for communicating user selected arbitrary media content* (*e.g.*, image information) *from users* (*e.g.*, users A, B, C) *at a meeting*. Ex. 1005, ¶¶35–39, 55, 61–62, 73–74, 88–89, 144, FIG. 1, 7; Ex. 1002, ¶¶116–118. A POSITA would have understood user A, for example, may generate, create or select any media content for display on LCD 21 of information terminal apparatus 2A as *user selected arbitrary media content*. Ex. 1005, ¶¶88–89, FIGS. 1, 7; Ex. 1001, 11:43–50; Ex. 1002, ¶118.



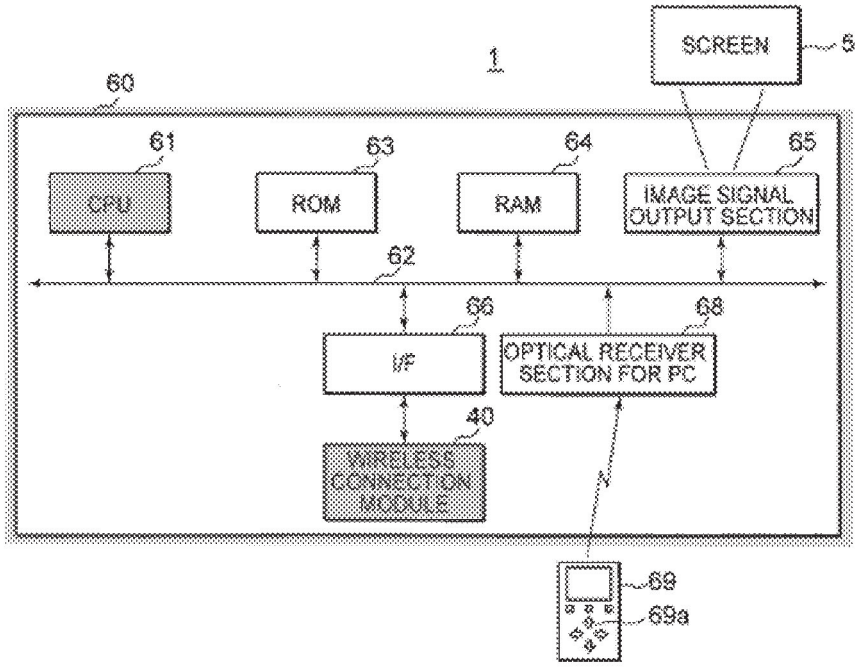
Id., FIGS. 1 & 7.

Ono further discloses a user may select their image information for display by the image display apparatus "and therefore, presentations can be conducted speedily." Ex. 1005, ¶144; *see also id.*, ¶¶38–41, 73, 88–89. Thus, a POSITA would have understood Ono to disclose *an electronic meeting tool for communicating user selected arbitrary media content from users at a meeting*, as claimed. Ex. 1002, ¶118.

b) ***a base node, the base node being coupled to a first display, the base node being adapted to receive user selected arbitrary media content from at least one peripheral device via a wireless communications network, and to control display of the user selected arbitrary media content on the first display***

Ono discloses *a base node* (*e.g.*, wireless communications module 40 and control section (CPU) 61, integrated in image display apparatus 1), *the base node being coupled to a first display* (*e.g.*, an image display apparatus 1 including, *e.g.*, projector 60 and display screen 50), *the base node being adapted to receive user selected arbitrary media content* (image information) *from at least one peripheral device* (*e.g.*, wireless communications module 44A, 44,B, 44C) *via a wireless*

communications network, and to control display of the user selected arbitrary media content on the first display (*e.g.*, via control section 61).[2] Ex. 1005, ¶¶42–44, 65, 89, FIGS. 1–3, 6–7, 9; Ex. 1002, ¶¶119–120. A POSITA would have understood the wireless communications module 40 and control section 61 constitute "a base node" at least because the '951 patent provides an example with similar structure (*i.e.*, a processing device and connection unit). Ex. 1002, ¶¶119.

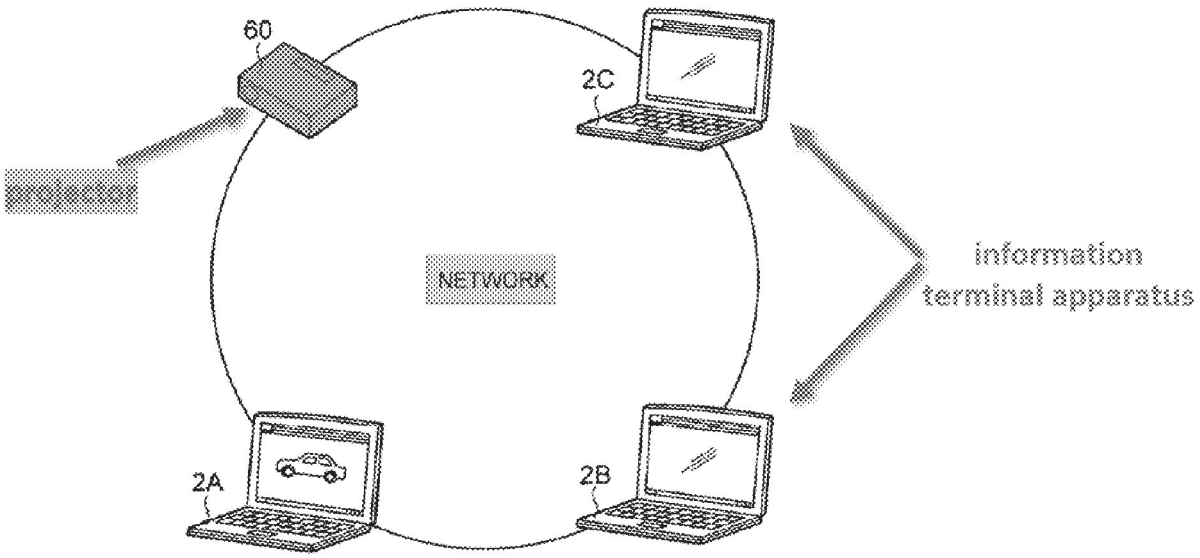


Id., FIG. 6.

Ono discloses wireless communications module 40 receives image information from communication module 44A via a wireless communications network. Ex. 1005, ¶¶11 ("[A]n image display apparatus [] receives a transfer of image information via the network"), 37–38, 41–42, 52, FIGS. 1–3, 6–7, 9; Ex. 1002, ¶¶120; *see also* §III.E.1 (discussing arbitrary media content). Ono

[2] The identification of structure corresponding to the claim elements is exemplary only. For example, projector 50 constitutes a "base node" coupled to screen 5 ("first display"). Ono also teaches alternatives to a screen as a display. *See* Ex. 1005, ¶162; Ex. 1002, ¶67.)

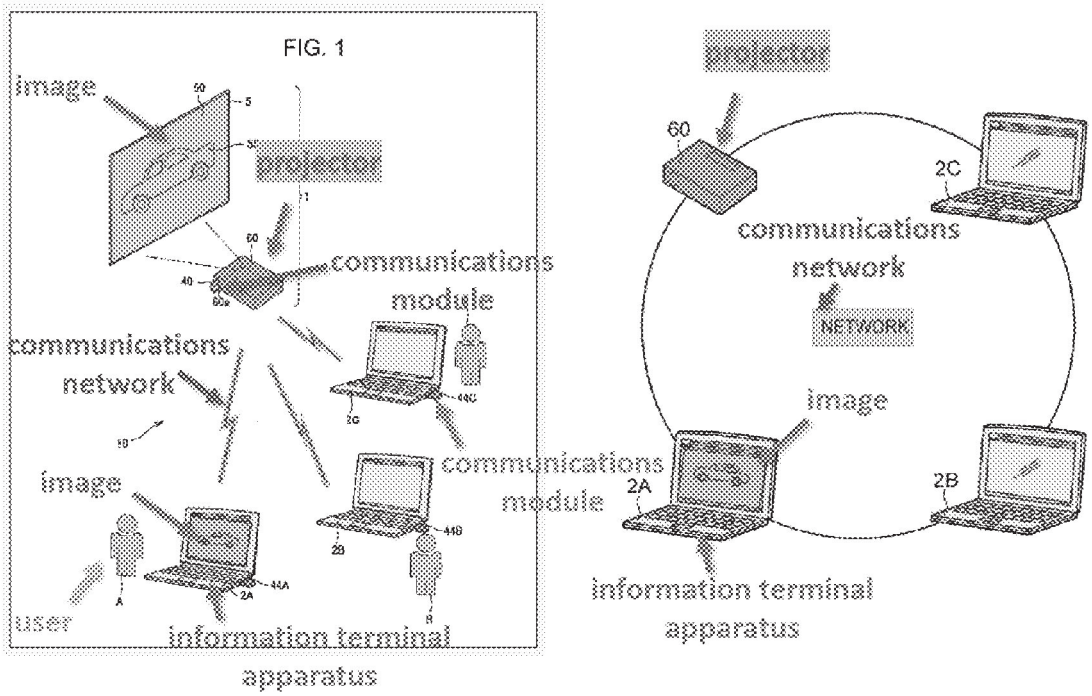
also discloses that control section 61 controls display of the image information on screen 5. Ex. 1005, ¶¶89–90, 65–70; Ex. 1002, ¶120. Ono illustrates the wireless communications network in Figure 2 (below). Ex. 1005, ¶19; Ex. 1002, ¶120.



Id., FIG. 2.

c) *the at least one peripheral device being adapted to communicate the user selected arbitrary media content to the wireless communications network*

Ono discloses *the at least one peripheral device* (*e.g.*, wireless connection module 44A, 44B, 44C) *being adapted to communicate the user selected arbitrary media content* (*e.g.*, image information) *to the wireless communications network*. Ex. 1005, ¶¶35, 38–42, 50, 55, 62, 88, 144, FIGS. 1–2; Ex. 1002, ¶121. For example, wireless connection module 44A transmits image information from information terminal apparatus 2A to communications module 40 via a wireless network. *Id.*



Id., FIGS. 1–2.

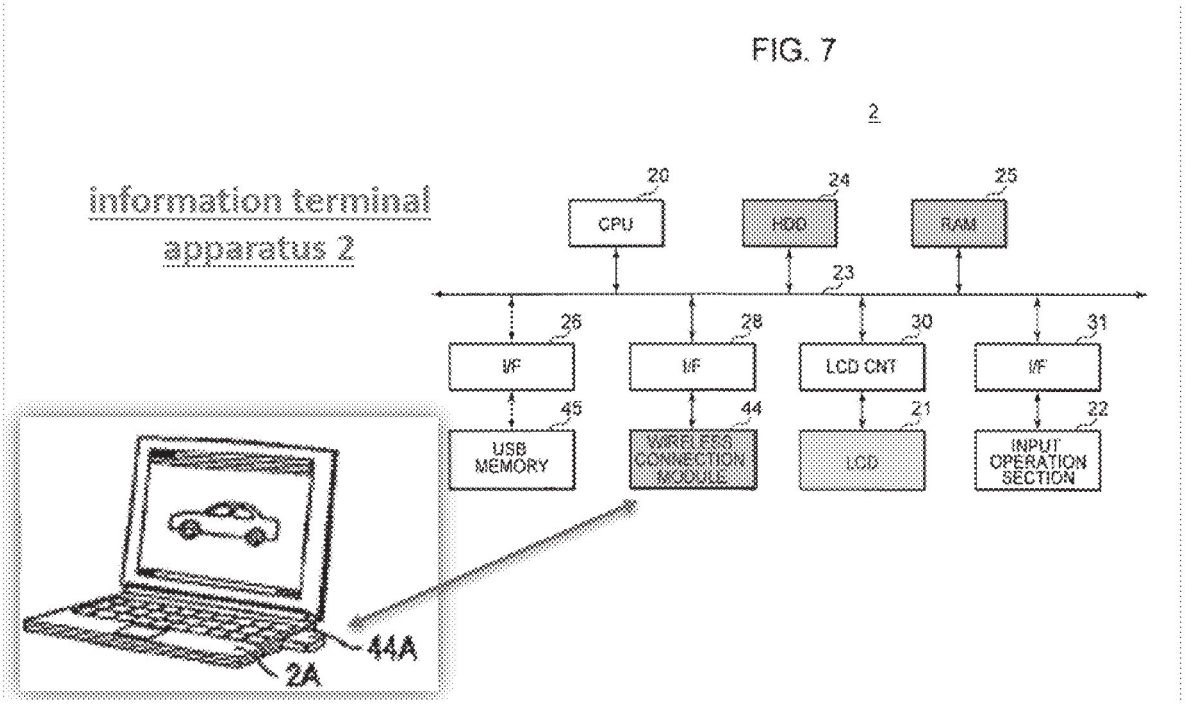
d) ***the at least one peripheral device is a connection unit comprising*:**

Ono discloses that *the at least one peripheral device* (*e.g.*, wireless communication module 44A, 44B, 44C) *is a connection unit* (*e.g.*, a wireless connection module). Ex. 1005, ¶¶39, 54–55; Ex. 1002, ¶122. For example, Ono states that communications modules 44A, 44B and 44C may be "wireless connection modules." Ex. 1005, ¶¶39. Further, Ono discloses that communications modules 44A, 44B and 44C are used "for the connection and disconnection of communications with the communications module 40 of the projector 60," and thus a POSITA would have understood each wireless communication module 44 is also a "*connection unit*". Ex. 1005, ¶¶39–42, 54; Ex. 1002, ¶122.

e) ***a connector adapted to couple to a port of a user processing device, the user processing device having a second display and a memory, and***

Ono discloses *a connector* (*e.g.*, USB connector) *adapted to couple to a port* (*e.g.*, USB slot) *of a user processing device* (*e.g.*, information terminal apparatus 2A, 2B, 2C), *the user*

processing device having a second display (*e.g.*, LCD 21) *and a memory* (*e.g.*, HDD 24 or RAM 25). Ex. 1005, ¶¶39, 54–55, 62, FIGS. 1, 7; Ex. 1002, ¶¶123–124. Specifically, Ono discloses that wireless communication module 44 is a USB-type peripheral device that is inserted into the USB jack (slot) on the information terminal apparatus 2. *Id.* A POSITA would have understood that communication module 44 includes a USB-type connector have designed to fit within a USB jack. Ex. 1002, ¶123.



Ex. 1005, FIGS. 1 (excerpted), 7.

Ono further discloses each information terminal apparatus 2 has a liquid crystal display 21 and include hard disk drive (HDD) 24 and random-access memory (RAM) 25. Ex. 1005, ¶73, FIGS. 1, 7; Ex. 1002, ¶124.

f) *a transmitter for transferring said selected arbitrary media content to the wireless communications network*

Ono discloses and/or suggests *a transmitter* (*e.g.*, a part of the wireless communications module enabling wireless transmission) *for transferring user selected arbitrary media content*

(*e.g.*, image information) *to the wireless communications network.* Ex. 1002, ¶¶125–126. For example, Ono discloses that "image information sent from one or more information terminal apparatuses via a network." Ex. 1005, ¶9; *see also id.*, ¶¶11, 35–42, 50–56, 62, 68–69, 76, 88–89, 144; Ex. 1002, ¶125.

