

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.,

Petitioners,

v.

BARCO N.V.

Patent Owner.

CASE: IPR2025-00491

U.S. PATENT NO. 10,684,972

PATENT OWNER'S SUR-REPLY

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TABLE OF EXHIBITS

Exhibit	Description
Ex. 2001	U.S. Publication No. 2015/0121466 (“Brands”)
Ex. 2002	U.S. Publication No. 2014/0362161 (“Leete”)
Ex. 2003	PTAB Memo
Ex. 2004	Email Authorizing Supplemental Paper of June 3, 2025
Ex. 2005	Curriculum Vitae of Dr. Michael Brogioli
Ex. 2006	September 22, 2025 Deposition Transcript of Kevin C. Almeroth
Ex. 2007	Reserved
Ex. 2008	Reserved
Ex. 2009	Reserved
Ex. 2010	Barco Sales Data (<i>Confidential and Redacted Versions Filed</i>)
Ex. 2011	Crestron License Agreement (<i>Confidential and Redacted Versions Filed</i>)
Ex. 2012	<i>Barco and Crestron announce patent license agreement regarding a set of essential ClickShare patents</i> , BARCO (Sept. 12, 2023) https://web.archive.org/web/20240810204702/https://www.barco.com/en/about/press-releases/barco-and-crestron-announce-patent-license-agreement-regarding-a
Ex. 2013	<i>ClickShare conferencing & collaboration</i> , BARCO (April 1, 2025), https://web.archive.org/web/20250401012647/https://www.barco.com/en/products/clickshare-conferencing-collaboration#expand
Ex. 2014	<i>ClickShare Button</i> , BARCO (February 12, 2025) https://web.archive.org/web/20250212164931/https://www.barco.com/en/product/clickshare-conferencing-button

Exhibit	Description
Ex. 2015	Reserved
Ex. 2016	Reserved
Ex. 2017	List of Products Covered by Barco Patents accessible at: https://www.barco.com/en/about/terms-conditions/patents
Ex. 2018	<i>Patent</i> , CRESTRON (June 12, 2025) https://www.crestron.com/legal/patents?page=1
Ex. 2019	Crestron Electronics Private Company Profile, PITCHBOOK
Ex. 2020	Reserved
Ex. 2021	Reserved
Ex. 2022	Reserved
Ex. 2023	Excerpts from April 18, 2025 Deposition Transcript of Andrew Ludke (<i>Confidential and Redacted Versions Filed</i>)
Ex. 2024	Reserved
Ex. 2025	<i>ClickShare CX-30</i> , BARCO (October 8, 2025) https://web.archive.org/web/20250826005128/https://www.barco.com/en/product/clickshare-cx-30
Ex. 2026	David Martens and Willem Van Iseghem, <i>Security Whitepaper ClickShare Conference</i> , BARCO (March 23, 2020)
Ex. 2027	Gary Kayye, <i>Here's a Detailed Look at the New Barco ClickShare Conference From the Launch Event in NYC</i> , RAVE (January 27, 2020) https://web.archive.org/web/20251017182523/https://www.ravepubs.com/heres-a-detailed-look-at-the-new-barco-clickshare-conference-from-the-launch-event-in-nyc/
Ex. 2028	Gary Kayye, <i>Here's a Detailed Look at the New Barco ClickShare Conference From the Launch Event in NYC</i> , RAVE (January 27, 2020) https://web.archive.org/web/20201021153400/https://www.ravepubs.com/heres-a-detailed-look-at-the-new-barco-clickshare-conference-from-the-launch-event-in-nyc/

Exhibit	Description
	ubs.com/heres-a-detailed-look-at-the-new-barco-clickshare-conference-from-the-launch-event-in-nyc/
Ex. 2029	Rebekah Carter, <i>ClickShare Delivers Wireless Conferencing</i> , UC TODAY (March 19, 2020) https://web.archive.org/web/20251017184342/https://www.uctoday.com/collaboration/clickshare-delivers-wireless-conferencing/
Ex. 2030	Declaration of Dr. Michael Brogioli
Ex. 2031	Reserved
Ex. 2032	Modified Protective Order
Ex. 2033	February 27, 2026 Deposition Transcript of Kevin C. Almeroth

