

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

YEALINK (USA) NETWORK TECHNOLOGY CO., LTD., and
YEALINK NETWORK TECHNOLOGY CO., LTD.
Petitioner,

v.

Barco NV
Patent Owner.

US Patent No. 10,684,972
Filing Date: December 29, 2017
Issue Date: June 16, 2020

Title: Method and System for Making Functional Devices Available to Participants
of Meetings

Inter Partes Review No.: IPR2025-00491

PETITIONER REPLY

TO

PATENT OWNER RESPONSE

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TABLE OF EXHIBITS

EXHIBIT	DESCRIPTION
Ex-1001	U.S. Patent No. 10,684,972 (“’972 patent”)
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. 10,684,972
Ex-1005	U.S. Publication No. 2015/0169477 (“Beel”)
Ex-1006	U.S. Patent No. 8,369,498 (“Dinka”)
Ex-1007	U.S. Publication No. 2016/0014172 (“Van de Laar”)
Ex-1008	U.S. Publication No. 2010/0295994 (“Kaplan”)
Ex-1009	Skype Webpage (Archived Sept. 14, 2012) (https://web.archive.org/web/20120914232239/http://www.skype.com/intl/en-us/home)
Ex-1010	USB Endpoints and Their Pipes - Windows drivers _ Microsoft Learn.pdf (https://learn.microsoft.com/en-us/windows-hardware/drivers/usbcon/usb-endpoints-and-their-pipes) (accessed November 8, 2024)
Ex-1011	U.S. Patent No. 7,761,627 (“Christison”)
Ex-1012	EP3732827B1 (“Renard”)
Ex-1013	Skype Webpage (Archived Nov. 28, 2015) (https://web.archive.org/web/20151128100316/http://www.skype.com/en/) (accessed Jan. 11, 2025)
Ex-1014	U.S. Patent Application Publication No. 2002/0196378 (“Slobodin”)
Ex-1015	U.S. Patent Application Publication No. 2008/0074560 (“Ichieda”)
Ex-1016	English Translation of JP Patent Application Publication No. 2007-208606 (“Maeda”)
Ex-1017	JP Patent Application Publication No. 2007-208606
Ex-1018	Certification for English Translation of JP Patent Application Publication No. 2007-208606

Ex-1019	U.S. Patent Application Publication No. 2002/0174254 (“Kita”)
Ex-1020	U.S. Patent Application Publication No. 2005/0210390 (“Ono”)
Ex-1021	EP Patent Application Publication No. 2107463 (“Deforche”)
Ex-1022	U.S. Patent Application Publication No. 2009/0172219 (“Mardiks”)
Ex-1023	English Translation of Japanese Patent Application Publication No. 2008-165007 (“Uchida”)
Ex-1024	JP Patent Application Publication No. 2008-165007
Ex-1025	Certification for English Translation of Japanese Patent Application Publication No. 2008-165007
Ex-1026	Imation Wireless Projection Link User Guide
Ex-1027	EZAir Press Release, “EZAir Wireless PC to TV Solutions Now Available Across Europe,” March 16, 2011
Ex-1028	Warpia Product Brief, “Wireless USB PC to TV Audio/Video Display Adapter,” 2009
Ex-1029	Q-Waves Product Overview, “Quicklink TV,” November 2010
Ex-1030	IOGear Installation Guide, “Wireless USB to VGA Kit,” 2008
Ex-1031	Dictionary definition of “Communication Protocol”
Ex-1032	WIPO Publication No. WO 2012/128972 (“Scragg”)
Ex-1033	Wi-Fi Security Webpage (Archived Aug. 16, 2017) (https://web.archive.org/web/20170816134219/http://www.wi-fi.org/discover-wi-fi/security) (accessed Jan. 16, 2025)
Ex-1034	Dr. Michael Brogioli Deposition Transcript
Ex-1035	Second Declaration of Dr. Kevin Almeroth
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Ex-1039	https://www.barco.com/en/inspiration/news-insights/2019-05-03-different-ways-to-share-your-content-with-clickshare (accessed Jan. 15, 2026)

Ex-1040	Excerpts from trial in <i>Barco, Inc. et al. v. Yealink (USA) Network Tech. Co., Ltd.</i> , Case No. 2:23-cv-00521-JRG (E.D. Tex.)
Ex-1041	https://www.barco.com/en/product/clickshare-app (accessed Jan. 15, 2026)
Ex-1042	District Court's deposition transcript of Andrew Ludke, Crestron
Ex-1043	District Court's deposition transcript of Dr. Brogioli
Ex-1044	U.S. Patent No. 10,762,002
Ex-1045	U.S. Patent No. 11,258,676
Ex-1046	U.S. Patent No. 11,966,346
Ex-1047	District Court's deposition transcript of Erwin Six
Ex-1048	Yealink Press Release (https://www.yealink.com/en/product-detail/wireless-presentation-wpp30-eol)
Ex-1049	District Court's deposition transcript of William Scally, Barco's damages expert

I. INTRODUCTION

The Patent Owner Response (paper 25) argues that none of the references individually teach certain limitations, but ignores the obvious combinations. The POR also argues that references in this predictable art would not be obvious to combine. Both arguments fail. First, there is no plausible dispute that the obvious *combinations* teach each claim limitation. Patent Owner attacks the individual references without accounting for Petitioner's combinations. *See In re Keller*, 642 F.2d 413, 426 (CCPA 1981) (“[O]ne cannot show non-obviousness by attacking references individually where, as here, the rejections are based on combinations of references.”); IPR2025-00597, Paper 11, 24-25. Second, the Petition presented the rationale to combine consistent with that explained in *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 415, 419 (2007) and MPEP § 2143, thus meeting the legally required standards. Finally, Dr. Brogioli's evasive answers demonstrate that his testimony is unreliable.