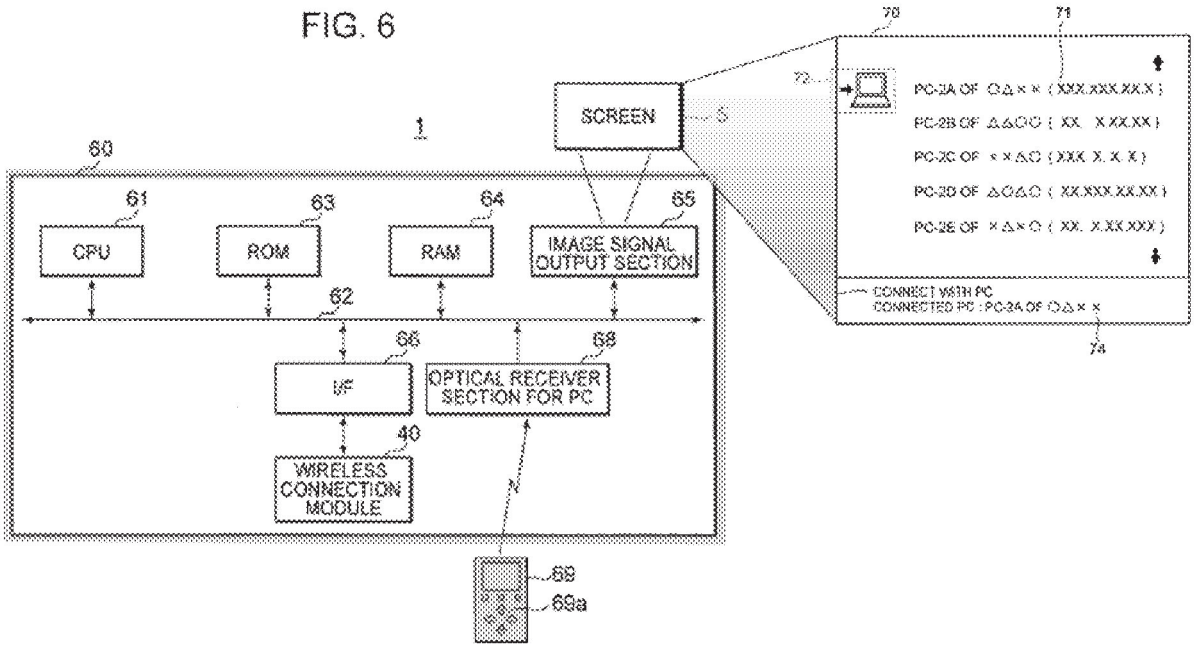
A POSITA would have understood that Ono's communication modules 44 to include a transmitter chip as necessary means for wireless transmission, like Ono's communications module 40 and in accordance with well-known wireless transmission protocols. Ex. 1005, ¶¶37, 52, 54; Ex. 1035, ¶¶18–21; Ex. 1002, ¶126.

g) ***an input device configured to allow the user to carry out a user action on the input device that triggers transfer of said user selected arbitrary media content from the transmitter to the wireless communications network and via the wireless communication network to the base node for display on the first display***

Ono discloses *an input device* (*e.g.*, remote controller 69) *configured to allow the user to carry out a user action* (*e.g.*, pressing up or down selection key on the operation section of the remote controller 69 and pressing the confirm (enter) key) *on the input device that triggers transfer of said user selected arbitrary media content* (*e.g.*, image information) *from the transmitter to the wireless communications network and to the base node* (*e.g.*, wireless communications module 40 and control section 61) *through the wireless communications network for display on the first display* (*e.g.*, an image display apparatus 1 including, *e.g.*, an image signal output section 65 and screen 5). Ex. 1005, ¶¶44–48, 66–71, 77–78, 80–89, FIGs. 3, 6, 8, 9; Ex. 1002, ¶¶127–132.

FIG. 8

FIG. 6



Ex. 1005, FIGS. 6, 8.

Ono discloses that remote controller 69 can call up list 71 of available PCs (FIG. 8) for connection to the image display apparatus. Ex. 1005, ¶¶66–72, 77–78. The user presses the up/down selection key on remote controller 69 to select a particular PC and then presses the confirm (enter) key when the user reaches the desired PC. Ex. 1005, ¶¶66–72, 77–78. This selection *triggers* a connection process between the selected information terminal apparatus and the image display apparatus, which results in the transfer of the image information from the wireless connection module 44 to the wireless network and communications module 40 via the network. Once received the image information is displayed on screen 5. Ex. 1005, ¶¶66–70, 77–78, 80–89, FIG. 9; Ex. 1002, ¶¶128–131; *see also* §§VII.A.2(a), VII.A.2(b).

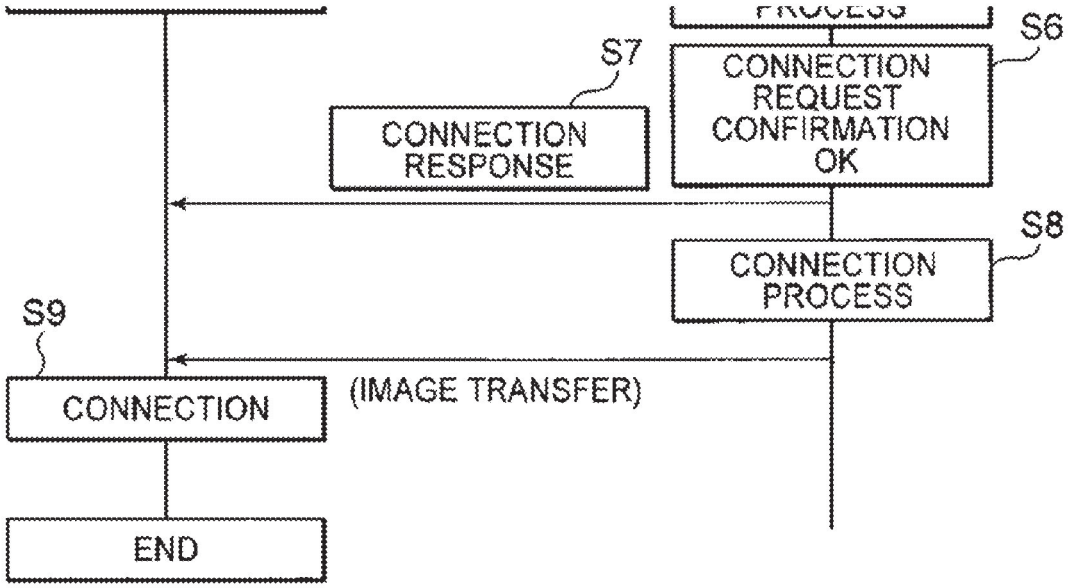
The patent owner argued in its preliminary response that Ono failed to teach an input device "*that triggers transfer of said user selected arbitrary media content.*" Ex. 1110, 23–25. However, Ono discloses, "transmit[ing] the image information signal … to … the projector 60" in response

to pressing a key on the remote control 69. Ex. 1115, 31–33 (citing, *e.g.*, Ex. 1005, ¶82–83, 88); *see also*, FIG. 1 (illustrating transmitting image of a vehicle; and FIG. 9, "IMAGE TRANSFER" step of the "connection process."). Patent Owner is incorrect that pressing the key on the remote control is only "used to select the desired information terminal apparatus to request connection." Ex. 1110, 23. Instead, pressing the key results in an "*image transfer*." Ex. 1005, FIG. 9. Therefore, Ono renders obvious the "*input device*" limitation. Ex. 1002, ¶¶128–130.

Patent Owner makes a second incorrect argument that "connecting to a network brings the danger of virus, malware or spyware transfer in either direction, and there is danger of copying of confidential information." Ex. 1110, 24 (citing Ex. 1001, 3:3–6). There is nothing in the claims of the '951 patent addressing this issue. Moreover, the claims expressly require transferring the media content "*to the wireless communications network.*" Therefore, the malware issue is irrelevant. Ex. 1002, ¶130.

Additionally, Ono discloses that, once the desired PC is connected, remote controller 69 may fast-forward/rewind images on the PC screen and, in conjunction therewith, the images projected on screen 5. A POSITA would have understood this user action of fast-forwarding/rewinding to trigger additional transmissions of image information. Ex. 1005, ¶70; Ex. 1002, ¶131. Hence, Ono discloses the claimed *input device*. Ex. 1002, ¶131.

Patent owner is incorrect to argue in a related IPR that Ono's disclosure of a possible "connection rejection" means that Ono does not disclose the "*triggers transfer*" limitation. *See*, *e.g.*, Ex. 1005, FIG. 10 (S57). This is because FIG. 9 (excerpted below) expressly illustrates a successful "connection response" (S7) resulting in an "IMAGE TRANSFER." Ex. 1002, ¶133.



Ex. 1005, FIG. 9 (excerpted)

The fact that a connection might fail in some circumstances is irrelevant. Ex. 1002, ¶134. Indeed, the '951 patent explains that its connection will fail in some instances:

> When the button was previously in state "connected" (see FIG. 6), it will check the state of the base unit (P). If the base unit is not in state "full", the peripheral device will send the screen scraped arbitrary media content to the base unit (B), which will add the media content to the composition on the central display.

Ex. 1001, 11:43-48. The connection will fail when the base unit is in the "full" state. Ex. 1072, 31:19-34:22 (discussing Ex. 1067, 43-44 (sometimes "you are blocked" from connecting)); Ex. 1073, 4:25-7:2 (Dr. Brogioli testifying on other ways patent owner's product could fail to connect), 9:10-10:25 (discussing the same regarding the how the embodiments of the '951 patent may also fail). Patent owner's system could fail in several ways. Ex. 1075; Ex. 1083, ¶¶11-12. Therefore, the claims of the '951 patent do not require 100% reliability when actuating the input device to trigger a transfer. Ex. 1002, ¶135.

Even if transfer might be obstructed under certain conditions (*e.g.*, whether like those encountered by patent owner's own device or different), Ono in combination with Theurer indisputably discloses "*an input device... that triggers transfer of...media content.*" Ex. 1005, ¶161

("for each presenter to carry out output on/off operations at each information terminal apparatus."); Ex. 1002, ¶136.

Ono's input device is on a remote control, similar to the embodiment disclosed at 26:41-47 of the '951 patent (Ex. 1001). Unlike claim 1, claim 9 does not require, "the input device being a physical actuator coupled to the at least one peripheral device." Claim 9 only requires that the "*one peripheral device is a connection unit comprising: (a) a connector ... , and (b) a transmitter.*" It does not have an element (c) like claim 1. However, to the extent that claim 9 is construed to require that input device be a part of the peripheral device, Grimshaw and Uchida both illustrate the desirability in the art and thus provide a specific design incentive to make the proposed modification to Ono's wireless communications module. Ex. 1008, ¶¶19; Ex. 1012, 5:8-24; Ex. 1009, ¶¶70-72. Specifically, each describes an input device located on a peripheral device, where the input device is a physical actuator that triggers transmission of the user's computer screen content to a shared display, and thus provide a function like Ono's remote controller. *Id.*, Ex. 1005, ¶¶7, 144. Thus, a POSITA would have found it obvious to provide such an input device with the peripheral device considering this known design incentive. *KSR*, 127 S.Ct. at 1731 ("[I]f a technique has been used to improve one device, and a person of ordinary skill in the art would recognize that it would improve similar devices in the same way, using the technique is obvious unless its actual application is beyond his or her skill."). Ex. 1002, ¶137

Also, Corbett (Ex. 1007) illustrates that the particular placement of the input device would have been an obvious matter of design choice within the skill of the art. Ex. 1002, ¶138. For example, analogous art such as Corbett illustrates similar functionality of a user input device to trigger transmission on a similar wireless peripheral device. Ex. 1007, ¶¶22-23; Ex.. 1002, ¶138. Specifically, Corbett discloses a wireless USB flash drive 100 with a transmitter 122 a transmission

initiation button 134 to trigger transfer of information to an external device 150. (*See*, *e.g.*, Ex. 1007, ¶¶6, 18, 20, 22-23, 26, 28, 46, FIG. 1; Ex. 1002, ¶138). Thus, Corbett describes one known design option in implementing a similar input device on a similar USB peripheral device. Ex. 1002, ¶138.

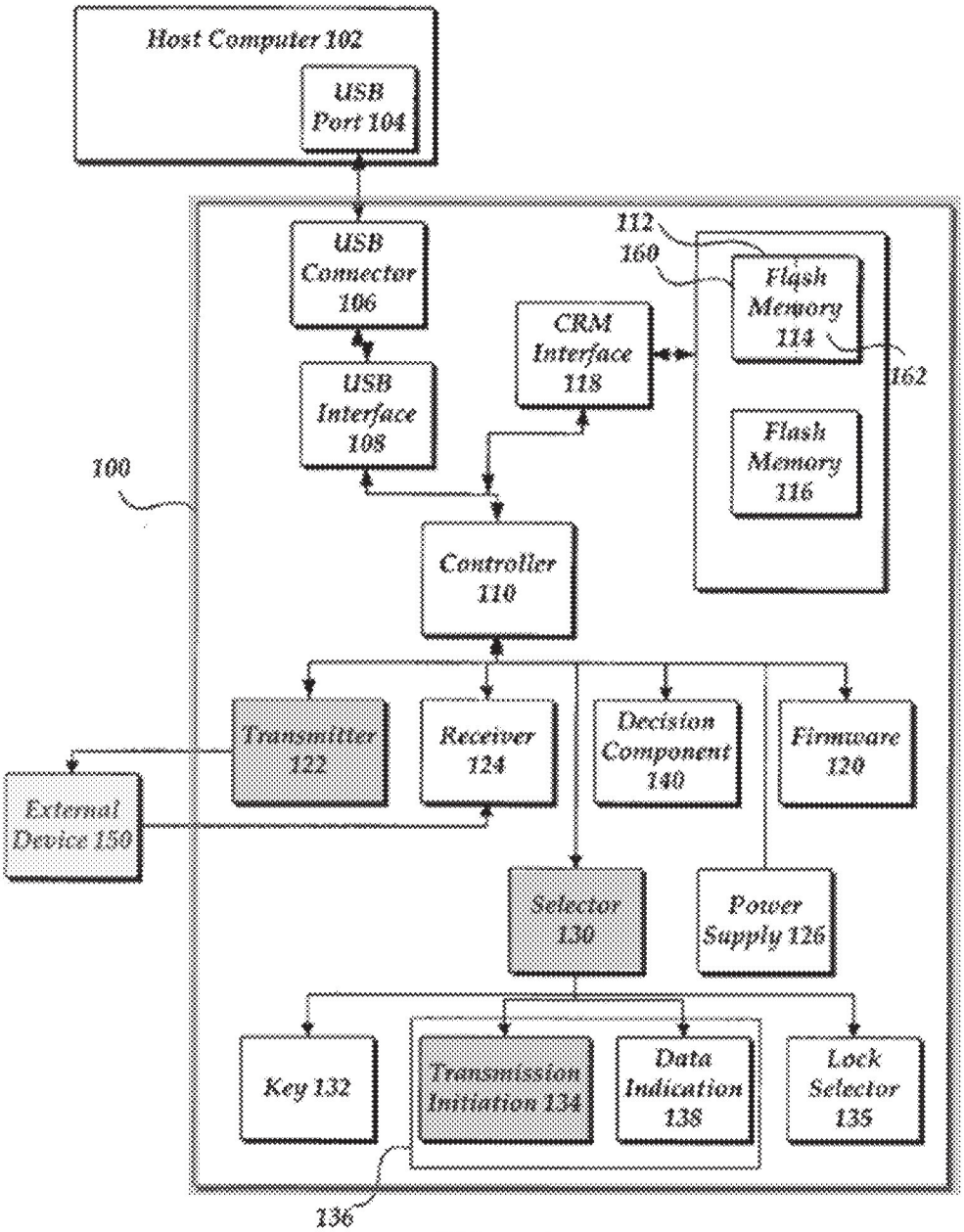


Fig. 1

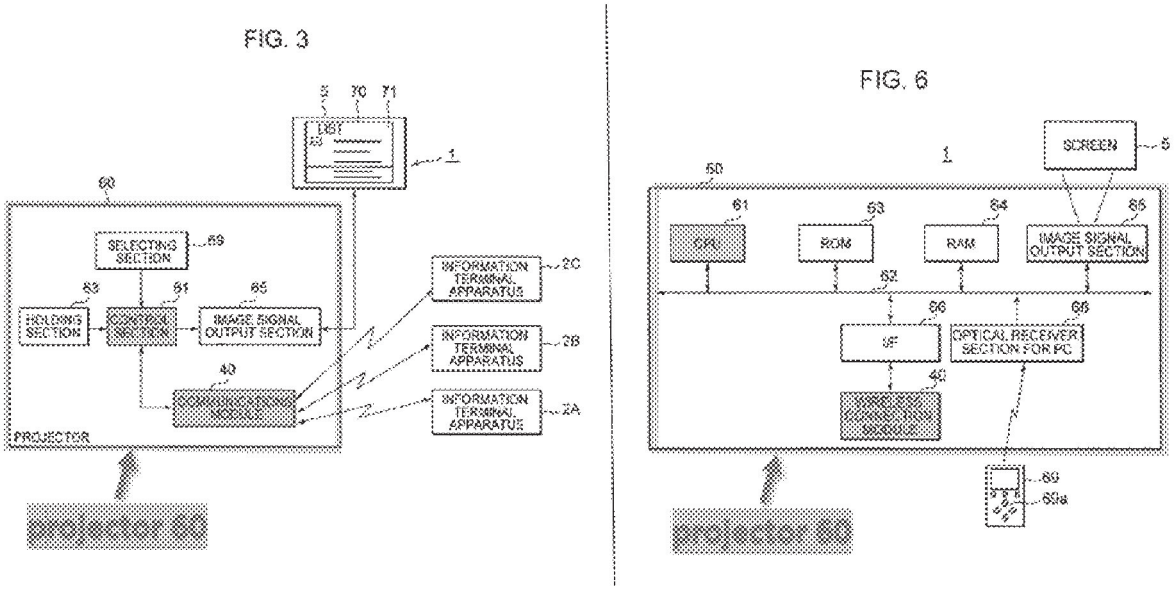
Ex. 1007, FIG. 1.