I. INTRODUCTION

U.S. Patent No. 10,684,972 (the “’972 Patent”) claims a system for connecting a processing device (e.g., a laptop) to a functional device (e.g., a webcam) using a base unit that *transmits* data from the functional device to the processing device *through* a peripheral device (e.g., a dongle), where the peripheral device *receives* and *communicates* the functional device data to the processing device. Ex. 1001, cls. 1, 9, 15.

Petitioner relies on references that are either (1) presentation systems which use a peripheral device to transmit (not receive) presentation data or (2) meeting room systems that function without any peripheral device, so there is no teaching of a “*first peripheral device being adapted to...receive data respectively over the communications network from the functional device to the processing device via the at least one fixed or configurable endpoint...*” *Id.*, cl. 1. The Petition and Reply lean on “buzz words” to attempt to extend the prior art beyond what is reasonably disclosed, and reconstruct the claims through impermissible hindsight.

Any alleged motivation to combine is abstractly concluded without evidentiary support. Unsubstantiated allegations of “benefits” is the exact hindsight-based reasoning that the Supreme Court rejects. *KSR Intern. Co. v. Teleflex Inc.*, 550 U.S. 398 421 (2007) (citing *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1, 36 (1966)). Petitioner ignores strong contrary evidence as purported

“nonrequired” features rather than evaluate how a POSITA would read the whole reference. Petitioner’s arguments fail for these foundational reasons.

Additionally, the objective indicia of nonobviousness heavily favor patentability. For example, Crestron, a major competitor to Barco’s ClickShare technology, has licensed the ’972 Patent and acquiesced to the validity and value of the claimed, innovative technology.

II. GROUND 1

A. Claim 1

Claim 1 recites “a functional device connected to or in a base unit” with “the base unit and the first peripheral device being adapted to transmit and *receive* data *respectively* over the communications network from the functional device...via the at least one fixed or configurable endpoint[.]” Ex. 1001, cl. 1 (emphasis added).¹ Petitioner improperly extends *Beel*’s disclosure well beyond what it suggests; *Beel* does not teach the claimed communication configuration. *Dinka* does not remedy *Beel*’s insufficiency.

1. *Beel* is a presentation system

Beel shares content from a personal device to a central display at a meeting. Ex. 1005, ¶1. *Beel*’s objective is “displaying media content with audio as well as software for performing any of these methods or for implementing such systems.”

¹ All emphasis added unless otherwise noted.

Id., ¶39. *Beel*'s benefits are "allowing 'on-the-fly' ***presentation***[,] "reducing the time to connect computers to the ***display or projection system***[,] and "providing the possibility of recording the course of the meeting...as well as be able to store all data ***presented*** and who ***presented*** it." *Id.*, ¶¶113–116.

Beel's peripheral device communicates data ***from*** a processing device ***to*** a base node. *Beel* is silent regarding any return communication from a base node to a processing device via the peripheral device. *Id.*, ¶122. *Beel*'s peripheral device and base node form a communications network "adapted to receive arbitrary media content ***from at least one of the plurality of processing devices 31*** and ***transmit the arbitrary media content*** of at least one of the plurality of processing devices to the central display device 44." *Id.*, ¶126. The source of *Beel*'s media content is the processing device. *Id.*, ¶¶127, 135, 315–317. *Beel* does ***not*** disclose the '972 Patent's claimed path of a "***first peripheral device being adapted to...receive data respectively over the communications network from the functional device to the processing device via the at least one fixed or configurable endpoint***["] Ex. 1001, cls. 1, 9, 15.