II. DR. BROGIOLI'S TESTIMONY IS UNRELIABLE BECAUSE HE EVADED BASIC TECHNICAL QUESTIONS.

Dr. Brogioli would not answer basic questions unless he could read verbatim from his declaration or other exhibits. Further, Dr. Brogioli repeatedly testified that he did not have “an opinion one way or the other,” for example, that he did not have an opinion of whether the Petition's construction of “*endpoint*” was correct. Ex-1034, 36:22-38:7; *see also*, 43:22-44:12, 50:10-15 (did not know whether a mass

storage device was an endpoint), 52:4-8; 53:11-15, 59:21-60:6, 63:22-64, 72:18-73:12 (could not explain the difference between fixed and configurable endpoints), 74:4-15, 82:17-20 (did not know whether there was a difference between exposed or made available), 85:21-86:4, 88:16-89:12, 94:11-17, 96:21-97:4, 97:18-98:2, 100:3-15, 102:11-15, 105:8-13 (no opinion on whether Van de Laar's dockees can receive and transmit data), 125:19-127:18, 128:11-19, 136:20-137:20 (did not know whether the '972 patent disclosed virtual audio devices). Dr. Brogioli testified his evasiveness was because he was only "responding to statements Dr. Almeroth made." Petitioner did not have a fair opportunity to obtain Dr. Brogioli's opinion because he would not provide any additional analysis beyond the words on the documents, for example, if the references did not explicitly use the word "endpoint," then it did not disclose endpoints. *See e.g., id.*, 43:19-44:16, 46:19-48:1.

III. GROUND 1: BEEL IN VIEW OF DINKA AND OPTIONALLY CHRISTISON.

A. Barco improperly limits the prior art to specific embodiments and incorrectly argues that any deviation is a teaching away.

Barco is incorrect that Beel focuses on systems of personal computers and Dinka is limited to embedded systems. First, Dinka discloses a system of personal computers or "plurality of computer terminals 102." Ex-1006, FIG. 1, 5:45-46; Ex-1035, ¶5. Second, Dr. Almeroth testified that the POSITA would have understood Dinka to teach inter-computer communication despite any alleged concerns

expressed by Dinka. Ex-1035, ¶6. Third, Dr. Brogioli's testimony here is unreliable because he refused to concede that Dinka literally says "plurality of computer terminals 102":

Q. It says: "A plurality of computer terminals 102 are shown coupled to the Internet 101."

...

Q. Is your opinion that Dinka does not include a plurality of computer terminals 102 communicating via Skype?

A. I don't recall in my declaration talking about Dinka in a plurality of computer terminals.

Ex-1034, 85:8-20; *see also, id.*, 84:10-86:19. Fourth, to the extent Dinka disclosed embedded systems as an alternative to personal computers does not teach away. MPEP § 2123 ("Disclosed examples and preferred embodiments do not constitute a teaching away from a broader disclosure or nonpreferred embodiments") (citing *In re Susi*, 440 F.2d 442 (CCPA 1971); *see also In re Gurley*, 27 F.3d 551, 554 (Fed. Cir. 1994)). Finally, the Board has already rejected this argument in a related IPR:

[A] reference may be read for all that it teaches, including uses beyond its primary purpose." *In re Mouttet*, 686 F.3d 1322 1331 (Fed. Cir. 2012). Thus, even if Dinka expresses a preference for conducting VoIP calls using a television set, a skilled artisan still would have considered Dinka's teaching of using computers for such calls. *See id.* at 1334 ("This court has further explained that just because better

alternatives exist in the prior art does not mean that an inferior combination is inapt for obviousness purposes.”).

Ex-1036, 19. Here, too, Barco’s teaching away argument is unpersuasive.

B. There is no dispute that Beel expressly discloses bi-directional communication.

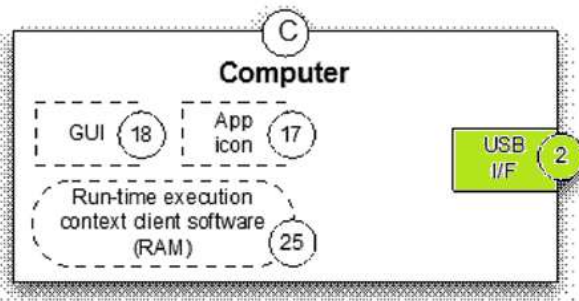
Both the Board and Dr. Almeroth agree that Beel teaches bi-directional communication, which satisfies “*the first peripheral device being adapted to transmit and receive data*” of the ’972 Patent’s Claim 1. Ex-1036, 24 (“Beel expressly describes microphones 38 transmitting audio data to processing devices 31”); Ex-1035, ¶8.

Beel discloses bi-directional transfer of audio/visual data:

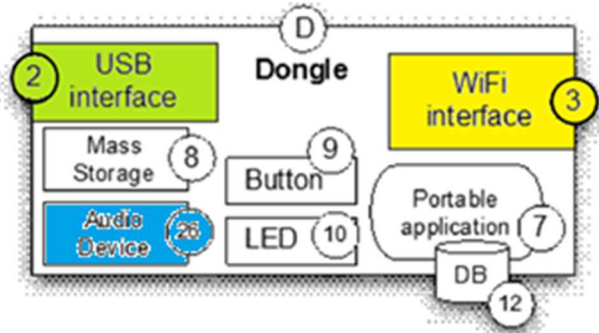
These cameras [39, 40, 41] can be linked by a network 51, e.g. a cable network to the router 42 and/or the base node 36. Another optional item is a microphone or microphones 38 that can be used to transfer audio, e.g. to the processing devices 31 and to loud speakers (not shown) attached to the base node 36 or part of the display 44.