Although other suitable locations for such an input device, these were finite in number. Corbett, for example, recognizes that a user input device could be displayed on a host computer or on the peripheral device itself. Ex. 1007, ¶¶22-23. Thus, the prior art describes three potential locations for a user input device for triggering transmission from a peripheral device: the host computer, the peripheral device itself, and a remote controller. Ex. 1002, ¶¶139; Ex. 1005, ¶66, Ex. 1007, ¶¶22-23. Because the art identifies a limited number of known locations for such a user input device, it would have been obvious to combine an input device and peripheral device, as claimed. See *Uber Techs., Inc. v. X One, Inc.*, 957 F.3d 1334, 1340 (Fed. Cir. 2020); *KSR*, 550 U.S. at 421. It would have been a "predictable variation" of Ono's system, using a technique that was known to a POSITA, particularly since the location of the input device solves no stated problem in the art. *KSR*, 550 U.S. at 417; *Wyers v. Master Lock Co.*, 616 F.3d 1231, 1238 (Fed. Cir. 2010) (finding obviousness when "it is simply a matter of common sense" to combine known elements of the prior art to solve a known problem); In re Kuhle, 526 F.2d 553, 555 (C.C.P.A. 1975) (relocating electrical connection "solves no stated problem and would be an obvious matter of design choice").

3. Claim 10

a) *The electronic meeting tool according to claim 9, wherein said base node is integrated in the first display.*

Ono discloses *said base node* (*e.g.*, wireless communications module 40 and "[c]ontrol section 61" *is integrated in the first display* (*e.g.*, image display apparatus 1). Ex. 1005, ¶¶42–43, 50–52, 89, FIGS. 1–3, 6–7, 9; Ex. 1002, ¶¶140–141. A POSITA would have considered these elements to be "integrated" at least because the '951 patent describes a similar example base node-display arrangement as "integrated." Ex. 1002, ¶¶140–141.



Ex. 1005, FIGS. 3, 6.

Additionally, a POSITA would have also known that integration of components was a common design choice that would have reduced complexity by eliminating the need for a separate wireless communications module and the need to couple it to the projector. Ex. 1002, ¶¶141. A POSITA would have been motivated to integrate a base node (like Ono's communications module 40 and control section 61) with a display (*e.g.*, Ono's projector 60) to reduced complexity and eliminate the need for the wireless module as a separate device. *Id.* A POSITA would have had a reasonable expectation of success in achieving such integration as it would have involved the use of known components and known techniques that were within the conventional knowledge and abilities of a POSITA. *Id.*

4. Claim 12

a) ***The electronic meeting tool according to claim 10, wherein the input device displayed on the second display is displayed on a second layer such that during the transfer of the user selected arbitrary media content of the user processing device to the transmitter on the at least one peripheral device, the input device***

displayed on the second display is not transferred with the user selected arbitrary media content.

Ono discloses the *input device* (*e.g.*, remote controller 69). Theurer discloses an alternative location of an input device as a software control panel *wherein the input device [is] displayed on the second display*. Ex. 1035, ¶87 ("On the display 230a of source node 100, the screen sharing presenter 325 may provide and display a control panel 425"); Ex. 1002, ¶142. Theurer further discloses that *the input device ... is displayed on a second layer such that during the transfer of the user selected arbitrary media content of the user processing device to the transmitter on the at least one peripheral device, the input device displayed on the second display is not transferred with the user selected arbitrary media content.* Ex. 1002, ¶142.

> Using the window layering technique of the present invention, the source node 100 may display the control panel 425… and transmit a set of screen data 310 that does not provide the control panel 425 or user interface element for display on the screen sharing viewer 320. As such, any screen changes 516 may be screen shared with the consumer node 150 as they occur without screen sharing a portion of the screen view 450 desired not to be shared. For example, as illustrated in FIG. 6D, the consumer node 150 may view the screen view 450 of the source node 100 without showing the deployment of the control panel 425. In some embodiments, the consumer node 150 receives screen data 310′ from the source node 100 to display the portion of the screen view 450 behind the deployed control panel 425 instead of the deployed control panel 425.

Id., ¶109 (emphasis added). FIG. 6A illustrates how the control panel 425 (dark gray) appears on the presenter's "source node 100" and does not appear on the receiver's "consumer node 150." *See also id.*, ¶90 FIGS. 4A, 6D. Ex. 1002, ¶143

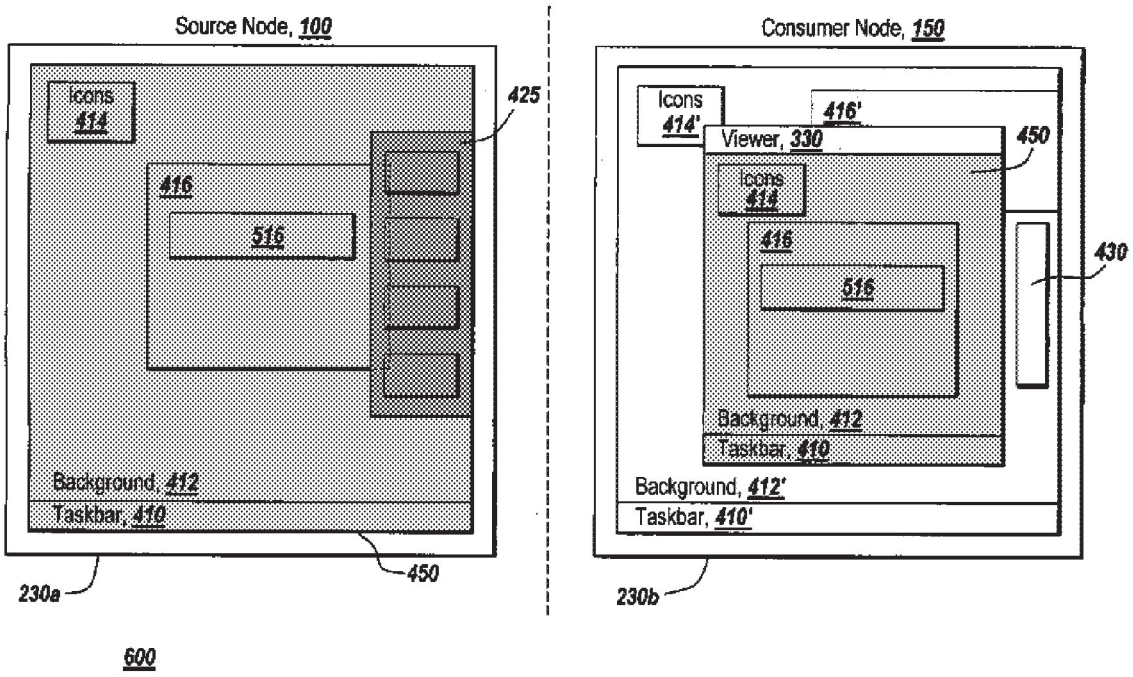


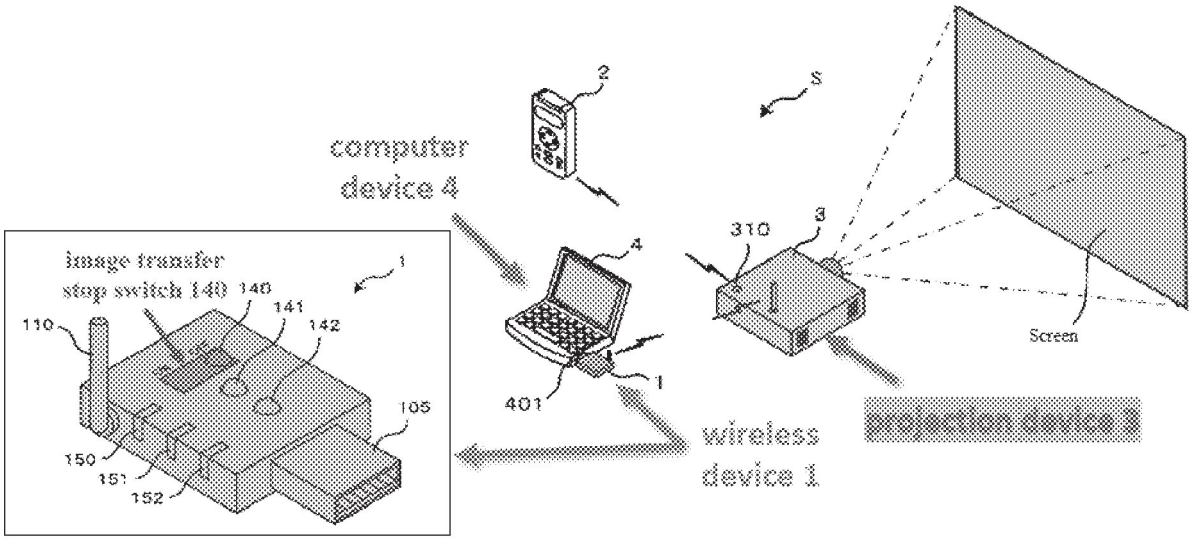
Fig. 6A

Ex. 1035, FIG. 6A

B. Ground 2 – The combination of Uchida, Grimshaw, and Theurer renders obvious claim 12.

1. Rationale to Modify Uchida's System with Grimshaw and Theurer

Uchida discloses a method for wirelessly connecting an image projection device to a computer device. Ex. 1009, Abstract; Ex. 1002, ¶¶144–151. Wireless device 1 transmits image data from the computer device 4 to the image projection device 3 for display of the image data on a screen. *Id.* An image transfer stop switch 140 may halt or allow image transfer. Ex. 1009, ¶¶70–72.



Ex. 1009, FIG. 1.

Uchida contemplates multiple computers and wireless devices connected to the image projection device, for example in a conference setting. Ex. 1009, ¶¶36–37, 0058, 0112, 0122, 0186; *see also id.*, ¶¶3–12; Ex. 1002, ¶¶144–151.), Grimshaw specifically addresses a scenario that natural results from Uchida's multiple device arrangement in which multiple users are vying for control over the display to project images from their individual computers and provides suitable solutions. Ex. 1008, ¶¶19–20 (Ex. 1012, 5:8–6:17); Ex. 1002, ¶¶144–151.

Grimshaw discloses a communication system that provides presentation and conferencing functions. Ex. 1008, ¶¶2–6, 12; Ex. 1012, 1:4–2:6. Grimshaw's system includes individual user modules 14, 16, 18, 20 that each couple to a laptop and allow the laptops to send content to display module 22. Ex. 1008, ¶12; Ex. 1012, 1:23–2:6; Ex. 1002, ¶146.

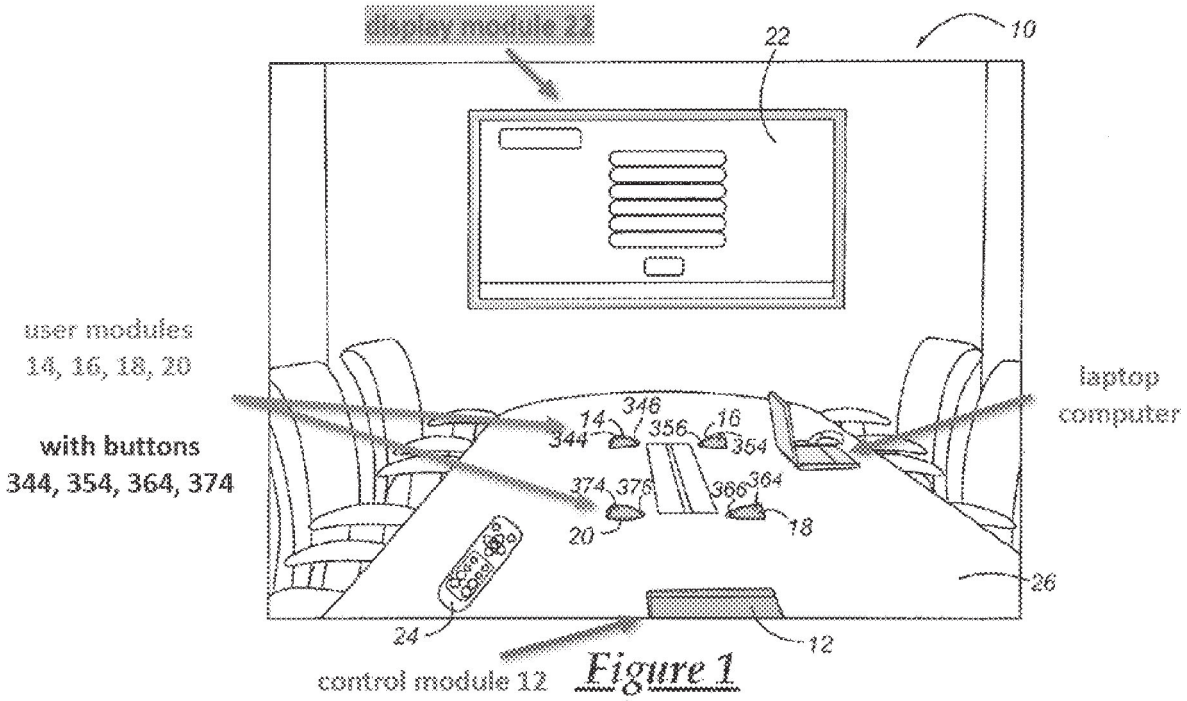


Figure 1

Ex. 1008, FIG. 1; Ex. 1012, FIGS. 1–3.

Grimshaw discloses user modules 14, 16, 18, 20 can connect to each user's laptop around the table, for example, and—with the push of a button—allow the user to take control of a common display module 22 and display the contents of the user's laptop screen. *See*, *e.g.*, Ex. 1008, ¶¶4, 0019 (Ex. 1012, 5:8–24), 0020 (Ex. 1012, 5:25–6:17). For instance, Grimshaw explains the case where separate laptop computers are connected to user modules and are vying for control of the display module 22, stating:

> a user may engage or push a button 344, 354, 364, 374 on their user module in order to take control of display module 22 (e.g., display module 22 could show whatever is currently being displayed on the screen of the laptop computer connected to the selected user module).

Ex. 1008, ¶¶19–20 (Ex. 1012, 5:8–6:17).

Thus, Grimshaw recognizes the desire for attendees at a meeting to have individual control over sharing the content from their laptop and to present it on the shared display, by pushing a button on their user module to trigger transmission of the image data from the laptop to the display.

Ex. 1008, ¶¶19–20; Ex. 1012, 5:8–6:17; *see also* Ex. 1008, ¶¶27–28, FIGS. 1–3; Ex. 1012, 8:29–9:20, FIGS. 1–3; Ex. 1002, ¶¶147–148.