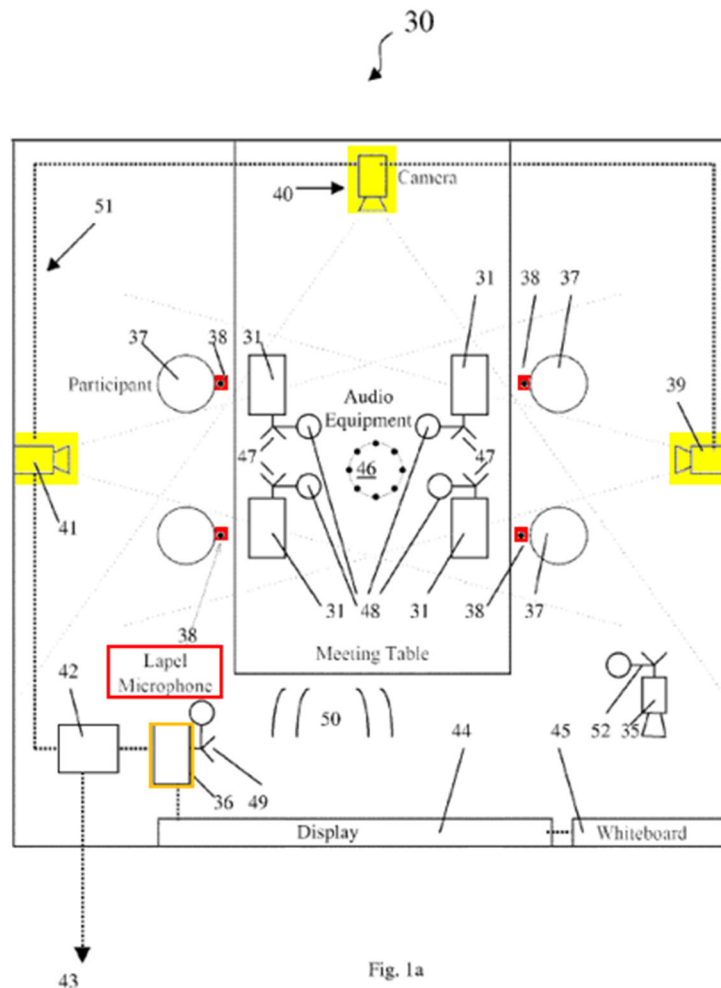
Petitioner takes an overly expansive view of certain limited disclosures to characterize *Beel* far beyond what is taught. Reply, 4–7. Petitioner's unsupported characterization hinges on the following paragraph:

Optional equipment can be cameras 39, 40, 41 for recording the

progress of the meeting. These cameras 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; Reply, 4.

Shown below, this paragraph describes features of the cameras 39, 40, 41, (yellow) the base node 36 (orange), the lapel microphones 38 (red) and processing devices 31:

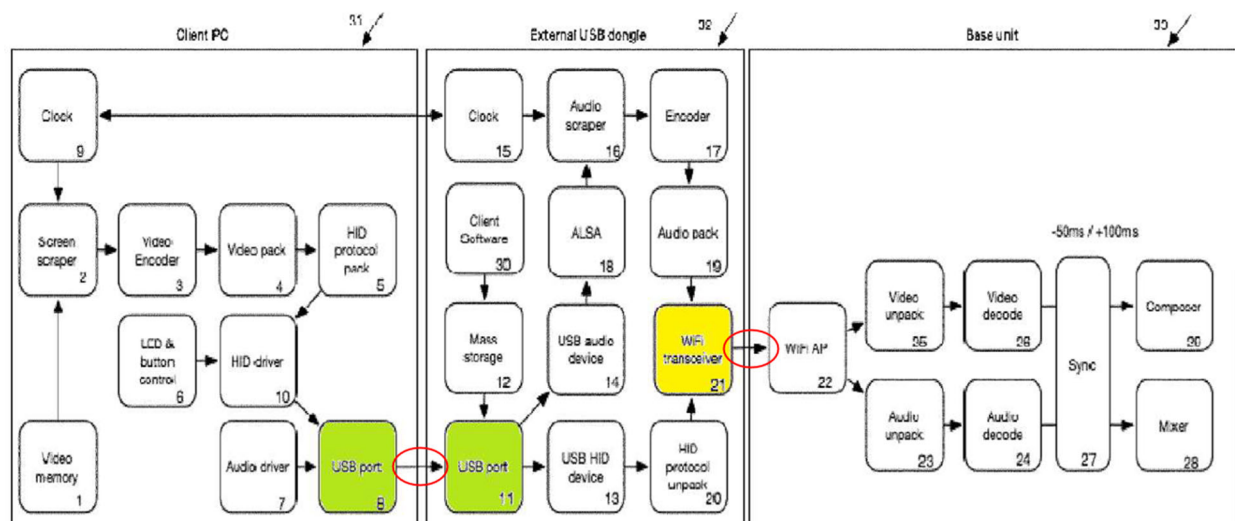


Ex. 1005, Fig. 1a (annotated).

Ex. 1005, Fig. 1a (annotated). This ignores the far fewer hops required for microphones 38 to connect directly to processing devices 31.

Beel does not disclose data communications from optional microphone 38 to processing devices 31 through the '972 Patent's claimed path. Moreover, these microphones are not connected to or in the base unit even under Petitioner's undisclosed interpretation. Ex. 1001, cl. 1.

Even Petitioner's annotated Figure 11 shows communication *from* a client PC's USB Port 8 *to* the external USB dongle USB port and to the Base Unit via WiFi transceiver 21:



Reply, 5 (citing Ex. 1005, Fig. 11) (green and yellow in the Reply, additional PO's annotations in red). Significantly, Figure 11, like the remainder of *Beel*, does not teach or suggest a peripheral device *receiving* functional device data. *Id.* Figure 11 also lacks a block to “encode” data in the base node, suggesting that base unit is not

adapted to transmit data. *Id.*

Petitioner mistakenly relies on a virtual sound card or virtual audio speaker in the PC of *Beel* but ignores that this virtual device scrapes audio data ***from*** the processing device and communicates that data to the base node. Reply, 6; Ex. 1005, ¶¶43 (“audio data is captured”), 317 (“the present invention provide[s] a channel, as described above, which is adapted to ***capture the audio*** on the peripheral device using only standard drivers...instead of operating like a speaker the audio is channeled over the communications network.”), 323 (“audio data on the processing device...is ***sent*** over a port using generic drivers”). *Beel* does not teach or suggest the reverse communication path.

The Reply also wrongly relies on a “mass storage device” and “virtual audio device” as endpoints “able to store or emit data of the functional device exposed or made available on the first peripheral device.” Reply, 8. The Reply then identifies 15 paragraphs in *Beel* without any analysis. Reply, 8 (citing Ex. 1005, ¶¶43, 50, 59, 61, 65, 69, 95, 158, 208–209, 213, 313–314, 317, 320, cls. 84, 94).

These identified *Beel* devices ***do not*** store or emit data of the functional device. Again, the virtual audio device captures audio data ***from*** the ***processing device***. Ex. 1005, ¶¶43, 313–314, 317. The mass storage device stores a software application or configuration parameters to facilitate communication to the base node. *Id.*, ¶¶50, 208–209, 213, 320. This application screen scrapes processing device data

and communicates that data *to* the peripheral device over a human interface device. *Id.*, ¶320. This is processing device data; not functional device data received by the peripheral device as claimed by the '972 Patent.

The mass storage device and virtual audio device are not associated with the “functional devices” identified by Petitioner. The Petition relies on the optional cameras and microphones (disclosed at paragraph 120 of *Beel*), which do not communicate data over the mass storage device or virtual audio device endpoints. Petition, 28; *supra* Section II.A.1.

Rather than root a theory in *Beel*'s actual disclosure, the Petition selectively quotes from disparate portions and ignores *Beel*'s written disclosure. *Beel* does not teach or suggest the claimed communication path. Accordingly, Ground 1 fails.