Ex-1005, ¶120 (emphasis added); Ex-1035, ¶9. Dr. Brogioli unreasonably limits Beel’s transmission of audio data “to the processing devices” as a direct transmission to the processing device, without involving the peripheral device. However, Dr. Brogioli invented how this could be achieved, such as by adding an audio port to Beel’s FIG. 5. Ex-1034, 23:15-25:20, 133:1-136:5.

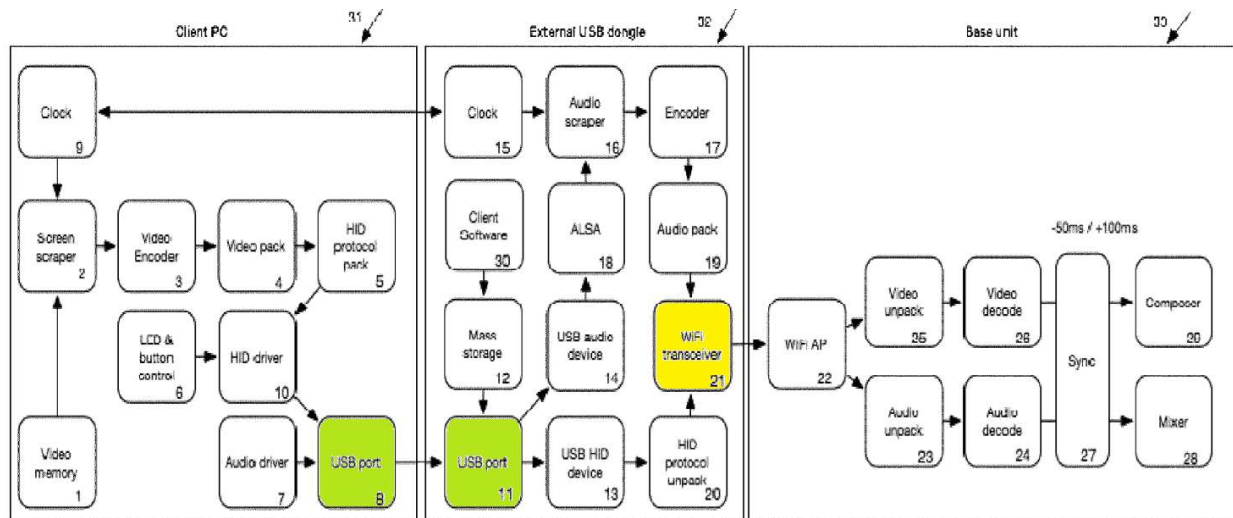
Beel's WiFi antenna located on the peripheral device is the obvious choice and the only option for the embodiments of FIGS. 5 and 11, which do not disclose means for communicating with IP-based networks other than by using the peripheral device's WiFi interface (yellow), mass storage endpoint (8), and audio device endpoint (26, blue), through the USB interface (green) on the processing device.



Ex-1005, FIG. 5



Id., FIG. 4



Id., FIG. 11

Ex-1035, ¶9. Beel thus obviously discloses bi-directional communication through microphones transmitting audio data to processing devices. This configuration allows audio and video data to be transferred between processing devices and

endpoints attached to the base node 36 by using the WiFi interface of the peripheral device, further supporting the concept of data being both sent and received by peripheral devices. Ex-1005, ¶¶43, 317 (“The peripheral device preferably acts as a composite device comprising for instance a (virtual) audio speaker device”), 323 (processing audio data between the peripheral device and base unit endpoints); Ex-1035, ¶9.

Furthermore, Dinka expressly discloses bi-directional communication among peripheral and processing devices. For example, Dinka illustrates that processing devices (computer terminals 102) can both send and receive data over the shared communications framework, enabling real-time exchange of audio and video streams as well as control signals. *See, e.g.*, Ex-1006, 1:7-39, FIGS. 1 and 3b. In particular, Dinka describes multiple endpoints which communicate bi-directionally with processing devices and other networked components. *Id.*, Ex-1035, ¶9. This architecture allows for both the transmission and reception of media and control data across the network, further evidencing the bi-directional nature of Dinka's VoIP calling system. *See* Ex-1006, 1:7-39, FIGS. 1 and 3b; Ex-1035, ¶9.

The Petition reinforces this point by citing Beel's disclosure of microphones transmitting audio data to processing devices and cameras linked via WiFi or cable to the base node and router, supporting the transfer of audio and video data between endpoints and processing devices. Pet., 26-28. Accordingly, the combination of Beel

and Dinka makes obvious the implementation of bi-directional communications in electronic meeting systems, ensuring robust and flexible system interaction. *See* Ex-1035, ¶9.

C. The combination of Beel and Dinka discloses that an endpoint that is a data source or a data sink is “able to store or emit data, of the functional device exposed or made available on the first peripheral device.”

Dr. Brogioli's testimony concerning “*endpoint*” would not extend beyond whether that word appeared in certain documents. For example, Dr. Brogioli testified that mass storage device 132 of the '927 patent, FIG. 6, was not an endpoint simply because the '972 patent did not explicitly use “endpoint” when describing that element. Ex-1034, 42:11-17; 46:19-47:7. Contradicting himself, he also testified that a mass storage device is a type of endpoint. *Id.*, 43:19-21. Therefore, his testimony is confusing, unreliable, and technically inaccurate. Ex-1035, ¶10.