Guided by these teachings of Grimshaw, a POSITA would have found it obvious to implement a wireless device (like that of Uchida) with an input device that triggers transfer of media content from a wireless device to an image projection device through the wireless communications network, as recited in claims 1, 9, 16, and 21. Ex. 1002, ¶149. Such a modification would have been desirable to address the scenario where multiple users wish to take control of a shared display to present image data from their computer (*i.e.*, share their screen with the group). *Id.*

Theurer discloses that the input device can alternatively be part of a control panel displayed on a screen "for starting, pausing and stopping the meeting, or for displaying and managing a list of attendees or for chatting with attendees." Ex. 1035, ¶5, FIG. 6A. Such control panel would be part of a software application, such as Uchida's "image transfer application." Ex. 1009, ¶¶71, 81 169. Theurer suggests that a POSITA would be motivated to use the layering technique "to create and manage user interface elements that are not to be screen shared with another computing device." Ex. 1035, ¶8. The POSITA would therefore be motivated to apply Theurer's known technique to the combination of Uchida and Grimshaw for screen sharing, which has an image transfer application ready to be improved to yield the predictable result of a control panel for controlling transfer of a/v data from one computer to another. Ex. 1002, ¶150

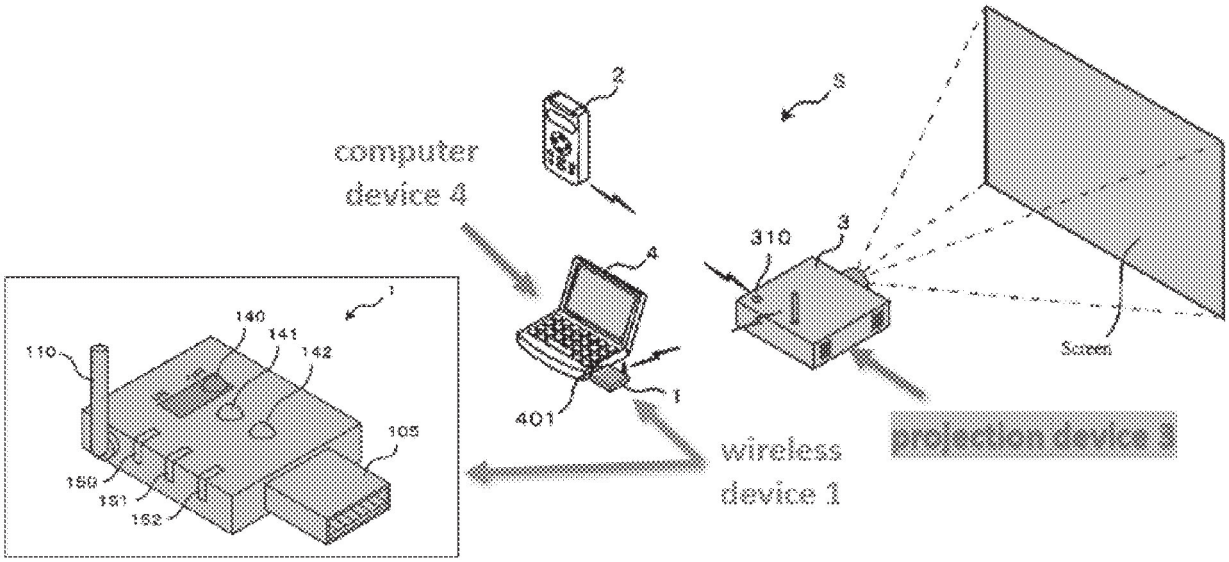
Uchida's wireless device 1 already provides much of this functionality. Thus, any modification to Uchida's wireless device would have been relativity minor and straightforward. Ex. 1002, ¶151. The takeover functionality described by Grimshaw and Theurer could have been implemented according to known methods. *Id.* Therefore, a POSITA would have had a reasonable

expectation of success in achieving the claimed combination given the relatively simple modification to a wireless device like that of Uchida. *Id*.

2. Claim 9

a) *An electronic meeting tool for communicating user selected arbitrary media content from users at a meeting*

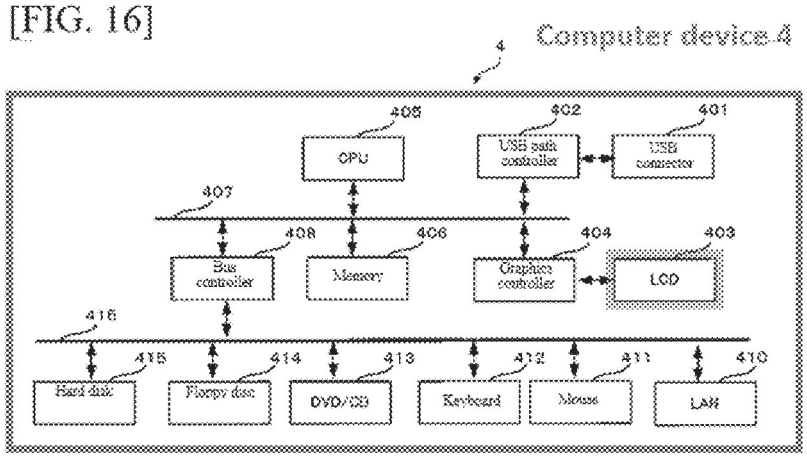
To the extent limiting, Uchida discloses *an electronic meeting tool* (*e.g.*, image projection system S) *for communicating user selected arbitrary media content* (*e.g.*, data signals) *from users at a meeting*. Ex. 1009, ¶¶13 (describing "an image projection system including an image projection device having a wireless unit that receives image data transmitted by wireless communication from an external computer device and projects an image corresponding to the image data."), 39–59, 153–158, 166, 176, FIGS. 1–3, 14, 17, 18; Ex. 1002, ¶¶152–154. A POSITA would have readily understood that personal computers are capable of use by one participant in a meeting with a plurality of participants. *See* Ex. 1009, ¶¶3–9, 12 (discussing "when an image projection device is shared among multiple groups"), 36–37, 58, 112, 186; Ex. 1002, ¶153.



Ex. 1009, FIGS. 1, 3.

A POSITA would have also understood Uchida's image data (*i.e.*, data corresponding to the image displayed on LCD 403 of computer device 4) to be *user selected arbitrary media content*. Ex. 1009, ¶¶39, 0185 ("CPU 405 starts transmitting the image data corresponding to the screen … displayed on the LCD 403, which is the display unit of the computer device 4, to the image projection device 3."). Thus, the user may generate, create or select any selected arbitrary media content that is appropriate to display in accordance with the '951 patent. Ex. 1001, 11:43–50; Ex. 1002, ¶154.

[FIG. 16]

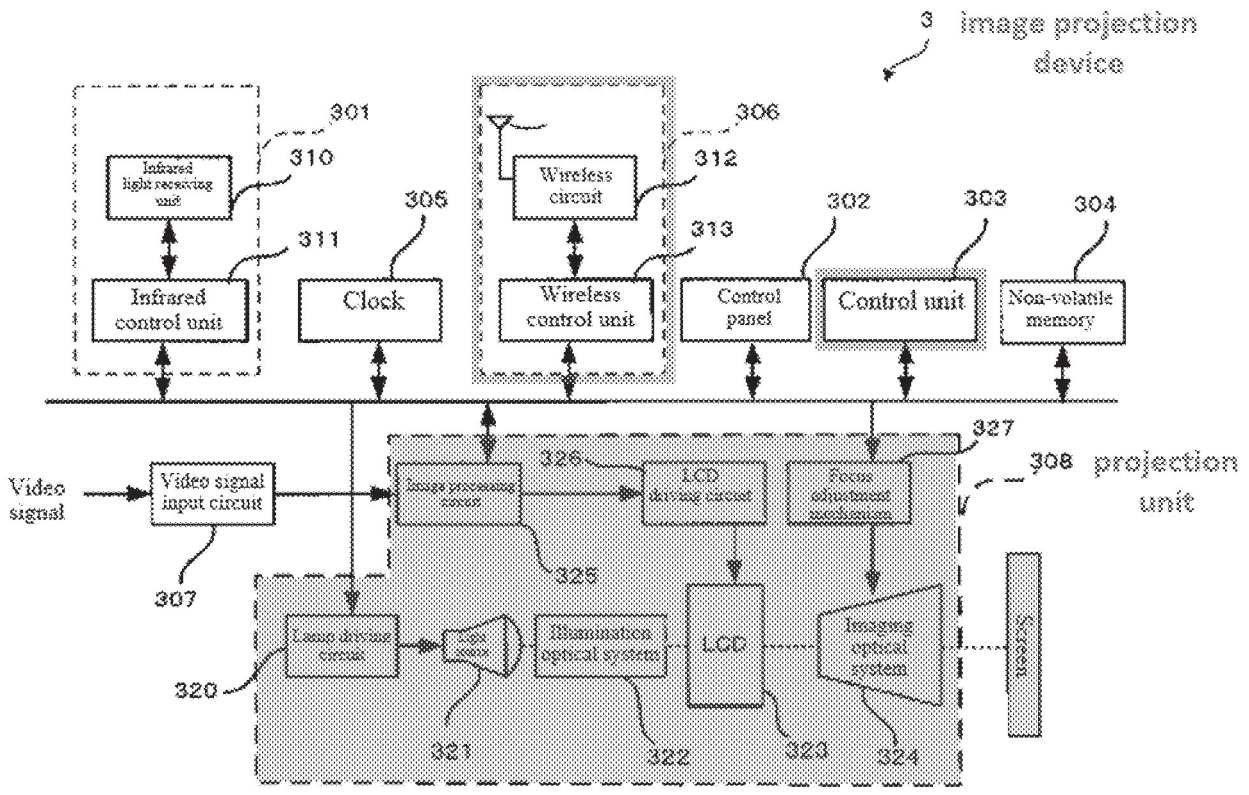


Ex. 1009, FIG. 16.

b) ***a base node, the base node being coupled to a first display, the base node being adapted to receive user selected arbitrary media content from at least one peripheral device via a wireless communications network, and to control display of the user selected arbitrary media content on the first display***

Uchida discloses *a base node* (*e.g.*, control unit 303 and wireless unit 306), *the base node being coupled to a first display* (*e.g.*, image projector 3 including LCD 323, projection unit 308, and screen), *the base node being adapted to receive user selected arbitrary media content* (*e.g.*, display image data) *from at least one peripheral device* (*e.g.*, wireless device 1) *via a wireless communications network* (*e.g.*, WLAN), *and to control display of the user selected arbitrary media content on the first display*. Ex. 1009, ¶¶39–52, 58, 127 (describing how "control unit 303 controls

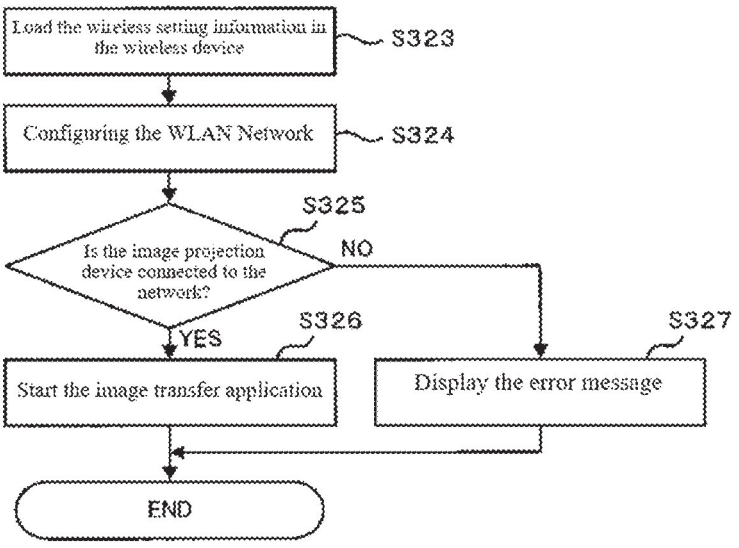
the wireless unit 306 to receive image data transmitted by wireless communication from the computer device 4, and projects an image corresponding to the received image data by the projection unit 308"), 153–158, 124–127 ("[C]ontrol unit 303 that controls the entire image projection device 3," "wireless unit 306 [] performs wireless communication conforming to the wireless LAN standard," and "projection unit 308 [] projects an image based on … image data received via the wireless unit 306, all of which are built into the housing."), 166–167, 176 (describing how wireless device 1 "transmits image data via wireless communication to an image projection device 3 that projects an image according to the image data received by the wireless unit 306"), FIGS. 1–3, 14, 17, 18; Ex. 1002, ¶155.



Ex. 1009, FIG. 14.

Uchida describes how wireless USB device 1 is first connected (*i.e.*, paired) to a remote control device 2 to receive wireless network settings matched to the image projection device 3 and

thus establishes a wireless communication network for sending image data. Ex. 1009, ¶¶39–52, 65–69, FIGS. 2, 8, 18; 1002, ¶156.

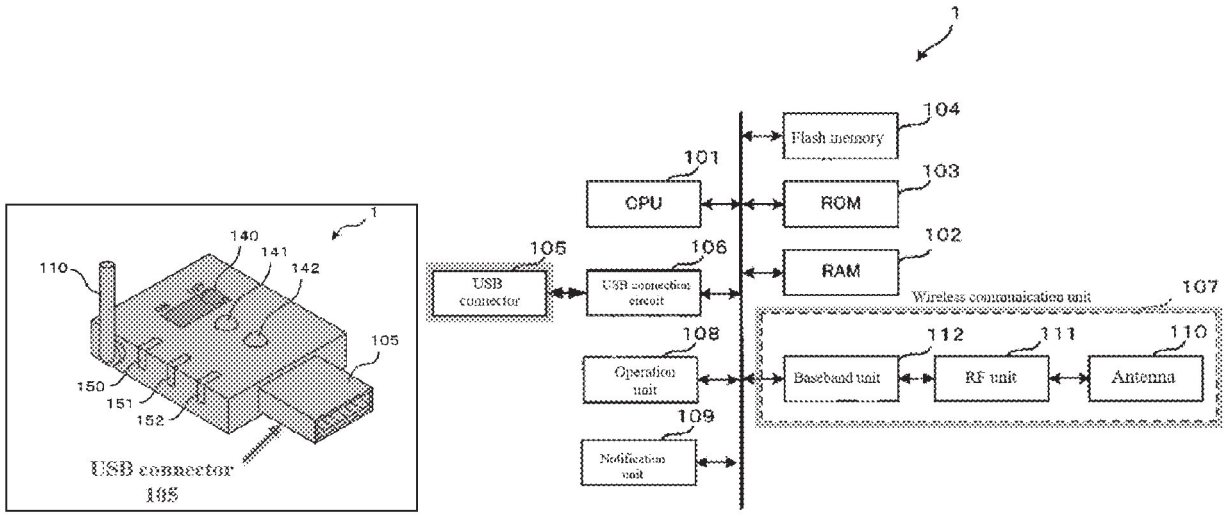


Ex. 1009, FIG. 18 (excerpted).

c) ***the at least one peripheral device being adapted to communicate the user selected arbitrary media content to the wireless communications network***

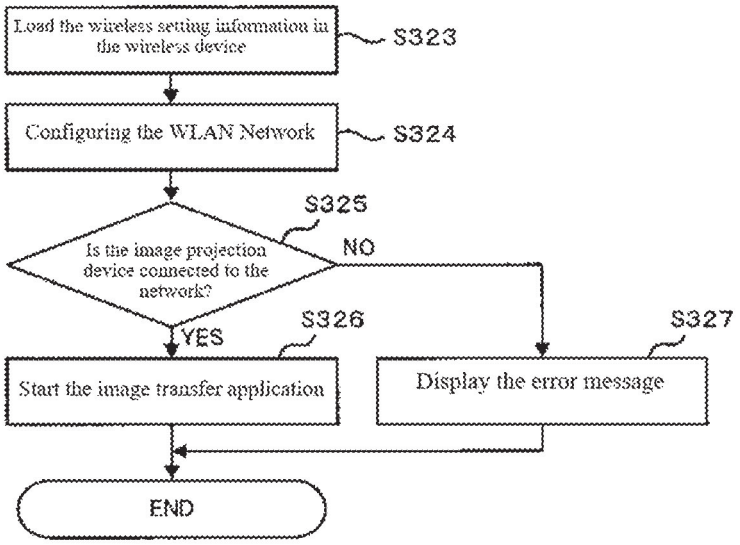
Uchida discloses at least one peripheral device (wireless device 1) being adapted to communicate the user selected arbitrary media content (image data) to the wireless communications network (WLAN). Ex. 1009, ¶¶39–52 ("[I]mage projection device 3 receives image data transmitted by wireless communication from the computer device 4 via the wireless device 1…. [W]ireless communication between the wireless device 1 and the image projection device 3 can meet the wireless LAN (Local Area Network) standard."), 65–69 ("[W]ireless communication unit 107 communicates with the wireless unit of the image projection device 3 using settings based on the wireless setting information…."), 81, 154–168, 176, FIGS. 2, 8 (detailing the wireless setting information for the LAN), 17–18; Ex. 1002, ¶157.

[FIG. 5]



Ex. 1009, FIGS. 3, 5.

For example, as illustrated below, Uchida discloses that wireless device 1 "transmits the data from the wireless device 1 to the image projection device 3 via wireless communication. Ex. 1009, ¶158; 1002, ¶158.



Ex. 1009, FIG. 18 (excerpted).