2. *Dinka* does not remedy *Beel*'s deficiencies.

The Reply improperly concludes PO attacks references individually. Reply, 1. This is not correct.

The Reply argues that “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.” Reply, 8–9. The Petition, however, does not cite *Dinka*'s disclosure to teach the endpoint limitation. Petition, 31–35; Ex. 2033, 20:17–21:12.

The Reply wrongly argues that “Dinka expressly discloses bi-directional

communication among peripheral and processing devices[.]” Reply, 6. *Dinka* does not disclose a first peripheral device. *Dinka*’s peripherals are speakers, headphones, and webcams. Ex. 1006, 7:44-56. These devices communicate directly to a computer or TV; they do not include a receiver and an endpoint that stores or emits data of a functional device as the claimed first peripheral device. Ex. 1006, Figs. 3a, 3b. *Dinka* does not remedy *Beel*’s deficiencies.

To the extent Petitioner maintains that “Patent Owner attacks the individual references without accounting for Petitioner’s combinations” (Reply, 1) it is only because the Petition fails to explain what if any modifications are made to teachings of *Beel* in view of *Dinka* with respect to the alleged first peripheral device and its endpoints. There is no articulation of how the claimed ***first peripheral device*** is adapted to ***receive functional device*** data based on *Dinka*’s disclosure.

B. Claims 9 and 15

The Petition provides identical arguments for Claims 1, 9 and 15²; the same arguments regarding Claim 1 apply. *Supra* Section II.A.

² While Claim 15 does not require “a functional device connected to or in a base unit”, the remaining arguments for Claim 1 apply equally to Claim 15.

C. There is No Motivation to Combine *Beel*, *Dinka*, and *Christison*

The Petition fails to establish a motivation to combine and instead presents conclusory statements without rational underpinning. POR, 29–32. The Reply ignores PO’s arguments that the Petition does not carry its burden. A factfinder must avoid “hindsight bias and must be cautious of arguments reliant upon *ex post* reasoning.” *KSR*, 550 U.S. at 421; *Metalcraft of Mayville, Inc. v. The Toro Co.*, 848 F.3d 1358, 1367 (Fed. Cir. 2017) (“we cannot allow hindsight bias to be the thread that stitches together prior art patches”). The Reply only responds to Barco’s argument that *Dinka* teaches away. Reply 2–4. This argument also fails.

The ’972 Patent provides a meeting room system that communicates functional device data to a processing device hosting a unified communication so multiple people in the room may participate. Ex. 1001, 1:39–42, 1:46–50, cls. 1, 9, 15. *Dinka*’s meeting room system is a media appliance, such as a television set, with embedded functionality so that the **television** can host a VoIP call using embedded hardware. Ex. 1006, Title, Abstract, 2:19–30, 7:17–21, 11:26–50. *Dinka*’s disclosure of VoIP calls hosted on PCs or laptops does not teach that any PC-based system is granted access to room-based functional devices as these PCs or laptops still rely on their embedded hardware. The ’972 Patent claims require a specific data communication path that *Dinka* lacks. A POSITA would consider *Dinka*’s stated

preference for a meeting room appliance with embedded hardware, rather than the PC-based approach of the '972 Patent claims.

Dinka's pervasive preference towards room systems with embedded functions teaches away from the '972 Patent's claimed system which provides improved functional devices via the claimed first peripheral device. *Spectralytics, Inc. v. Cordis Corp.*, 649 F.3d 1336, 1343–44 (Fed. Cir. 2011) (pervasive general preference can amount to teaching away). *Dinka's* preference also undermines Petitioner's proposed motivation to combine. *Arctic Cat Inc. v. Bombardier Recreational Products Inc.*, 876 F.3d 1350, 1363 (Fed. Cir. 2017) (affirming “the jury's determination that there was no motivation” even when “evidence [does] not rise to the level of teaching away”). This is especially true given the remaining POR arguments the Reply ignores. POR, 29–32.