The '972 patent itself admits that it and Beel disclose the same exact endpoints. Ex-1001, 4:28-33; 16:51-56. Indeed, Beel and the '972 patent have identical figures illustrating endpoints. Ex-1005, FIG. 11; Ex-1001, FIG. 4 (identical but for a few corrected numbers, such as labeling the “external USB dongle 30” as “130” because it's a peripheral device) They both contain the same “mass storage 12,” “USB audio device 14,” and “USB HID device 13” endpoints.

Dr. Brogioli agrees that audio devices are endpoints. Ex-1034, 57:5-61:4 (struggling to identify endpoints of the '972 patent directed to the word “endpoint”

in the specification). However, Dr. Brogioli was again evasive when he would not identify any endpoints in FIG. 4 of the '972 patent, testifying that “there isn’t a block there that uses [the word endpoint].” *Id.*, 72:18-73:12; *see also* Ex-1037, § 5.3.1. However, Dr. Almeroth credibly testified that Beel’s USB, MSD, HID, and audio devices are endpoints, which is consistent with his testimony that the POSITA would have understood such USB devices to be endpoints. Ex-1035, ¶¶10-11. This is also consistent with the '972 patent’s broad definition of endpoint: “endpoints should be interpreted broadly as data sources or sinks.” Ex-1001, 7:64-67.

Regarding whether the combination of Beel and Dinka discloses an “*endpoint ... able to store or emit data, of the functional device exposed,*” the petition explained how the prior art, including Beel’s “mass storage device” and “virtual audio device” render this limitation obvious. Pet., 26-28, 31-35. For example, Beel (Ex-1005, ¶¶43, 50, 59, 61, 65, 69, 95, 158, 208-09, 213, 313-314, 317, 320, and claims 84 and 94) describes peripheral devices such as mass storage devices and virtual audio devices, which function as endpoints capable of storing (mass storage) or emitting (audio output) data “*of the functional device.*” The Petition further clarifies that these endpoints are logically and physically connected through the system architecture described in Beel (*Id.*) and Dinka (Ex-1006, 1:7-39, FIGS. 1 and 3b), enabling data transfer between base units and the peripheral, processing, and functional devices. Dinka thus complements Beel by disclosing an architecture

where data may be both sent and received by endpoints, supporting the bidirectional flow necessary for an endpoint to serve as a data source or sink. In addition, Christison further supports the understanding of endpoints as functional devices capable of transmitting or receiving data within such a networked framework. Ex-1011, 4:39-6:12, 6:36-37, FIGS. 6A, 6B, 7A, 7B, 8, 9 (figures illustrating data going in and out of the USB endpoints. Thus, Beel, Dinka, and Christison make it obvious that a functional device exposed on a peripheral device can store or emit data, meeting the claimed limitation of an “endpoint.”

IV. GROUND 2: KAPLAN IN VIEW OF VAN DE LAAR AND OPTIONALLY CHRISTISON.

A. Only ordinary skill would have been required to combine Kaplan, Van de Laar, and Christison.

1. Law is contrary to Barco's argument that prior art should be limited to its example embodiments and therefore could not be combined.

Barco ignores the breadth of Kaplan's disclosure, and focuses on **“embodiments of** the present invention provide a ‘walled garden’ approach.” POR, 40 (quoting Ex-1008, ¶21 but omitting “embodiments of”) (emphasis added). Kaplan identifies the “walled garden” benefits, but it does not require this configuration and includes embodiments using “commercially available wireless communications standards.” Ex-1008, ¶¶21, 31, 65; Ex-1035, ¶12. For example, FIG. 5 describes a series of pairing steps and adds, “[S]teps may be added or removed depending on the particular applications.” *Id.*, ¶56; Ex-1035, ¶13. Barco,

therefore, improperly limits Kaplan's disclosure because "[a] reference may be read for all that it teaches, including uses beyond its primary purpose." *In re Mouttet*, 686 F.3d 1322 1331 (Fed. Cir. 2012).

Barco similarly and improperly limits Van de Laar to embodiments using a "WiFi direct" protocol and an integrated connection unit. POR, 42. Van de Laar provides other examples: "These peripherals are considered to support standards such as Wi-Fi Serial Bus and Wi-Fi Miracast to make their functionality available through the wireless network to other devices such as dockees and WDHs." Ex-1007, ¶73; Ex-1035, ¶14. Van de Laar includes a similar embodiment to Kaplan using peer-to-peer communication and "Wi-Fi Direct pre-association device." Ex-1007, ¶¶117, 134. Therefore, Kaplan and Van de Laar include similar embodiments, and it is improper to strictly limit a disclosure to its preferred embodiments. *Honeywell Int'l Inc. v. 3G Licensing, S.A.*, 124 F. 4th 1345, 1355-56 (Fed. Cir. 2025) ("obviousness does not require that a particular combination must be the preferred, or the most desirable, combination described in the prior art in order to provide motivation for the current invention." (Internal citations and quote omitted)).

Van de Laar also does not require the dockee communication unit 121 to be internal to the dockee (*e.g.*, laptop). POR, 44; Ex-1035, ¶15. Rather, Van de Laar explains that the communication unit can be, for example, a "WiFi unit" and "there may be multiple communication units for that purpose, for example Bluetooth, Wi-

Fi and 60 GHz.” *Id.*, ¶¶74-76; Ex-1035, ¶15. Therefore, Van de Laar should not be limited to a particular embodiment and is combinable with Kaplan for the reasons presented in the Petition. Pet., 47-48, 51-52.