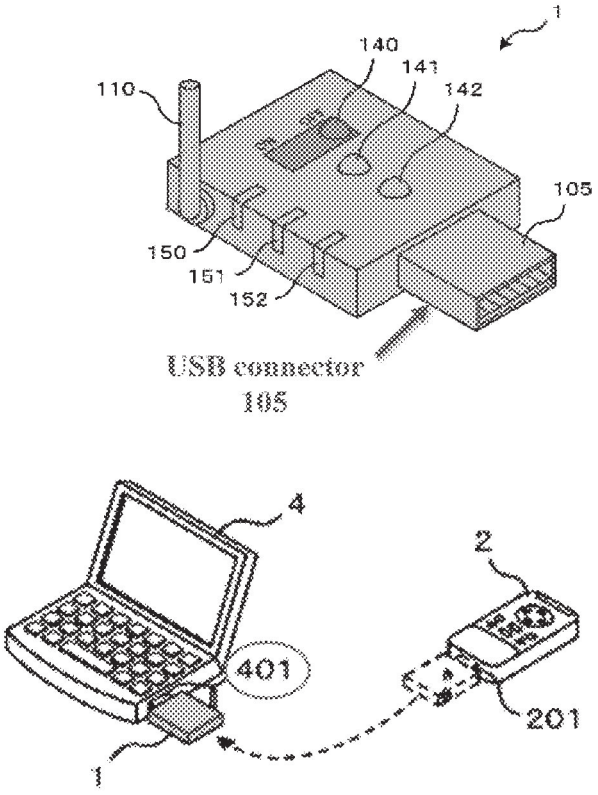
d) *the at least one peripheral device is a connection unit*

Uchida discloses that *the at least one peripheral device* (*e.g.*, wireless device 1) *is a connection unit*. Ex. 1009, ¶¶39–52, 65–69, 166–167, 0176, FIG. 18; Ex. 1002, ¶159. Uchida

discloses wireless device 1 "configures the WLAN network according to this wireless setting information" and is thus functions as a "*connection unit*." Ex. 1009, ¶166.

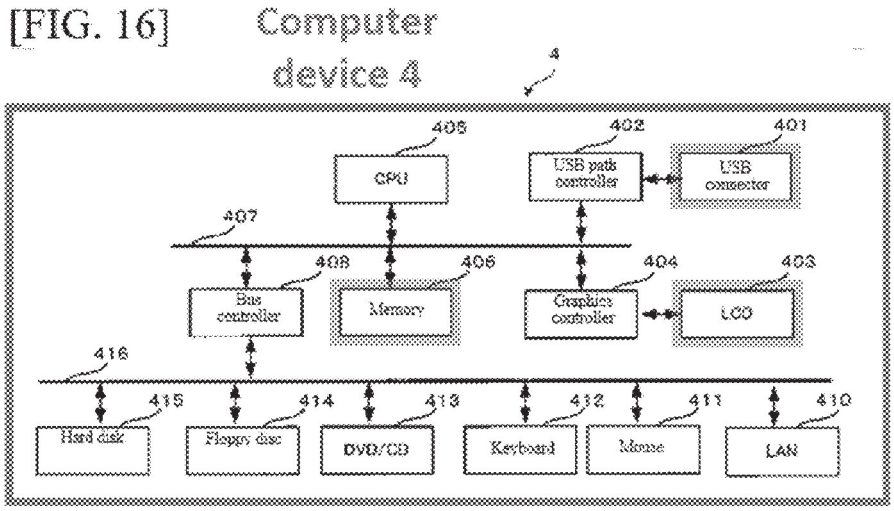
e) ***a connector adapted to couple to a port of a user processing device, the user processing device having a second display and a memory, and***

Uchida discloses the wireless device 1 includes *a connector* (*e.g.*, USB connector 105) *adapted to couple to a port* (*e.g.*, USB connector 401) of a user processing device (computer device 4), *the user processing device having a second display* (*e.g.*, LCD 403) *and a memory* (*e.g.*, memory 406). Ex. 1009, ¶¶39, 47–48, 77, 148, 150, FIGS. 2, 3, 5, 16; Ex. 1002, ¶160. For example, Uchida states that "USB connector 105 of the wireless device 1 is connected to the USB connector 401." Ex. 1009, ¶48.



Ex. 1009, FIGS. 2–3 (excerpted).

Uchida also discloses that "computer device 4 includes … an LCD 403 as a display unit [and] a memory 406 that stores the programs and various parameters." Ex. 1009, ¶148; Ex. 1002, ¶161.

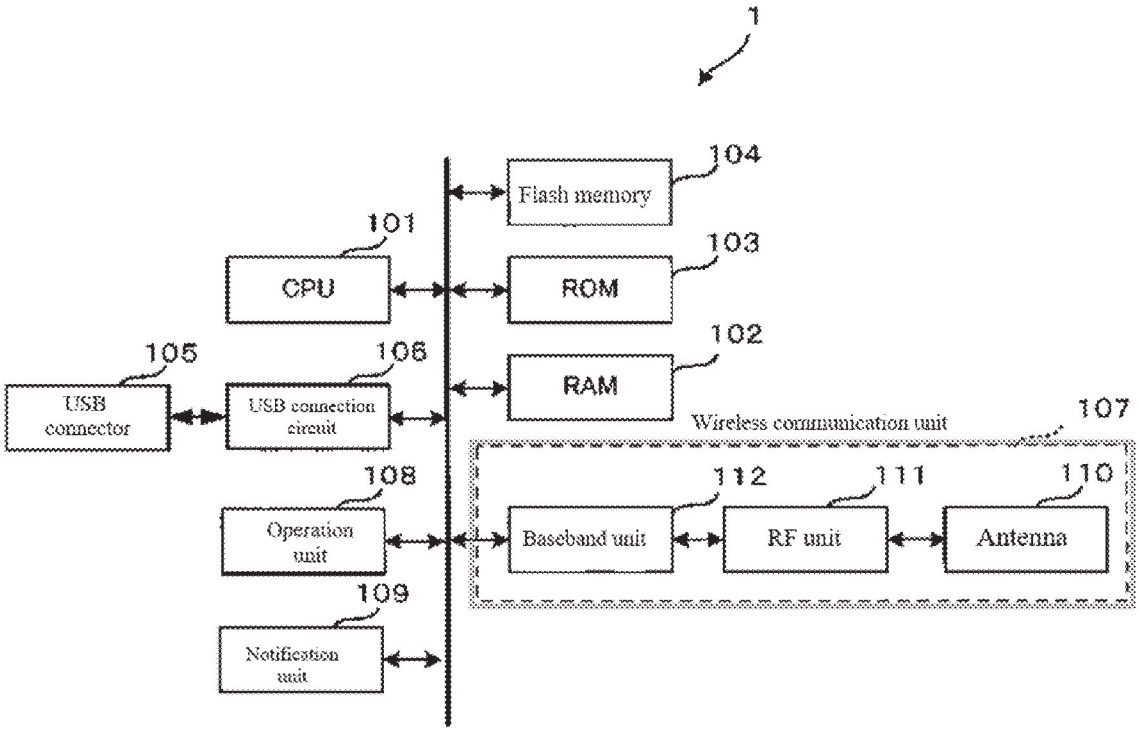


Ex. 1009, FIG. 16.

f) ***a transmitter for transferring said selected arbitrary media content to the wireless communications network***

Uchida discloses the wireless device 1 includes *a transmitter* (*e.g.*, wireless communication unit 107) *for transferring user selected arbitrary media content* (*e.g.*, image data) *to the wireless communications network* (*e.g.*, WLAN). Ex. 1009, ¶¶61–69, 154–168, 176 ("[W]ireless device 1 has a wireless unit [107] and functions as a wireless unit of a computer device 4 that transmits image data via wireless communication…."), FIG. 5; Ex. 1002, ¶162. Uchida discloses that the wireless communication unit 107 includes antenna 110, radio frequency (RF) unit 111, and baseband unit 112, "and is capable of transmitting and receiving data based on the wireless LAN standard" Ex. 1009, ¶68), which a POSITA would have understood to be a *transmitter*. Ex. 1002, ¶162.

[FIG. 5]

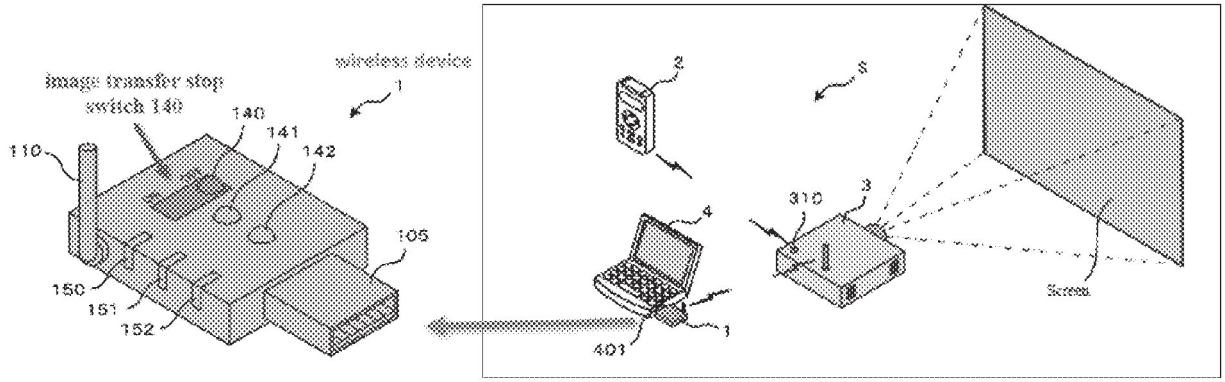


Ex. 1009, FIG. 5.

g) ***an input device configured to allow the user to carry out a user action on the input device that triggers transfer of said user selected arbitrary media content from the transmitter to the wireless communications network and via the wireless communication network to the base node for display on the first display***

Uchida in view of Grimshaw discloses the wireless device 1 includes *an input device* (*e.g.*, image transfer stop switch 140) *configured to allow the user to carry out a user action* (*e.g.*, sliding switch 140) *on the input device that triggers transfer of said user selected arbitrary media content* (*e.g.*, image data) *from the transmitter* (*e.g.*, wireless communication unit 107) *to the wireless communications network* (*e.g.*, WLAN) *and via the wireless communication network to the base node* (*e.g.*, control unit 303 and wireless unit 306) *for display on the first display* (*e.g.*, LCD 323 of the image projection unit). Ex. 1009, ¶¶10–13, 39–40, 70–72, 134, 139, 176, FIGS. 1–3; Ex. 1002, ¶¶163-166. For example, Uchida discloses that "image transfer stop switch 140 is a slide

switch that serves as an image transmission stop operation unit for instructing the image projection device 3 to stop transmitting the image data, and is a changeover switch that switches between an image stop ON mode and an image stop OFF mode." Ex. 1009, ¶71; Ex. 1002, ¶163.



Ex. 1009, FIGS. 1, 3.

A POSITA would have understood that moving the switch to the "ON" position stops image transfer, while sliding it back to the "OFF" position resumes (and thus triggers) image data transmission. Ex. 1009, ¶¶70–72; Ex. 1002, ¶163.

Moreover, the *input device* is also taught by Grimshaw and it would have been obvious to include with Uchida's wireless device for the reasons discussed regarding Grimshaw's disclosure where each button *triggers transfer of said user selected arbitrary media content.* Ex. 1008, ¶¶5, 19 ("[T]he users of modules 14, 16, 18, 20 can take control of the display module 22 by respectively engaging buttons 344, 354, 364, 374, which causes switch controller 318 to pass the data signals from the selected user module on to the display module."), 20, 27–28, FIGs. 1–4; Ex. 1002, ¶165; *see also* §VII.B.1.

The Patent Owner Response in the related IPR argues that the image transfer stop switch of Uchida does not trigger transfer of media content. Ex. 1068, 44-45. This is incorrect. Firstly, Dr. Brogioli admitted that "when the toggle is turned back to 'off,' the image data coming from the wireless device is projected again." Ex. 1072, 3:3-12; Ex. 1002, ¶167.

Secondly, Uchida teaches that after activating "image transfer stop switch 140" the client computer "executes an image transfer application and transmits a request to the image projection device 3 … to project a specific image … on the image projection 50 device 3." Ex. 1009, ¶71; Ex. 1002, ¶168. Grimshaw also shows that a user can push a button on a user module to trigger transmission of image data. Ex. 1008, ¶¶5, 19 ("[T]he users of modules 14, 16, 18, 20 can take control of the display module 22 by respectively engaging buttons 344, 354, 364, 374, which causes switch controller 318 to pass the data signals from the selected user module on to the display module."), 20, 27-28, FIGs. 1-4; Ex. 1002, ¶168. The presence of other device components in the data transfer pathway does not change that Grimshaw indisputably discloses to trigger transmission with buttons:

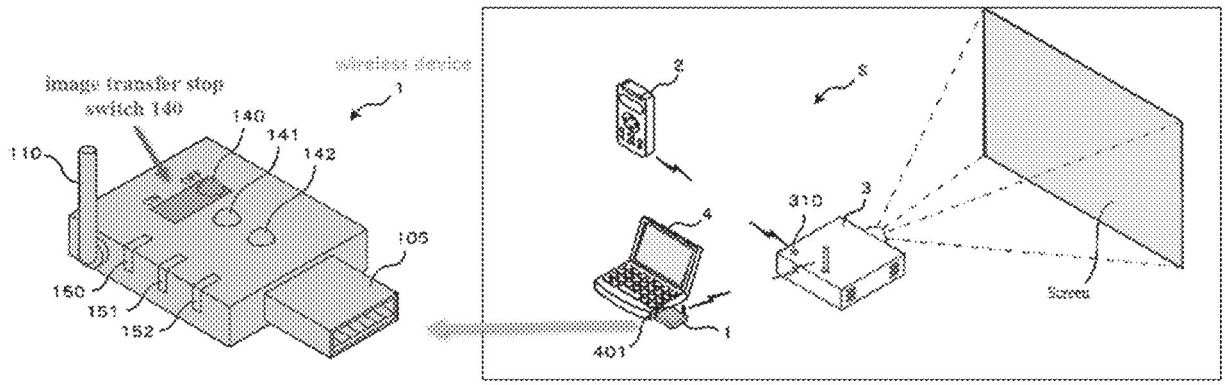
> a user may engage or push a button 344, 354, 364, 374 on their user module in order to take control of display module 22 (e.g., display module 22 could show whatever is currently being displayed on the screen of the laptop computer connected to the selected user module).

Ex. 1008, ¶¶19-20; Ex. 1012, 5:8-6:17; *see also* Ex. 1073, 15:22-16:6 (Dr. Brogioli testifying that Grimshaw's button "*triggers transfer [of] media content*"). Therefore, the combination of Uchida and Grimshaw renders obvious the "*input device*" limitation. Ex. 1002, ¶168.

Patent owner's arguments are based on an improper reading of Uchida that incorrectly links (A) the updating of wireless setting information to prevent unwanted image sharing from previous users to (B) the triggering of image transfer by moving the image transfer switch to a position that allows and thus triggers image transfer. Ex. 1002, ¶169. As explained in the Petition, Uchida discloses that

> image transfer stop switch 140 is a slide switch that serves as an image transmission stop operation unit for instructing the image projection device 3 to stop transmitting the image data, and is a changeover switch that switches between an image stop ON mode and an image stop OFF mode.

Ex. 1009, ¶71; Ex. 1115, 58. Since moving the switch to the "ON" position stops image transfer, a POSA would have understood that sliding it back to the "OFF" position resumes (and thus triggers) image data transmission. Ex. 1009, ¶¶70-72; Ex. 1115, 58; Ex. 1083, ¶22; Ex. 1002, ¶170.



Ex. 1009, FIGS. 1, 3.