III. GROUND 2

A. Claim 1

1. “the base unit and first peripheral device being adapted to transmit and receive data respectively...from the functional device”

Petitioner mistakenly alleges that *Kaplan* teaches this limitation is based on the fact that *Kaplan's* transmitter may include a transceiver. Reply, 14–15. *Kaplan* does not disclose a first peripheral device that is “adapted to” receive data from a functional device connected to or in a base unit. Indeed, certain *Kaplan* implementations exclude this possibility, where there is “[n]o access to [the]

computer through [the] transmitter.” Ex. 1008, Table 1. Further, there is no basis to conclude that communications from a remote control (which Petitioner identifies) constitute communications *of a functional device*. Reply, 15 (citing Ex. 1008, ¶28).

Petitioner concludes *Van de Laar* “expressly teaches that primary dockees in a wireless docking system are not limited to a single, unidirectional role” and cites only to Dr. Almeroth’s statements. Reply, 15 (Ex. 1035, ¶24). Dr. Almeroth does not provide any citations to *Van de Laar* for this “express” disclosure, because none exists. Ex. 1035, ¶24.

Van de Laar instead teaches primary and secondary dockees having different access levels. Ex. 1007, ¶¶56, 93. There are optional instructions to “transform” a dockee of one class into a dockee of another. *Id.*, ¶60. This supports an interpretation of distinct primary/secondary classes. *Id.* *Van de Laar* does not disclose a device acting as both a primary dockee and secondary dockee simultaneously, as they are exclusively described as communicating with each other.

Even if the Reply’s interpretation was supported by evidence, this interpretation does not teach *receiving* data from a functional device. Under the Reply’s interpretation, this data is “data originating from other primary dockees, and in multi-primary scenarios, each primary dockee can monitor (receive) the output from other *dockees*.” Reply, 15. *Van de Laar* does not disclose functional devices connected to or in the Wireless Docking Host (WDH)—the alleged base unit. Ex.

1001, cl. 1.

As neither *Kaplan* nor *Van de Laar* alone, or in combination, teaches functional device data transmitted from a base unit to another device (whether *Kaplan*'s transmitter or *Van de Laar*'s dockees) this combination fails.

2. “the first peripheral device having...at least one fixed or configurable endpoint...able to store or emit data, of the functional device”

The '972 Patent's claimed endpoint is used to share data of the functional device. Ex. 1001, cls. 1, 9, 15. The communications utilize a generic communications protocol between the processing device and the first peripheral device. *Id.* The Reply wrongly cites *Van de Laar* and *Kaplan* as both allegedly teaching endpoints (Reply, 17–18), but these supposed endpoints fail to render obvious the claimed endpoints as set forth below.

The Reply argues *Kaplan*'s USB transmitter “inherently or at least obviously” has endpoints. Reply, 17. *Kaplan*'s supposed endpoints do not, however, communicate data of the claimed functional device. Ex. 1001, cls. 1, 9, 15. *Kaplan* is a presentation system. It communicates data to its receiver, *not from*, a functional device connected to the receiver. *Supra* Section III.A.1.

The Reply also mistakenly relies on *Van de Laar*'s dockee devices or wireless docking host (WDH) Miracast features as teaching the claimed endpoint. Reply, 17. The POR correctly argues there is no basis to attribute features of a dockee (*i.e.*, the

mapped processing device) and the WDH (*i.e.*, the mapped base unit) to *Kaplan*'s transmitter. POR, 36–37. Miracast is a wireless screen sharing technology used to communicate data in *Van de Laar* from a primary dockee to the WDH and from the WDH to the secondary dockee. Ex. 1007, ¶126. The Miracast sources/sinks are not an “endpoint using generic communications protocol for communication *between* the *processing device* and the *first peripheral device*[.]” Ex. 1001, cls. 1, 9, 15. Petitioner does not show why these supposed “implementation details” would be added to *Kaplan*. Reply, 17.