The Petition explained *how* the POSITA would have found it obvious to modify Kaplan’s receiver to have features similar to Van de Laar, such as use of multiple functional devices. *Id.* Van de Laar teaches *why* such a combination has benefits. *See* Ex-1035, ¶15; *see also* Ex-1007, ¶128 (discussing the benefit of using Skype with a system like Kaplan). There is thus sufficient rationale to combine Kaplan, Van de Laar, and optionally Christison as explained here and in the Petition.

2. Industry motivation: convergence toward interoperable av systems

Barco’s assertion that Kaplan and Van de Laar teach “incompatible communication methods” overlooks the prevailing industry trend toward interoperability and flexible multi-device environments. *See* Ex-1035, ¶16. A POSITA would be motivated to combine the streamlined transmitter/receiver architecture of Kaplan with the multi-user, peripheral-sharing capabilities of Van de Laar to address real-world meeting room needs—namely, enabling multiple users to access high-quality AV peripherals without cumbersome configuration. Ex-1035, ¶16.

3. Technical compatibility and predictability of combination

Both Kaplan and Van de Laar disclose wireless communication frameworks that utilize standard protocols (USB, Wi-Fi, HDMI) and endpoint mapping. The pairing mechanisms—pre-shipment in Kaplan, ad-hoc in Van de Laar—are implementation details, not fundamental barriers. Ex-1035, ¶17. A POSITA would recognize that the underlying hardware and software are compatible and that combining these elements would be a predictable engineering task, well within the capabilities of the field. *Id.*

4. Example implementation details do not prohibit a combination of Kaplan and Van de Laar.

The combination of Kaplan and Van de Laar offers functional synergy: integrating Van de Laar's multi-user docking with Kaplan's streamlined, plug-and-play transmitter/receiver architecture would allow for scalable, user-friendly conferencing systems that support both individual and group use cases. Ex-1035, ¶18. This is precisely the type of improvement that motivates combinations in the AV field. *Id.*

5. Prior Art and POSITA's reasonable expectation of success

Barco's suggestion that a POSITA would not expect success in combining these systems ignores the fact that both references operate within the same technological domain and share common protocols. *Id.* at ¶19. The Federal Circuit has repeatedly held that combinations of known elements, especially in predictable

fields like electronics and communications, are likely to succeed absent specific technical obstacles. Here, no such obstacles are identified; instead, the references complement each other in addressing the limitations of single-user and multi-user AV environments. *Id.*

6. Christison reinforces a motivation to combine Kaplan and Van de Laar

Christison further supports the rationale for combining Kaplan and Van de Laar. *Id.* at ¶20. The ability to expose remote peripherals as native devices, demonstrated in Christison, is a well-understood concept in USB and wireless AV systems, and a POSITA would naturally incorporate such teachings to enhance system flexibility and usability. *Id.*

7. Barco's reliance on patent owner's product and Skype is not a barrier

Barco's argument that the Petition improperly relies on the existence of Skype and the Patent Owner's own product is misplaced. The references themselves acknowledge the use of unified communications platforms and the need for hardware interoperability. The motivation to combine arises from the technical benefits and industry needs, not from hindsight or product emulation.

A POSITA would be motivated to combine Kaplan, Van de Laar, and Christison to achieve a system that is both user-friendly and capable of supporting multiple users and peripherals. The technical compatibility, functional synergy, and

industry trends all support a reasonable expectation of success. Barco's arguments do not identify any insurmountable technical barriers, and the combination is precisely the type of predictable improvement that the law recognizes as obvious.

B. The combination of Kaplan and Van de Laar discloses “*the first peripheral device being adapted to transmit and receive data ... from the functional device,*” i.e., “*the claimed communication path*”¹

1. Kaplan and Van de Laar teach bi-directional data communication

The Petition explained that Kaplan provides two-way communication hardware via a receiver 110, including a transceiver 110. Pet., 47-48, 56-58; Ex-1035, ¶21. Van de Laar similarly teaches dockees (e.g., laptops) capable of sharing content and simultaneously receiving content. *Id.* at ¶58; ¶21.

First, Barco's argument that Kaplan fails to teach bi-directional data communication is contradicted by Kaplan's disclosure of a transceiver. Crucially, Kaplan describes a system in which the transmitter and receiver, or “transceiver,” are paired to enable wireless communication of video and audio signals between a computer and a display device. Ex-1008, ¶6 (“The receiver and the transmitter are operable to perform two-way wireless communication with each other.”). The transmitter is described as a USB connector that interfaces with the computer, while

¹ POR, 33.

the receiver connects to the display and includes video and audio outputs. Ex-1035, ¶22. This enables not only the transmission of video and audio data from the computer to the display, but also the potential for control signals or feedback to be sent in the reverse direction, supporting bi-directional communication. *Id.*

Kaplan further provides an example use case for the bi-directional communication describing how a remote control can be used to send signals from the receiver to the processing device through the transmitter. *See* Ex-1035, ¶23. The inclusion of a remote control and the pairing of transmitter and receiver further support the system's ability to handle two-way communication, as control signals must be sent from the display side back to the computer or transmitter. *Id.*

Second, Van de Laar expressly teaches that primary dockees in a wireless docking system are not limited to a single, unidirectional role. Ex-1035, ¶24. Instead, the specification describes a collaborative environment in which multiple primary dockees can simultaneously transmit their own content to shared peripherals and receive content from other dockees. *Id.* Van de Laar explains that the system allows for more than one primary dockee to be connected to the wireless docking host (WDH) at the same time, and that each primary dockee can both send AV data to the WDH and receive AV data from the WDH, including data originating from other primary dockees, and in multi-primary scenarios, each primary dockee can monitor (receive) the output from other dockees. Ex-1007, ¶¶56, 59-60; Ex-1035, ¶25. Each

dockee can therefore operate in the capacity as a primary, secondary, or both, by having any combination of write and read permissions. Ex-1007, ¶93. “This allows all dockees (primary and secondary) to monitor the merged display output and/or audio output and follow the presentation on their own screen and/or headphones.” *Id.* at ¶96. This architecture enables collaborative presentations and dynamic, real-time sharing and monitoring, where each participant can contribute content and also monitor or receive content from others. *Id.*; *see also id.* at ¶78, 82; Ex-1035, ¶25. This supports the argument that the system enables flexible, bi-directional communication and role-sharing among dockees. Ex-1035, ¶26.