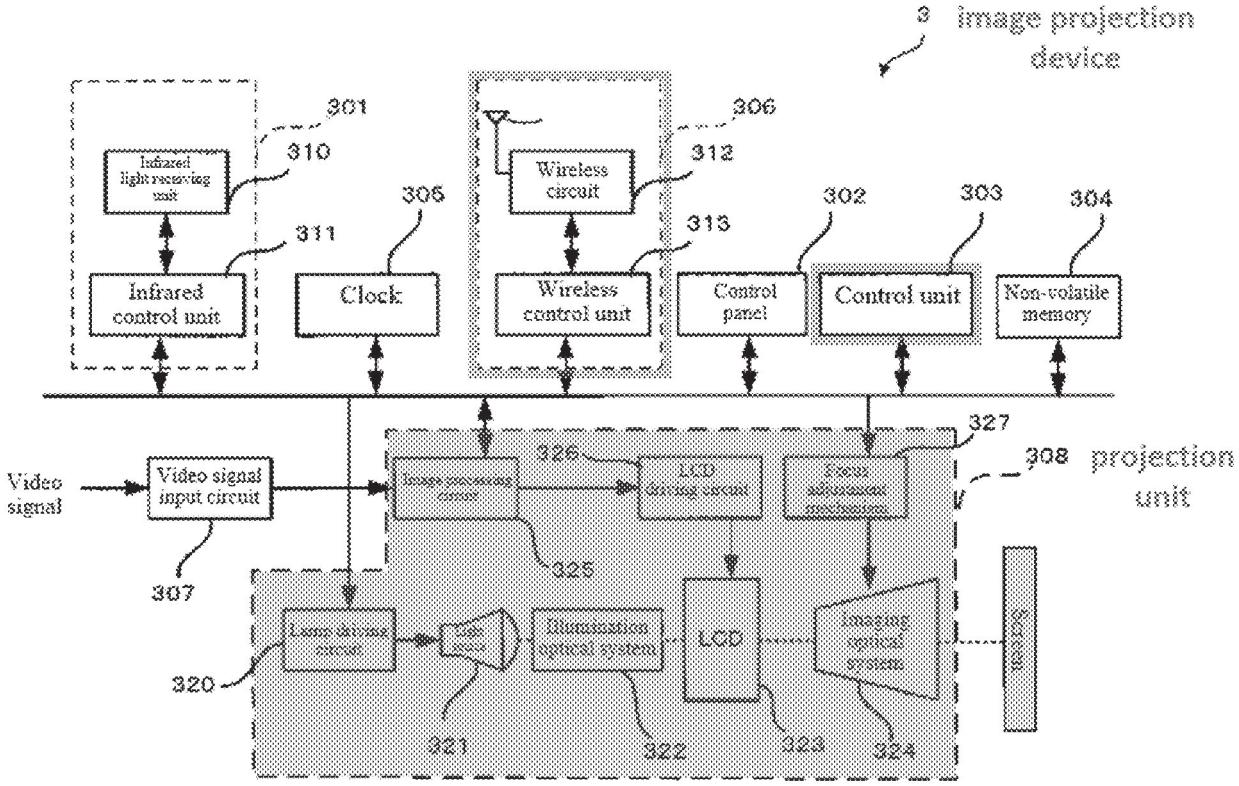
As also described above, patent owner mischaracterizes the teachings of Uchida at ¶31, which describes updating wireless setting information for new conferences to prevent image sharing from devices that participated in a previous conference. Ex. 1083, ¶¶18-23; Ex. 1002, ¶171. These teachings are not linked to any operation of the image transfer stop switch, which can be actuated to stop or trigger media content transfer for display after the wireless settings are in place. Ex. 1002, ¶171.

3. Claim 10

a) *The electronic meeting tool according to claim 9, wherein said base node is integrated in the first display.*

Uchida discloses that *said base node* (*e.g.*, control unit 303 and wireless unit 306) *is integrated in the first display* (*e.g.*, image projection device 3, including LCD 323, projection unit 308). Ex. 1009, ¶124; Ex. 1002, ¶172. For example, as shown in FIG. 14, the image projection device 3 connects a control unit 303, a wireless unit 306, and a projection unit 308, "all of which

are built into the housing." Thus, a POSITA would have understood to disclose a control unit/wireless unit and integrated display. Ex. 1009, ¶¶124–134, FIG. 14; Ex. 1002, ¶172.



Ex. 1009, FIG. 14.

4. Claim 12

a) ***The electronic meeting tool according to claim 10, wherein the input device displayed on the second display is displayed on a second layer such that during the transfer of the user selected arbitrary media content of the user processing device to the transmitter on the at least one peripheral device, the input device displayed on the second display is not transferred with the user selected arbitrary media content.***

Uchida discloses the *input device* (*e.g.*, "image transfer stop switch 140"). Theurer discloses an alternative location of an input device as a software control panel *wherein the input device [is] displayed on the second display*. "On the display 230a of source node 100, the screen sharing presenter 325 may provide and display a control panel 425." Ex. 1035, ¶87; Ex. 1002,

¶173. Theurer further discloses that *the input device ... is displayed on a second layer such that during the transfer of the user selected arbitrary media content of the user processing device to the transmitter on the at least one peripheral device, the input device displayed on the second display is not transferred with the user selected arbitrary media content.* Ex. 1002, ¶173.

> Using the window layering technique of the present invention, the source node 100 may display the control panel 425… and transmit a set of screen data 310 that does not provide the control panel 425 or user interface element for display on the screen sharing viewer 320. As such, any screen changes 516 may be screen shared with the consumer node 150 as they occur without screen sharing a portion of the screen view 450 desired not to be shared. For example, as illustrated in FIG. 6D, the consumer node 150 may view the screen view 450 of the source node 100 without showing the deployment of the control panel 425. In some embodiments, the consumer node 150 receives screen data 310′ from the source node 100 to display the portion of the screen view 450 behind the deployed control panel 425 instead of the deployed control panel 425.

Id., ¶109 (emphasis added). FIG. 6A illustrates how the control panel 425 (dark gray) appears on the presenter's "source node 100" and does not appear on the receiver's "consumer node 150." *See also id.*, ¶90 FIGS. 4A, 6D. Ex. 1002, ¶174.

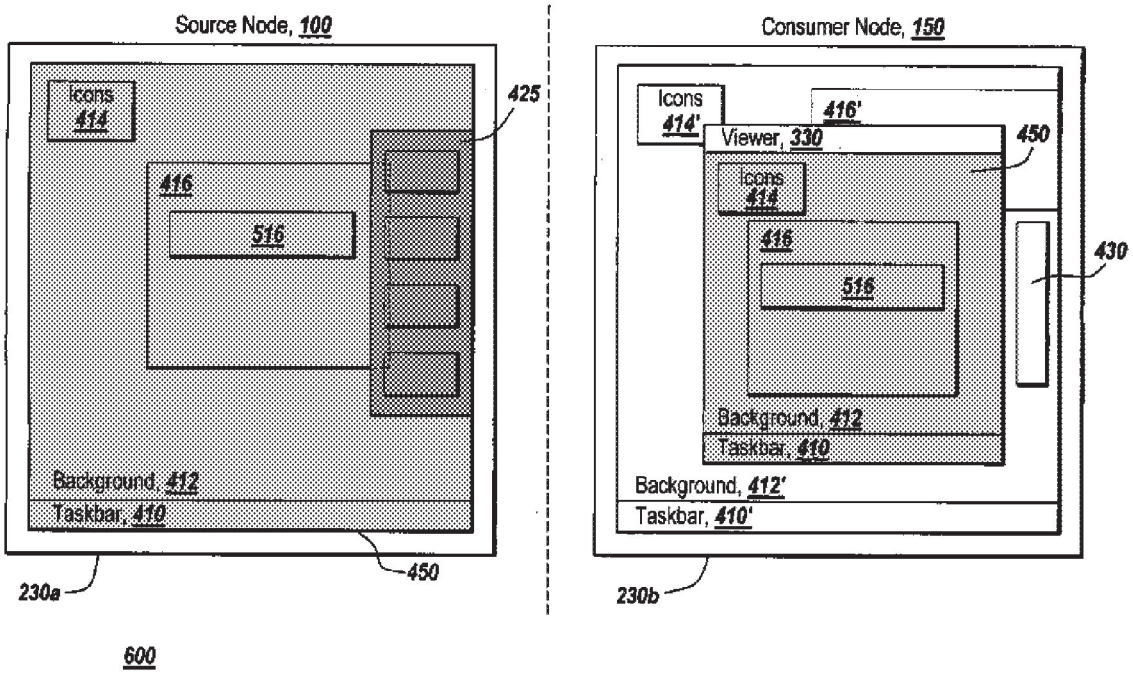


Fig. 6A

Ex. 1035, FIG. 6A

C. Ground 3 – The combination of Ichieda and Theurer renders obvious claim 12.

1. Rationale to modify Ichieda's system with Theurer

Ichieda's third embodiment includes image display system 1 with projector 50, laptop personal computer (PC) 90 (*i.e.*, an image supply device), and information terminal 80 (*i.e.*, a cellphone). Ex. 1006, ¶129, FIGS. 11-13; Ex. 1002, ¶¶175-176. After a pairing process between laptop PC 90 and projector 50 (which involves information terminal 80 capturing a barcode image displayed on screen SC), laptop PC 90 is connected via a network to projector 50, which displays an image based on the image signal input from laptop PC 90 in the area of a projection screen associated with the particular captured barcode. Ex. 1006, ¶¶8-17, 135, 150, 163, FIGS. 11-13; Ex. 1002, ¶ ¶175-176).

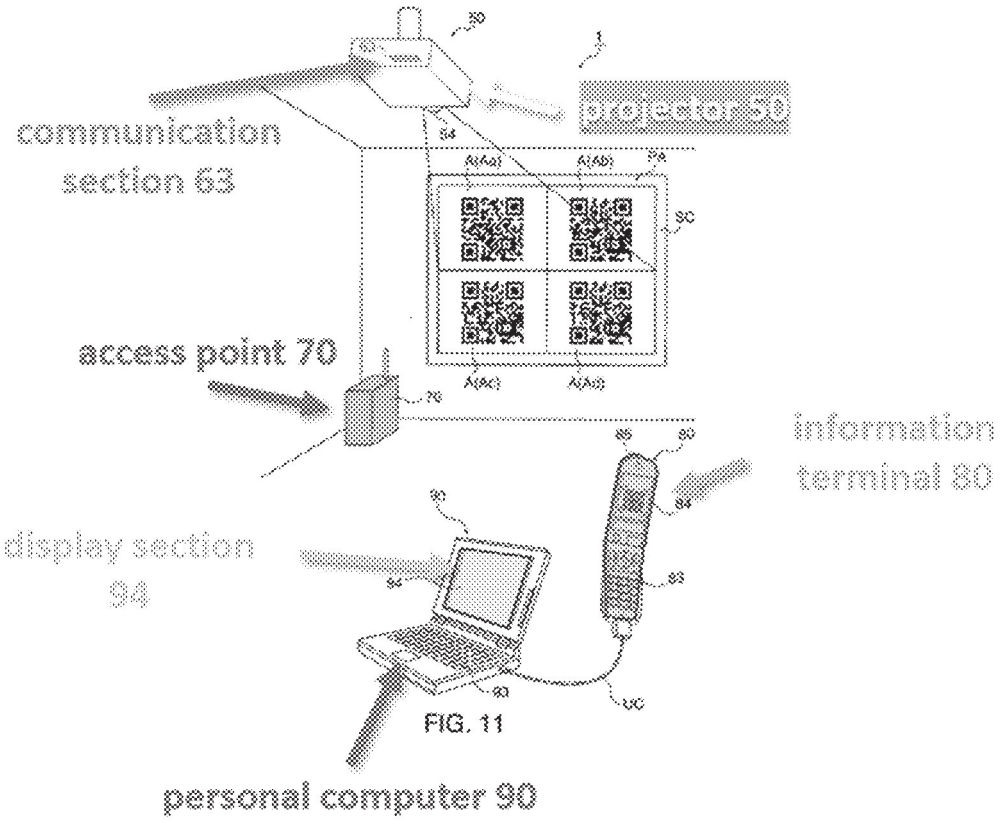
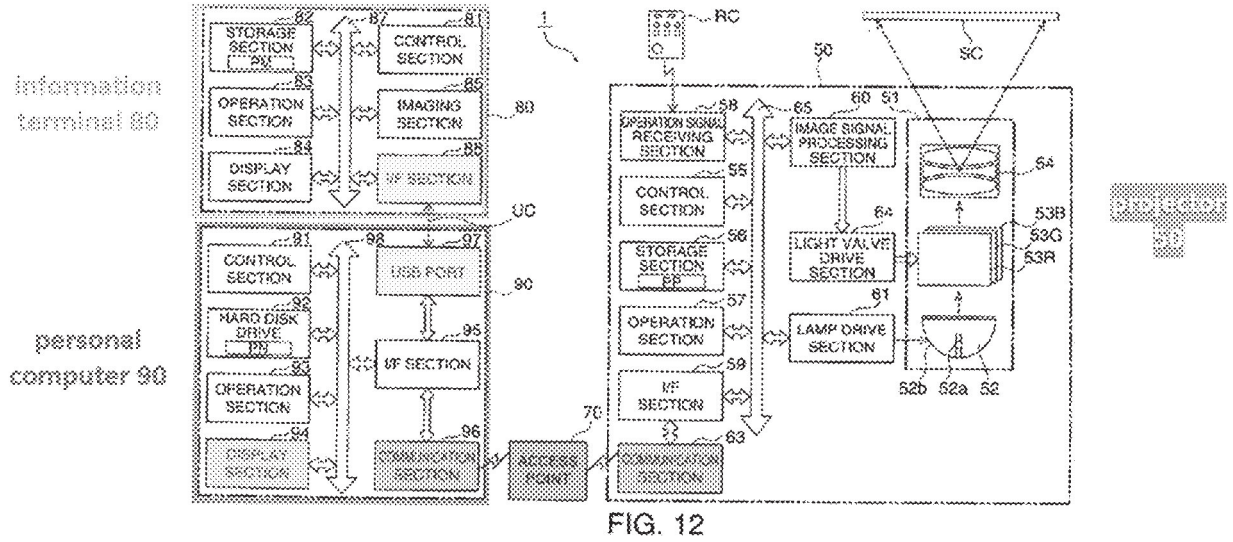


FIG. 11

Ex. 1006, FIG. 11.

Ichieda explains that, according to one variation, PC 90 can transmit the image signal through USB port 97, which is connected to the cellphone (information terminal 80). Ex. 1006, ¶136-137; Ex. 1002, ¶177. This transmission to the cellphone 80 is an alternative to using PC 90's communication section 96 (which is illustrated below in Figure 12). *Id.*



Ex. 1006, FIG. 12.

Although Ichieda does not explicitly describe transmitting the image signal to projector 50 in connection with the third embodiment, Ichieda does explain how to transmit an image signal from the information terminal apparatus 80 (cellphone) to the projector 50 in connection with Ichieda's first embodiment (*e.g.*, FIG. 1). Ex. 1002, ¶178. For example, according to the first embodiment, Ichieda explains terminal 80 includes communication section 86, which is a wireless LAN module. Ex. 1006, ¶72. Communication section 86 performs transmission of the image signal through a wireless LAN is established between the information terminal 80 and the projector 50. Ex. 1006, ¶¶44, 72, 104, 136, FIG. 2; Ex. 1002, ¶178). Thus, Ichieda's communication section 86 in cellphone 80 can also be used to transmit an image signal to projector 50. *Id.*

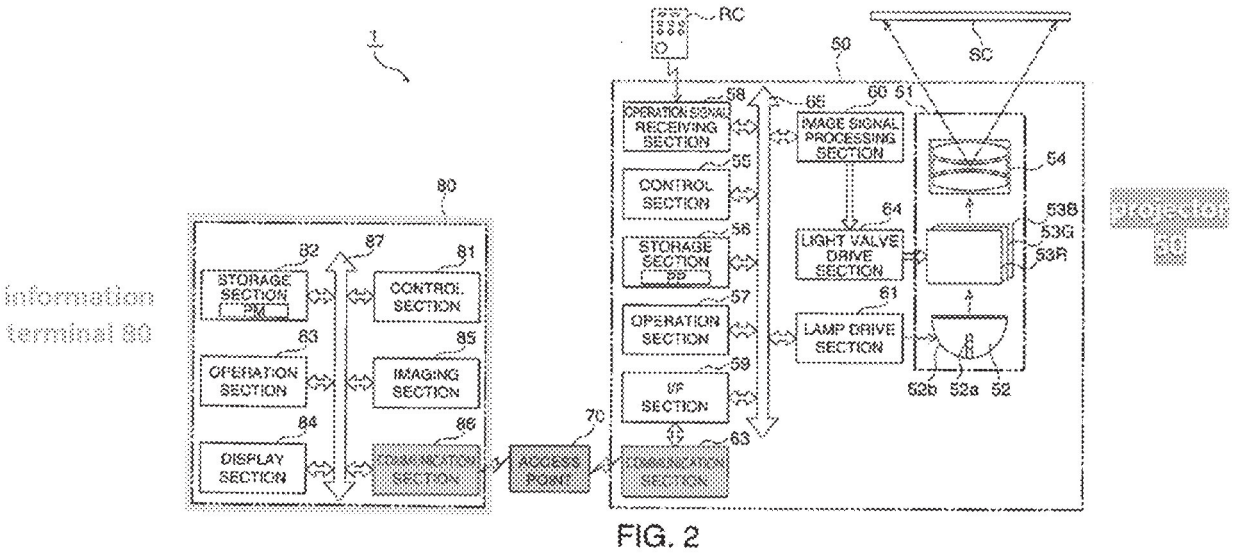


FIG. 2

Ex. 1006, FIG. 2.