These Miracast sources/sinks do not teach an endpoint communicating data of the functional device. *Van de Laar* describes sharing communications *from* a dockee, not *from* a functional device. Even in the Reply's unsupported understanding of a dockee acting as both a primary and secondary dockee, the communications are not from a functional device connected to or in the base node. Reply, 15 (“multiple primary dockees can simultaneously *transmit their own content* to shared peripherals and receive content from *other dockees*”); Ex. 1001 cl. 1.

The Reply's characterization makes clear that *Van de Laar*, at best, discloses data being shared from a dockee and rendered on a shared display or communicated to another dockee. *Van de Laar* does not teach data coming from a functional device connected to or in a base unit. *Id.*

Even if *Van de Laar*'s Miracast sources/sinks were "implementation details" for *Kaplan*'s transmitter, the combination of *Van de Laar* and *Kaplan* does not render obvious the '972 Patent claimed endpoints of the peripheral device. Petitioner's attempt to extend the cited prior art far beyond what is disclosed to reconstruct the claims of the '972 Patent through hindsight fails.

B. Claims 9 and 15

The Petition provides identical arguments for Claims 1, 9 and 15³; the same arguments above regarding Claim 1 apply. *Supra* Section III.A.

C. There is No Motivation to Combine *Kaplan*, *Van de Laar*, and *Christison*

1. The Reply ignores technical details of the cited references

To fabricate its obviousness theory, the Reply ignores all contrary teachings as "not required" or "implementation details." Reply, 9–12. This is improper. A reference must be considered in its entirety. *Huawei Device CO., Ltd., v. Optis Wireless Tech., LLC*, IPR2018-00585, Paper 20 at 39 (PTAB Sept. 16, 2019) ("A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention."); *Innoscence (Zhuhai) Tech. Co., Ltd., v. Efficient Power Conversion Corp.*, IPR2023-01389, Paper 39 at

³ While Claim 15 does not require "a functional device connected to or in a base unit", the remaining arguments for Claim 1 apply equally to Claim 15.

45 (PTAB Mar. 18, 2025) (“It is improper to use hindsight to pick and choose isolated disclosures in the prior art”). The Petition has not established a POSITA would be motivated to combine *Kaplan* and *Van de Laar* to arrive at the ’972 Patent.

Kaplan utilizes a peripheral device transmitter. Ex. 1008, Abstract, ¶17. *Kaplan* does not describe transmission to its receiver through any other means. *Kaplan* notes that “embodiments of the present invention provide a ‘walled garden’ approach” where the peripheral device transmitter is pre-paired to the receiver. *Id.*, ¶¶21, 53. *Kaplan*’s transmitter and receiver may communicate, after pairing, using a communication channel from “commercially available wireless communications standards.” *Id.*, ¶31. *Kaplan*’s pairing occurs during manufacturing. *Id.*, ¶¶14, 53, 56, Fig. 5. *Kaplan*’s system does not describe a separate pairing approach, and Dr. Almeroth’s contrary testimony is without support. Ex. 2033, 39:18–41:19.

Van de Laar’s system discloses dockees that communicate with the wireless docking host via a Wi-Fi or Bluetooth communication unit. Ex. 1007, ¶76. Figure 1 illustrates that the dockee communication unit is embedded in the dockee device itself. *Id.*, Fig. 1. This is beneficial in *Van de Laar*’s adhoc meeting or lecture context, as many users can receive shared content on their personal devices without being limited by the number of peripheral device transmitters available. Ex. 1007, ¶¶52, 110, Fig. 2.

The Reply wrongly asserts that many of these disclosures are “not required”

by *Van de Laar*, which is irrelevant. *Van de Laar* does not describe how communications would occur without pairing these device transceivers.

Rather than establish a POSITA would be motivated to combine in view of the references, Petitioner simply characterizes aspects as “known” and concludes they are obvious. Absent using the ’972 Patent as a roadmap, the Petition fails to explain why a POSITA would be motivated to combine these references. There is no attempt to evaluate the different trade-offs or design considerations a POSITA must consider. Ex. 2033, 36:7–37:9.