Thus, both Kaplan and Van de Laar are directed to wireless AV systems, a field in which bi-directional communication is standard practice. Ex-1035, ¶27. A POSITA would understand that the use of transceivers and wireless docking protocols necessarily entails the ability to both transmit and receive data, supporting the claimed bi-directional communication path. *Id.* The combination of these references renders the claimed bi-directional communication path obvious to a POSITA, directly rebutting Barco's arguments to the contrary. *Id.* at ¶28.

C. The combination of Kaplan and Van de Laar disclose a peripheral device endpoint able to store or emit data of the functional device.²

² POR, 34-37

The proposed combination of Kaplan and Van de Laar uses Kaplan's USB transmitter as a sink/source to store/emit data using the bi-directional transceiver 450. Ex-1008, FIG. 4. USB devices inherently or at least obviously have endpoints. Ex-1037, p. 33-34, § 5.3.1; Ex-1035, ¶29. Van de Laar provides similar implementation details, referring to endpoints as sinks or sources. Ex-1007, FIG. 3, ¶¶124-126. Primary dockees can operate both as sinks and sources by both transmitting content and receiving other shared content. *Id.*, ¶¶59-60, 93, 96. The '972 patent states that "endpoints should be interpreted broadly as data sources or sinks." Ex-1001, 8:64-67. Accordingly, both Kaplan and Van de Laar describe endpoints. Ex-1035, ¶29.

Van de Laar further explains that the data is "*of the functional device*" because the dockees have read/write access to the peripherals. Ex-1007, ¶¶56, 115, claim 2; *see also id.* at ¶110 ("a set of peripherals, for example a display, audio speakers, and other peripherals"). Van de Laar's FIG. 2 illustrates one or more dockees 230 configured to write (or read) data to a set of peripheral devices 210-212 (*i.e.*, "*functional devices*"), and one or more dockees 220, 221 configured to read data from the peripheral devices 210-212:

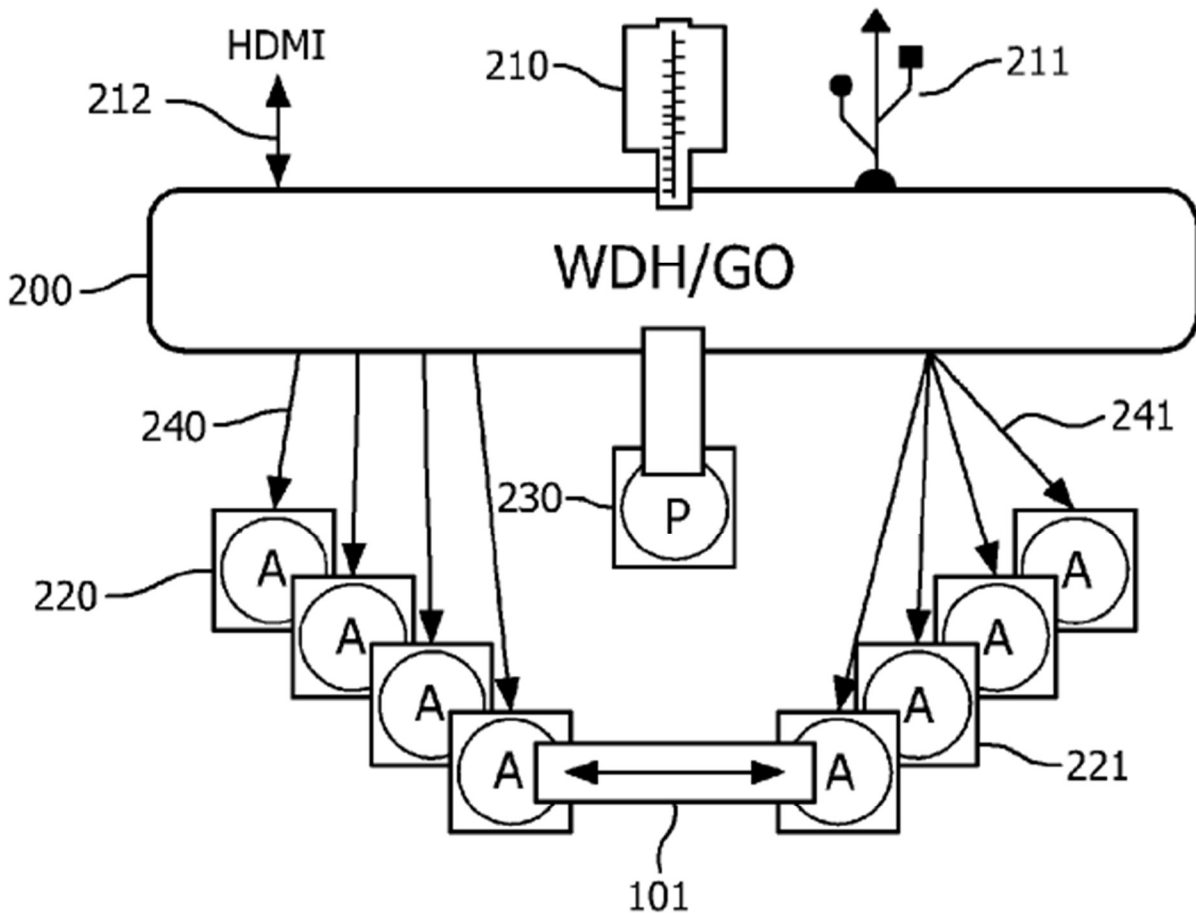


FIG. 2

Accordingly, the communication units (*i.e.*, “*peripheral device*”) of the dockees are configured to transmit and receive data “*of the functional device.*”