Given Ichieda's disclosure of how cellphone 80 can transmit the image signal to projector 50, a POSITA would have understood it would also be used in the variation of the third embodiment, namely utilizing communication section 86 of an information terminal 80 to transmit the image signal (as described with respect to the first embodiment) obtained from USB port 97 of the laptop PC 90 (as described in the third embodiment). Ex. 1002, ¶179. As described with respect to both the first and the third embodiment, communication section 63 of projector 50 could receive such an image signal via the wireless LAN. *Id.*

Beyond Ichieda's explicit disclosure, a POSITA would have recognized the option to use a communication section of an information terminal, like that described in Ichieda's first embodiment, to transmit an image signal from a laptop PC to a projector in much the same way as described in the first embodiment (instead of directly from the laptop). Ex. 1002, ¶ 180. In addition, a POSITA would have found it obvious to use such a transmission technique, for example, to free the laptop network card from use. E. 1002, ¶ 180. A POSITA would have found such a combination of familiar elements straightforward and predictable at least because Ichieda describes the

components (information terminal, communication section, USB port/interface, etc.) and explains how to arrange such transmission according to established methods (for example, wireless LAN standards and USB protocols, etc.). Ex. 1002, ¶180. Given the guidance in Ichieda and the well-known components utilized, a POSITA would have had a reasonable expectation of success in achieving the claimed combination. Ex. 1002, ¶ 180.

Ichieda's information terminal 80 includes an input device (operation section 83) which can allow a user to carry out an action to triggers transfer of an image signal for display on a screen of projector 50. Ex. 1006, ¶¶44, 60, 69 ("The operation section 83 is equipped with a plurality of operation buttons for performing various instructions to the information terminal 80 [such as] 'a connection button' for instructing the wireless LAN connection...."), 81-83, 107, FIGS. 3, 7, 13; Ex. 1002, ¶181).

Theurer discloses a similar system for selectively sharing portions of a screen between two computers. Ex. 1035, ¶8. The system includes "a control panel for starting, pausing and stopping the meeting, or for displaying and managing a list of attendees or for chatting with attendees." *Id.*, ¶5. FIG. 6A illustrates a source node 100 including layers of icons 414, control panel 425, and other items on the display, some of which are shared to viewer 330 on a consumer node 150. Ex. 1002, ¶182.

Theurer discloses that the input device (operation section 83) can alternatively be part of a control panel displayed on a screen "for starting, pausing and stopping the meeting, or for displaying and managing a list of attendees or for chatting with attendees." Ex. 1035, ¶5, FIG. 6A. Such control panel would be part of a software application, such as Ichieda's "control section 81." Ex. 1006, ¶¶65-72, 8-109. Theurer suggests that a POSITA would be motivated to use the layering technique "to create and manage user interface elements that are not to be screen shared with

another computing device." Ex. 1035, ¶8. The POSITA would therefore be motivated to apply Theurer's known technique to Ichieda for screen sharing, which has a control section 81 ready to be improved to yield the predictable result of a control panel for controlling transfer of a/v data from one computer to another. Ex. 1002, ¶183.

2. Claim 9

a) *An electronic meeting tool for communicating user selected arbitrary media content from users at a meeting*

Ichieda discloses *an electronic meeting tool for communicating user selected arbitrary media content* (*e.g.*, image signal) *from users at a meeting*. Ex. 1002, ¶¶184–186; Ex. 1006, abstract ("[a]n image display device for displaying an image based on an image signal input from a plurality of image supply devices via a network."). In Figure 1, the image displayed on display section 84 of information terminal 80a is displayed in an area Aa on a screen SC. *See* Ex. 1006, ¶¶43, 45, 70, 81–83, FIGS. 1, 2, 6. Similarly, for the information terminal 80b, 80c, and 80d, the content of their respective display section is respectively displayed in area Ab, Ac, Ad on a screen SC. *Id.*, ¶88.

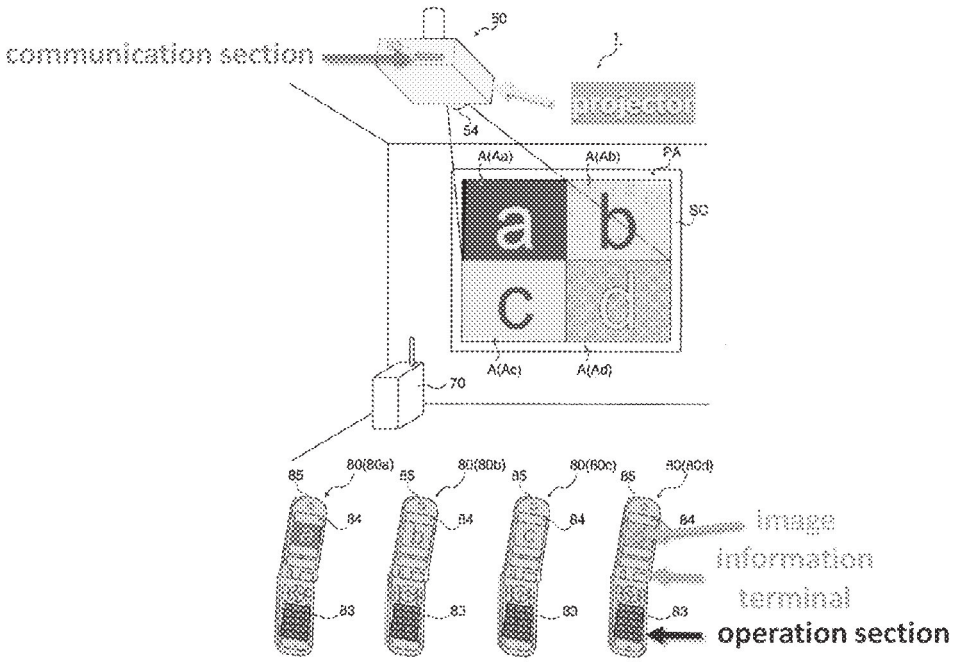
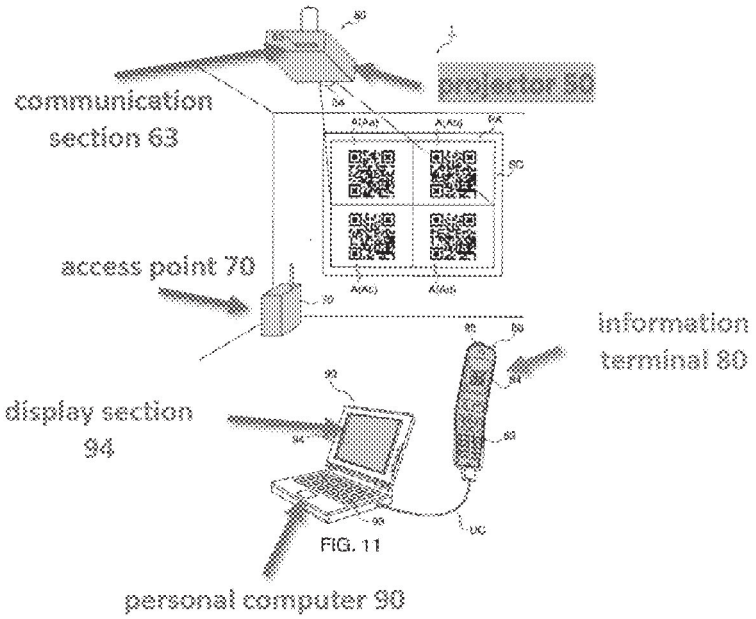


FIG. 1

Ex. 1006, FIG. 1.

In Ichieda's third embodiment (FIGS. 11–13), content from display section 94 of PC 90 is displayed, for example, in one quadrant of the screen using a method like Ichieda's first embodiment. Ex. 1006, ¶¶115–117, 127–152, FIGS. 11–13; *see also id.*, ¶¶42–48, 58–62, 72–95, FIGS. 1–6; Ex. 1002, ¶186. A POSITA would have thus understood that Ichieda's image display device enables display based on an image signal input from a selected image source and hence the displayed content would have been understood to be "*user selected arbitrary media content*" as claimed. Ex. 1006, ¶¶81 (where the image source is information terminal 80), 129, 150 (where the image source is instead laptop 90 (third embodiment); Ex. 1002, ¶186.



Ex. 1009, FIG. 11.

b) ***a base node, the base node being coupled to a first display, the base node being adapted to receive user selected arbitrary media content from at least one peripheral device via a wireless communications network, and to control display of the user selected arbitrary media content on the first display***

Ichieda discloses *a base node* (*e.g.*, communication section 63 and control section 55) *being coupled to a first display* (*e.g.*, projector 50), *the base node being adapted to receive user selected arbitrary media content* (*e.g.*, image signal) *from at least one peripheral device* (*e.g.*, informational terminal 80) *via a wireless communications network* (*e.g.*, wireless LAN), *and to control display of the user selected arbitrary media content on the first display*. Ex. 1006, ¶¶50, 54, 60, 127–137, FIGS. 11–13; Ex. 1002, ¶187. Regarding its third embodiment, Ichieda discloses that communication section 63 and control section 55 are adapted to receive an image signal from PC 90 (*i.e.*, "image supply device") via a wireless LAN and control display of the image signal on the screen SC. *Id.* Ichieda discloses a laptop type PC 90 may be provided with an information

terminal 80 (*e.g.*, "*at least one peripheral device*"). Ex. 1006, ¶¶129–137, FIGS. 11–12; Ex. 1002, ¶187.

c) *the at least one peripheral device being adapted to communicate the user selected arbitrary media content to the wireless communications network*

Ichieda discloses the *peripheral device* (*e.g.*, information terminal 80) *being adapted to communicate the user selected arbitrary media content* (*e.g.*, image signal) *to the wireless communications network* (*e.g.*, LAN). With respect to the first embodiment, Ichieda teaches that "[t]he information terminal 80 is arranged to supply (transmit) an image signal to the projector 50 in a condition in which the network connection (wireless LAN connection) with the wireless LAN is established between the information terminal 80 and the projector 50...." Ex. 1006, ¶44, 72; Ex. 1002, ¶188. For the reasons discussed, a POSITA would have combined the wireless transmission technique of Ichieda's first embodiment with the variation described regarding Ichieda's third embodiment such that information terminal apparatus 80 is adapted to communicate an image signal to the wireless LAN. Ex. 1002, ¶188; Ex. 1006, ¶72.

d) *the at least one peripheral device is a connection unit*

As noted above, Ichieda discloses *the at least one peripheral device* (*e.g.*, information terminal 80) *is a connection unit*. The interface section 88 of the information terminal 80 is *connected* to the USB port 90 of laptop PC 90 via a cable UC in the present embodiment." Ex. 1006, ¶137, FIGS. 11–12; Ex. 1002, ¶189. Further, as discussed in §VII.C.1, according to the proposed combination of Ichieda's third and first embodiments, the information terminal apparatus would further connect to a LAN to transfer an image signal to the projector 50 via the LAN. *Id.*

e) ***a connector adapted to couple to a port of a user processing device, the user processing device having a second display and a memory, and***

Ichieda discloses that the information terminal 80 includes *a connector* (*e.g.*, cable UC) *adapted to couple to a port* (*e.g.*, USB port 97) *of a user processing device* (*e.g.*, PC 90), *the user processing device having a second display* (*e.g.*, display section 94) *and a memory* (*e.g.*, hard disk drive 92, ROM, RAM). Ex. 1006, ¶¶132–137, FIGS. 11–12; Ex. 1002, ¶190.

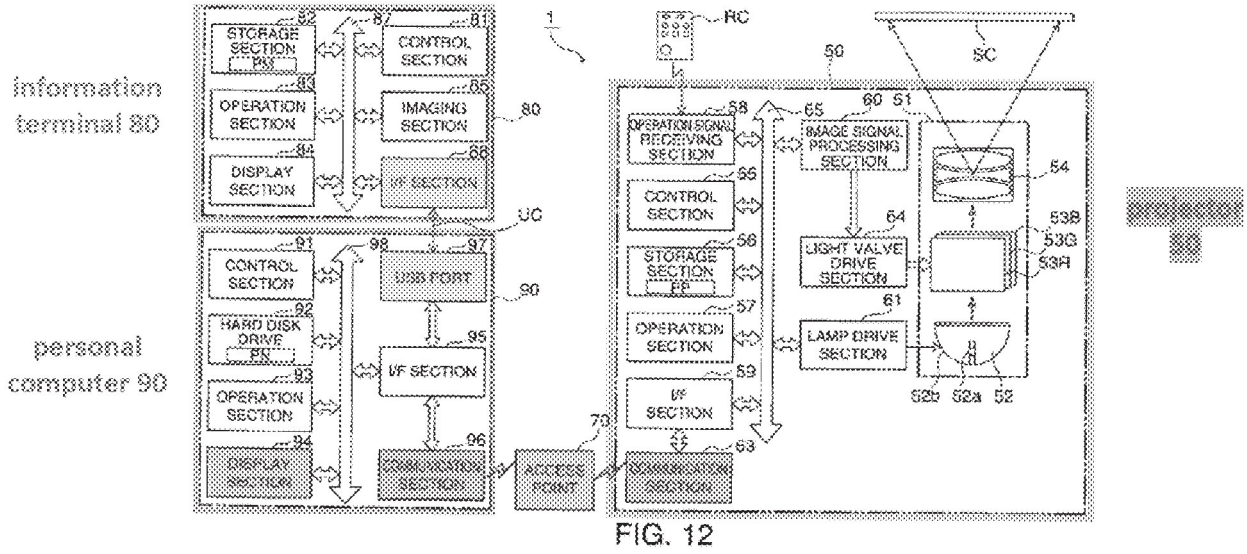


FIG. 12

Ex. 1006, FIG. 12.

f) ***a transmitter for transferring said selected arbitrary media content to the wireless communications network***

Ichieda discloses information terminal 80 may include *a transmitter* (*e.g.*, communication section 86) *for transferring user selected arbitrary media content* (*e.g.*, image signal) *to the wireless communications network* (*e.g.*, wireless LAN). Ex. 1006, ¶¶72–81 ("Thus, the wireless [LAN] connection between the information terminal 80 and the projector 50 has established, and it becomes possible to transmit the image signal from the communication section 86 of the information terminal 80 to the communication section 63 of the projector 50."), FIG. 3; Ex. 1002,

¶¶xxx. Ichieda suggests that such a wireless transmission technique could also be used in conjunction with the third embodiment (Figures 11–13). Ex. 1002, ¶191; §VII.C.1.

g) ***an input device configured to allow the user to carry out a user action on the input device that triggers transfer of said user selected arbitrary media content from the transmitter to the wireless communications network and via the wireless communication network to the base node for display on the first display***

Ichieda discloses *an input device* (*e.g.*, operation section 83) *configured to allow the user to carry out a user action* (*e.g.*, pressing a button on operation section 83) *that triggers transfer of said user selected arbitrary media content* (*e.g.*, image signal) *from the transmitter* (*e.g.*, communication section 86) *to the wireless communications network* (*e.g.*, LAN) *via the wireless communication network to the base node* (*e.g.*, communications section 63 and control section 55) *for display on the first display* (*e.g.*, screen of projector 50). Ex. 1006, ¶¶44, 60, 69 ("The operation section 83 is equipped with a plurality of operation buttons for performing various instructions to the information terminal 80 [such as] 'a connection button' for instructing the wireless LAN connection...."), 81–83, 107, FIGS. 3, 7, 13; Ex. 1002, ¶¶192–194. As illustrated in processes shown in Figures 3, 7, and 13, once a connection is established, the image signal is sent. *Id.*

Ichieda suggests that input device used for transmission in the first embodiment could also be used in conjunction with the third embodiment. Ex. 1002, ¶¶186–194; § VII.C.1.

3. Claim 10

a) ***The electronic meeting tool according to claim 9, wherein said base node is integrated in the first display.***

Ichieda discloses *said base node* (*e.g.*, communication section 63 and control section 55) *is integrated in the first display* (*e.g.*, projector 50). Ex. 1006, ¶¶50, 60 ("[T]he communication section 63 can be arranged to use ... a wireless [LAN] module previously built-in in the projector 50."), 162, FIGS. 2, 12; Ex. 1002, ¶196.