V. BARCO’S SECONDARY CONSIDERATIONS ARE INSUFFICIENT AND FAIL TO OVERCOME THE STRONG SHOWING OF OBVIOUSNESS.

Barco’s arguments for patentability are weak and focus on limitations squarely and admittedly in the prior art. Barco’s arguments concerning rationale-to-combine question why the POSITA would have altered systems that are already fully

functional. As explained, the law does not support these arguments. Moreover, Barco has failed to demonstrate nexus of any alleged commercial success.

A. Barco's ClickShare product lacks nexus because it is not essentially the claimed invention.

Barco is not entitled to a presumption of nexus “[w]hen the thing that is commercially successful is not coextensive with the patented invention—for example, if the patented invention is only a component of a commercially successful machine or process.” *Demaco Corp. v. F. Von Langsdorff Licensing Ltd.*, 851 F.2d 1387, 1392 (Fed. Cir. 1988). Nexus is not shown when “the patented invention is only a component of a commercially successful machine or process.” *Id.* “[U]nclaimed features [must] amount to nothing more than additional insignificant features” to presume nexus. *Fox Factory, Inc. v. SRAM, LLC*, 944 F.3d 1366, 1374 (Fed. Cir. 2019).

Barco's Clickshare product is not coextensive with the claimed invention because it includes significant unclaimed features. Barco's argument focuses on the “Barco System,” a combination of the Clickshare Button and Barco Base, to satisfy the claimed features and the alleged “praise by others.” POR, 50-51. However, Barco improperly relies solely on the presumption of nexus and ignores that the core of Barco's Clickshare product line is the Barco Base, instead of the Clickshare Button. Moreover, as with the Clickshare Button, the Barco Base products also have

additional, significant unclaimed features. Barco's entire reliance on the presumption alone is improper.

For example, the Barco Base 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-1038 (Barco base unit sold without dongles and works with Teams and Zoom); Ex-1039 (Barco instructions for using a base unit without a dongle). Barco will assert that "customers' preference" are to use the dongle, that unreviewed internal data "shows 85 percent of our users use the button to share" versus those that use Barco's Clickshare application protocol, and, thus, the dongle "explains [] the success of this technology." Ex-1040, 175:14-24. But Barco's data has an argument-fatal flaw—Barco admitted that the data is tracked only in the uncommon situation when "the user who has an [Clickshare] app uses the button." Ex-1040, 231:1-4 (testimony of Erwin Six). Without the virtual Clickshare application installed separately (*see* Ex-1041), the data does not include base units used with "other technologies ... AirPlay, MiraCast, GoogleCast," *i.e.*, no dongle. Ex-1040, 231:5-11. Based on flawed data, Barco disregards the obvious cases where users use a base unit with the ubiquitous Teams or Zoom platforms (without a redundant dongle)—and treats these scenarios as trivial.

Indeed, [REDACTED] of Crestron testified that [REDACTED]

[REDACTED]

[REDACTED] Ex-1042, 100:25-101:20. Dr. Brogioli could not recall ever using a dongle to share content prior to this case. Ex-1043, 91:14-23. Using the Clickshare Product without the dongle is not an insignificant feature; nexus, therefore, cannot be presumed.

Importantly, Barco has several patents spanning three patent families that cover patentably distinct inventions within the Clickshare dongle or dongle/base unit combination, including, for example, at least U.S. Patent Nos. the '972 Patent (Ex-1001), 10,762,002 (the '002 Patent, Ex-1044), 11,258,676 (the '676 Patent, Ex-1045), and 11,966,346 (the '346 Patent, Ex-1046). [REDACTED]

[REDACTED]
[REDACTED] Ex-1047 141:20-143:18. Indeed, the '972 Patent is directed to methods, systems, and software to use fixed or configurable endpoints on the peripheral device to connect a functional device to the processing device. The '002 Patent is directed to media sharing methods and systems that employ separate pre-installed generic drivers to set up audio and data communication. The '676 Patent is directed to an electronic meeting system that allows users to share arbitrary media content with rules for display control.

Moreover, Barco has patents covering the separate Barco Base products. For example, the '346 Patent is directed to methods and systems that use a client software

to present functional devices as a virtual functional device, where the processing device interacts directly (*i.e.*, no dongle) with the base unit. Thus, no patent is coextensive with the *entire* Clickshare product because there are several patents covering different critical features of that product. The alleged invention is only a component of an alleged commercially successful system, and Barco's presumption of nexus is improper.

B. Barco failed to demonstrate “commercial success” due to the claimed features.

Barco again relies on an improper presumption that sales of *all* Clickshare products have a nexus to the patented features of the '972 Patent. As evidence of “success,” Barco simply discloses total revenue and an “estimated” profit while admitting a variety of products contribute to that total revenue: CX-20, CX-30, CX-50 (Gen 1 and Gen 2), CB Core, CB Pro, and the Button. POR, 68-69. Barco's evidence of revenue alone is insufficient to demonstrate secondary considerations without showing that those aspects are the “direct result” of the claimed features. *In re Huang*, 100 F.3d 135, 140 (Fed. Cir. 1996). As discussed in the Petition, POR and above, the claimed features of the '972 Patent require, in part, a peripheral device or dongle. Further, it is undisputed that the base units can be used independently from a peripheral device, such as with the Teams and Zoom platforms. Indeed, Petitioner stopped selling its dongles in the U.S., but continues to have a successful business

selling base units, demonstrating that base units have material value even without a dongle. Ex-1048.

Yet, Barco does not provide any justification for why the Board should consider the entirety of the Clickshare product line's revenue, inclusive of non-patent practicing devices/uses. Nor does Barco provide a relationship between the total revenue and the revenue attributable to practicing the patentable features of the '972 Patent. Instead, Barco relied entirely on the presumption of nexus and made no attempt to demonstrate that revenue generated was due to the claimed features as opposed to significant unclaimed features. Moreover, Barco admits it does *not* have the evidence necessary to demonstrate this factor (POR, 69, FN5 ("Patent Owner does not record profit *as a per-product basis*") (emphasis added)). It is impossible to separate revenue generated from the claimed features and other commonly used unclaimed features, *e.g.*, individual base units and compatibility with the ubiquitous Teams and Zoom tools. Barco improperly relies on a presumption where there is none. Thus, it has failed to prove "commercial success."

C. Barco failed to show the '972 patent covers Crestron's products.

As for Barco's reliance on Crestron's products, Barco 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"). Yet, Barco offers just

that. But the Crestron license included many unrelated patents as well international rights to patents in numerous foreign jurisdictions and rights to patents from two additional patent families. *See* Ex-2011, 15. Moreover, Barco's damages expert testified that this license [REDACTED]

[REDACTED] *See, e.g.,* Ex-1049, 73:7-74:3, 105:8-106:1.

[REDACTED] Ex-1042, 58:7-12.

Barco relies on *Ancora Techs., Inc. v. Roku, Inc.*, 140 F.4th 1351 (Fed. Cir. 2025) to assert that it need not show nexus between the Crestron license and the '972 Patent. Barco's argument is misplaced—the challenged patent in *Ancora* was “the only patent identified” in the license. *Id.* at 1362. Thus, there was no doubt that the license supported the specific challenged patent. But unlike *Ancora*, the Crestron license here deals with three distinct patent families and includes numerous foreign patents. Instead, the number of patents in the Crestron license here, as well as three separate patent families, is similar to *Merck & Cie*, where the court upheld the Board's finding that the license evidence should be afforded little weight. *See Merck & Cie v. Gnosis S.P.A.*, 808 F.3d 829, 838 (Fed. Cir. 2015). In *Merck & Cie*, the Board based its decision on findings that the licensee preferred one patent and, thus, made it “difficult to determine the extent to which the licensing agreement was a result of the novel features of the [non-preferred] patent, as opposed to the other

patents involved.” *Id.* So too, here, Barco presents no evidence why the Crestron license is the result of the features claimed in the '972 Patent as opposed to the other U.S. and foreign patents involved. Indeed, the Crestron license includes three distinct patent families. *See* Ex-2011.

The Crestron license is unlike the *Ancora* licenses for an additional reason. The *Ancora* licenses were reached after years of litigation where the “defendants were fully aware of the relevant prior art” and invalidity arguments. *Ancora Techs.*, 140 F.4th at 1363. Thus, the “substantial license fees [] paid ... late in litigation” was significant evidence because the parties then knew the strength of their positions. *Id.* Here, Crestron entered the license without a threat of litigation. There is no evidence that Crestron performed a prior art analysis or that Crestron entered the license because it believed the '972 Patent was valid or unenforceable. *Teva Pharms. Int’l GmbH v. Eli Lilly & Co.*, 8 F.4th 1349, 1364 (Fed. Cir. 2021); *see also Ancora Techs.*, 140 F.4th at 1361 (upholding Board’s decision specifically requiring “press release[s] and agreement[s to] have a nexus to the challenged claims as opposed to the patent as a whole”). 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, Barco fails to explain how Crestron’s products embody the claim limitations of the '972 Patent. Barco asks the Board to disregard decades of

precedent. *See also Iron Grip Barbell Co. v. USA Sports, Inc.*, 392 F.3d 1317, 1324 (Fed. Cir. 2004) (“Our cases specifically require affirmative evidence of nexus where the evidence of commercial success presented is a license.”). Barco’s provides no justification why Crestron’s license is anything other than a desire to avoid risk, as “it is often cheaper to take licenses than to defend infringement suits.” *Ancora Techs.*, 140 F.4th at 1363 (internal citations omitted). Therefore, there is insufficient evidence of a nexus and the Board should afford little weight to the Crestron license.

VI. CONCLUSION

Barco fails to rebut the prima facie showing of obviousness, and the evidence of secondary considerations is insufficient. Petitioner therefore asks the Board to find the challenged claims to be unpatentable.

Dated: January 20, 2026

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

Pursuant to 37 C.F.R. § 42.24(d), the undersigned hereby certifies that the word count for the foregoing response totals 5,501 as counted by Word Count feature of Microsoft Word, which is less than 5,600 allowed under 37 C.F.R. § 42.24(c)(1), excluding the parts of the paper exempted by 37 C.F.R. § 42.24.

Dated: January 20, 2026

By: /Stephen Yang/
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CERTIFICATE OF SERVICE

I hereby certify that on January 20, 2026, I caused a true and correct copy of the foregoing response to be served via Federal Express mail on the Patent Owner at the following correspondence addresses of record:

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