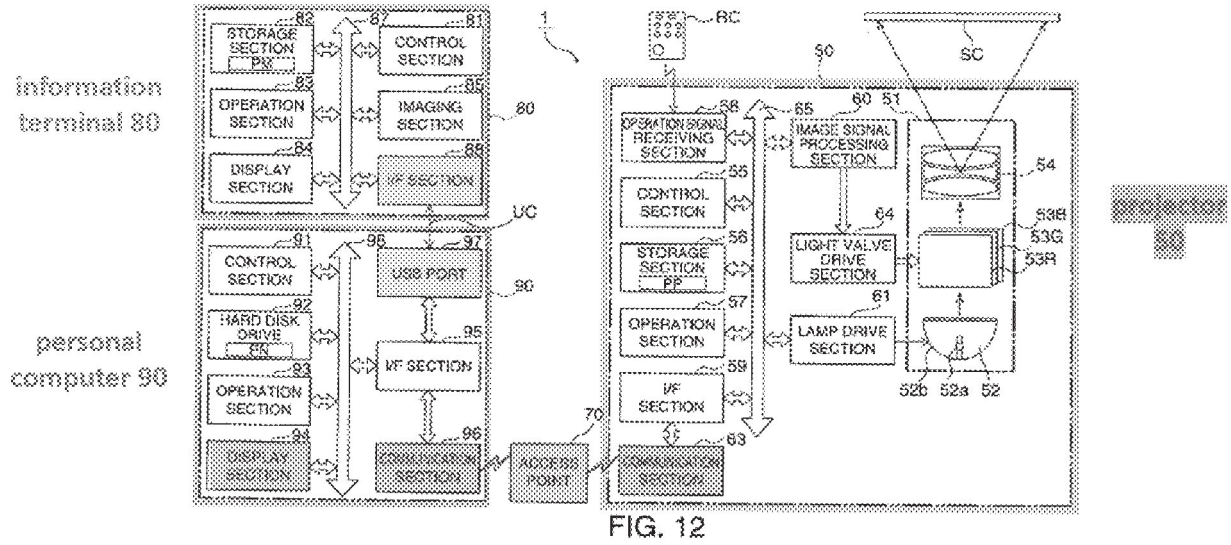


FIG. 12

Ex. 1006, FIG. 12.

4. Claim 12

a) ***The electronic meeting tool according to claim 10, wherein the input device displayed on the second display is displayed on a second layer such that during the transfer of the user selected arbitrary media content of the user processing device to the transmitter on the at least one peripheral device, the input device displayed on the second display is not transferred with the user selected arbitrary media content.***

Uchida discloses the *input device* (*e.g.*, operation section 83). *See* Section VII.C.2.g. Theurer discloses an alternative location of an input device as a software control panel *wherein the input device [is] displayed on the second display*. Ex. 1035, ¶87 ("On the display 230a of source node 100, the screen sharing presenter 325 may provide and display a control panel 425)"; Ex. 1002, ¶196. Theurer further discloses that *the input device … is displayed on a second layer such that during the transfer of the user selected arbitrary media content of the user processing device to the transmitter on the at least one peripheral device, the input device displayed on the second display is not transferred with the user selected arbitrary media content.* Ex. 1002, ¶196.

> Using the window layering technique of the present invention, the source node 100 may display the control panel 425… and transmit a set of screen data 310 that does not provide the control panel 425 or user interface element for display on the screen sharing viewer 320. As such, any screen changes 516 may be screen

> shared with the consumer node 150 as they occur without screen sharing a portion of the screen view 450 desired not to be shared. For example, as illustrated in FIG. 6D, the consumer node 150 may view the screen view 450 of the source node 100 without showing the deployment of the control panel 425. In some embodiments, the consumer node 150 receives screen data 310′ from the source node 100 to display the portion of the screen view 450 behind the deployed control panel 425 instead of the deployed control panel 425.

Id., ¶109 (emphasis added). FIG. 6A illustrates how the control panel 425 (dark gray) appears on the presenter's "source node 100" and does not appear on the receiver's "consumer node 150." *See also id.*, ¶90 FIGS. 4A, 6D. Ex. 1002, ¶197.

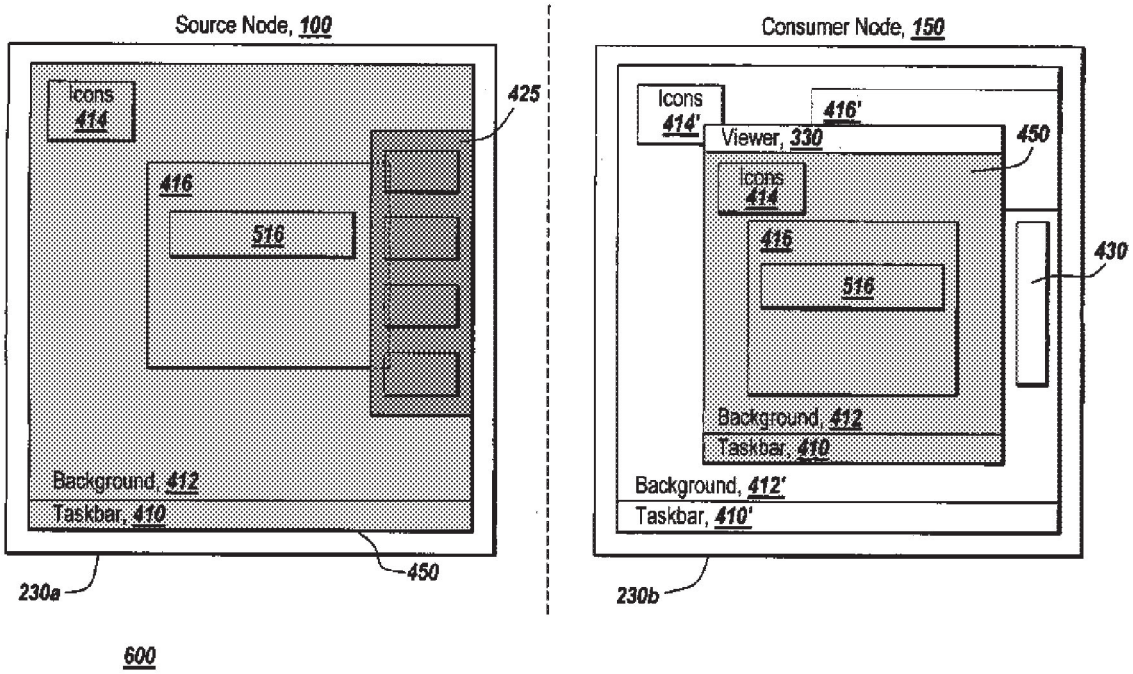


Fig. 6A

Ex. 1035, FIG. 6A

VIII. Patent Owner's Concerns with Dr. Almeroth's Testimony Should Not Be Afforded Weight.

Patent Owner points to Dr. Almeroth's "data is data" statement (Ex. 1111 (POR), 10-11, citing Ex. 1100 (Ex. 2006, IPR2024-01436)) from his multiple declarations and depositions to imply inconsistency. However, his comment simply states the well-known fact that all computer

data is binary (1's and 0's) and transmitted via interfaces like USB, regardless of type. This does not indicate any deficiency in his expertise. Ex. 1002, ¶198.

In another proceeding, Dr. Almeroth testified about prior art addressing transcoding data "based on a type of functional data," demonstrating the routine use of different codecs for audio and video data (Ex. 1101 (Ex. 2030, IPR2024-01436), ¶¶212-213). This is unrelated to his "data is data" comment in the '1436 IPR, which simply reaffirms that all digital data is transmitted as 1's and 0's over interfaces like USB. Patent Owner's claim that Dr. Almeroth is unclear about the definition of "driver" is unfounded, as he provided a specific definition for this context, and the term varies by context. Ex. 1002, ¶¶199-200.

Patent Owner spends four pages challenging Dr. Almeroth's view that implementation details are design choices, alleging unreliability and inconsistency (Ex. 1111 (POR), 12-16). This argument improperly limits prior art to explicit disclosures and ignores the flexibility recognized by a person of ordinary skill. As stated in *KSR*, 127 S. Ct. at 1741, courts may consider inferences and creative steps made by such a person. Therefore, Patent Owner's position lacks support under current legal standards. Ex-1083, ¶¶2-5; Ex. 1002, ¶201.

IX. Secondary Considerations Do Not Overcome the Strong Grounds of Rejection

Patent Owner's patentability arguments are weak and rely on features already in the prior art. Their rationale for combining elements is unsupported by law, and they have not shown a nexus for any claimed commercial success.

A. Patent Owner's ClickShare Product Lacks Nexus because It Is Not Essentially the Claimed Invention.

Patent Owner cannot claim a presumption of nexus when the patented invention is only a component of a commercially successful product, unless unclaimed features are insignificant. *See*

Demaco Corp. v. F. Von Langsdorff Licensing Ltd., 851 F.2d 1387, 1392 (Fed. Cir. 1988); *Fox Factory, Inc. v. SRAM, LLC*, 944 F.3d 1366, 1374 (Fed. Cir. 2019).

Patent Owner's ClickShare product is not coextensive with the claimed invention because it includes significant unclaimed features. For example, the ClickShare product can work with or without a peripheral device (dongle) by using either the ClickShare app or other platforms, such as Teams or Zoom. Ex. 1076 (Patent Owner base unit sold without dongles and works with Teams and Zoom); Ex. 1077 (Patent Owner instructions for using a base unit without a dongle). Indeed, most meetings today are conducted using software solutions, such as Teams and Zoom, without any dongle; Dr. Brogioli could not even recall ever using a dongle to share content prior to this case. Ex. 1084, 91:14-23. Using the ClickShare Product without the dongle is not an insignificant feature; nexus, therefore, cannot be presumed.

Patent Owner holds several patents for distinct inventions, including U.S. Patent Nos. 10,762,002 (the '002 patent, Ex. 1086), 11,403,237 (the '237 patent, Ex. 1087), 11,422,951 (the '951 patent, Ex. 1089), and the '676 patent (Ex. 1001). Only the '951 patent has a terminal disclaimer, and it is over a different application. Patent Owner has not and cannot account for the independent value attributed to each of its patents. Each patent covers different features—media sharing methods ('002), network connectivity via a peripheral device ('237), meeting systems for sharing content ('676), and wireless media display tools ('951)—meaning none is coextensive with the ClickShare product, which relies on multiple critical features covered by several patents.

B. Patent Owner Failed to Demonstrate "Commercial Success" Due to the Claimed Features.

Patent Owner's evidence of revenue alone does not establish secondary considerations without showing it is the "direct result" of the claimed features. *See In re Huang*, 100 F.3d 135, 140 (Fed. Cir. 1996). Patent Owner relied solely on a presumption of nexus and did not show

revenue was due to the claimed features rather than significant unclaimed ones. It is not possible to separate revenue from claimed and commonly used features, such as compatibility with Teams and Zoom. Yealink ceased selling dongles in the U.S. but continues selling base units, indicating base units retain value without dongles. *See* Ex. 1082. Patent Owner's products also function without a dongle or peripheral device. *See* Ex. 1076, Ex. 1077. Patent Owner does not show how much revenue is tied to the claimed features versus unclaimed ones.

C. Patent Owner Failed to Show the '676 Patent Covers Crestron's Products.

Patent Owner has publicly relied on a confidential Crestron license in related IPRs. However, Patent Owner must show more than the mere existence of a license. *See Sibia Neurosciences, Inc. v. Cadus Pharm. Corp.*, 225 F.3d 1349, 1358 (Fed. Cir. 2000) ("[T]he mere existence of these licenses is insufficient to overcome the conclusion of obviousness ...."); *see also Merck & Cie v. Gnosis S.P.A.*, 808 F.3d 829, 838 (Fed. Cir. 2015) ("It is therefore difficult to determine the extent to which the licensing agreement was a result of the novel features in the [challenged] patent, as opposed to the other patents involved."). Yet Patent Owner offers little beyond just that. In fact, the value of the Crestron license extends well beyond the '676 patent at least because it is a "global patent license" for multiple patents. Ex. 1094. There is no evidence that Crestron entered the license because it believed that Patent Owner's patents were valid or enforceable. *Teva Pharms. Int'l GmbH v. Eli Lilly & Co.*, 8 F.4th 1349, 1364 (Fed. Cir. 2021). The Federal Circuit affirmed a Board decision holding the Patent Owner did not show "that any of the challenged patents cover the [licensee's] Product by a comparison of the [ ] product to the challenged claims." *Id.* Here, too, Patent Owner fails to explain how Crestron's products embody the claim limitations. Therefore, there is insufficient evidence of a nexus.

X. The Proposed Grounds Are Not Substantially the Same as Previously Considered Art or Arguments

The Board already instituted trial in IPR2024-01438 for some claims finding a reasonable likelihood of success. After filing that IPR petition, Requester was asked to admit infringement to additional claims, which are the only claims for which reexamination is requested. There is no history of abusive filings from the Requester or against the '676 patent. The '676 patent issued only in 2022, and therefore there are no settled expectations regarding patentability. Furthermore, the Office has determined that *Advanced Bionics* does not apply to reexaminations.[3] This request passes the *Advanced Bionics* test even if it did apply.

First, there have been no post-grant challenges to any of challenged claims 2–3, 6–7, 9–13, 15, and 17. Independent claims 1, 14, and 16, are currently subject to *inter partes* review, but this request only challenges their dependent claims, and by virtue the limitations of their parent claims. Therefore, there is no overlap in challenged claims between this request and the pending IPR.

A. Factors (a), (b) and (d): "(a) the similarities and material differences between the Asserted Art and the prior art involved during examination; (b) the cumulative nature of the Asserted Art and the prior art evaluated during examination; (d) the extent of the overlap between the arguments made during examination and the manner in which Petitioner relies on the prior art."

The Asserted Art was not the basis of any rejection nor substantively evaluated. (*See generally* Ex. 1004). Indeed, the examiner evaluated no art and Patent owner made no arguments. (*Id.*) Patent Owner listed Uchida on an IDS among hundreds of references and materials, but the examiner and the Patent Owner never mentioned them.

[3] As the Office of Patent Legal Administration has explained, *Advanced Bionics* and the "*Becton* factors were specifically formulated to apply to AIA trial proceedings, not to *ex parte* reexamination proceedings." *See* Reexam Petition Decision, Ctrl. No. 90/014,801, at p. 6 (August 31, 2022); *see also Advanced Bionics, LLC v. MEDEL Elektromedizinische Geräte GmbH*, IPR2019-01469, Paper 6 (PTAB Feb. 13, 2020) (precedential); *Becton, Dickinson & Co. v. B. Braun Melsungen AG*, IPR2017-01586, Paper 8 (PTAB Dec. 15, 2017) (precedential as to § III.C.5., first paragraph).

The Board is considering similar grounds for different claims in IPR2024-01438, but not for the claims for which reexamination is requested. Moreover, the examiner materially erred, as discussed below.

B. Factors (c), (e), and (f): "(c) the extent to which the asserted art was evaluated during examination, including whether the prior art was the basis for rejection; (e) whether petitioner has pointed out sufficiently how the examiner erred in its evaluation of the asserted prior art; (f) the extent to which additional evidence and facts presented in this petition warrant reconsideration of the prior art or arguments."

As described above in Section III.C, the examiner allowed the claims without making any art-based rejections. However, the parent application was allowed after the claims were amended to include an input device having a "physical actuator." However, unlike claim 1 (which is not the subject of this request), claim 9 does not require, "the input device being a physical actuator coupled to the at least one peripheral device." Furthermore, as discussed, the prior art discloses an input device as claimed. *See* §§VI.A.1, VI.B.1, VI.C.1; Ex. 1002, ¶¶53-69. Although Uchida was cited, the record lacks any evidence that it was considered for the remaining claim limitations. *See* §VI. Therefore, the examiner materially erred in failing to address Uchida's teachings, particularly given the combination of teachings relied upon here. Accordingly, discretionary denial is not appropriate. *Keysight Technologies, Inc. v. Centripetal Networks, Inc.*, IPR2022-1421, Paper 14, 8 (PTAB Aug. 24, 2023) (reversing denial of institution when art cited in an IDS was not addressed); *see also Oticon Medical AB v. Cochlear Limited*, IPR2019-975, Paper 15, 19-20 (October 16, 2019) (most references were cited but not considered) (precedential); and *Parse Biosciences, Inc. v. 10x Genomics, Inc.*, IPR2023-876, Paper 7, 16 (PTAB Oct. 13, 2023) (instituting review when the examiner did not consider relevant teachings of cited art).

XI. CONCLUSION

The prior art references render obvious claim 12 of the '951 patent and raise substantial new questions of patentability. The reasons for finding the claims unpatentable are not cumulative with the grounds previously considered. The Requester respectfully requests that the Office order reexamination with special dispatch.

Dated: November 12, 2025

Respectfully submitted,

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