The Reply incorrectly alleges “Van de Laar teaches *why* such a combination has benefits.” Reply, 11 (Citing Ex. 1035, ¶15; Ex. 1007, ¶128) (emphasis in original). However, this merely references *Van de Laar*’s capabilities to present content from a primary dockee to a display connected to a WDH, which, in certain embodiments, is achieved using Skype. Ex. 1007, ¶¶94, 128. Petitioner provides no explanation of why this would motivate *modifying Kaplan*’s receiver to include features of the WDH, and host the Skype call on *Kaplan*’s laptop connected to the transmitter. In fact, in *Van de Laar*, the WDH hosts the communications, not the laptop. *Id.*, ¶¶127–128.

2. The Reply does not cure the Petition’s deficiencies

The POR identifies multiple deficiencies with the Petition’s alleged motivation to combine. POR, 45–46. The Reply fails to cure these deficiencies and

instead misrepresents the POR arguments.

Beyond general characterizations of the cited references and reliance on the '972 Patent's specification itself, the Petition provides no motivation to combine. Petition 47–48. The Petition specifically references the '972 Patent's acknowledgment of Skype as supposedly motivating a combination between *Kaplan* and *Van de Laar*, confirming the hindsight-driven analysis set forth in the Petition. Petition, 47. Petitioner effectively alleges that because both references describe wireless presentations, and *Van de Laar* and the '972 Patent reference Skype, a combination of *Kaplan* and *Van de Laar* would have a “predictable result.” *Id.* The POR correctly notes that the Petition's reliance on the '972 Patent's acknowledgement of Skype does not provide a reason to combine these references. POR 45; Reply, 13.⁴

The Reply argues the “motivation to combine arises from the technical benefits and industry needs” without any articulation of what these “benefits” or “industry needs” may be. Reply, 13. The only “benefits” identified is a paraphrasing of the '972 Patent claims. Ex. 1001, Cl. 1 (“connecting a processing device to a functional device...wherein the processing device is adapted to host a unified

⁴ The Reply alleges Barco references its own product in this argument. Reply, 13. Barco makes no reference to the ClickShare in this section. Petition, 45.

communication”); Petition, 47 (“The combination would create the predictable result of a web conferencing system using a unified communication call...wherein the system could utilize one or more functional devices’ capabilities”). The Petition’s motivation to combine lacks relevant evidentiary support and is fundamentally predicated on Dr. Almeroth’s conclusory testimony which provides nothing more than recitation of the Petition’s rationale. *Bell Semiconductor LLC v. NXP B.V.*, No. 2023-1260, 2024 WL 4984053, at *3 (Fed. Cir. Dec. 5, 2024) (confirming the Board properly rejecting an “expert’s declaration that parrots the language of the petition.”).

The Reply’s motivation is allegedly “reinforced” by *Christison*, yet Petitioner provides no description of how. Reply, 13. In the Petition, *Christison* presented “one efficient example of presenting wireless USB devices as ‘native devices.’” Petition, 48. In Reply, the “ability” to do so somehow reinforces a combination between *Kaplan* and *Van de Laar*. Reply, 13. Alleging a capability falls far short of articulating why a POSITA **would** be motivated to combine. *Belden Inc. v. Berk-Tek LLC*, 805 F.3d 1064, 1073 (Fed. Cir. 2015) (“[O]bviousness concerns whether a skilled artisan not only *could have made* but *would have been motivated to make* the combination or modification of prior art to arrive at the claimed invention.”) (emphasis in original). Petitioner fails to provide any articulation beyond conclusory allegations of unspecified flexibility and usability. Reply, 13.

Rather than meet its burden, the Reply seeks to improperly shift the burden to PO. Reply, 14; *Dynamic Drinkware, LLC v. Nat'l Graphics, Inc.*, 800 F.3d 1375, 1378 (Fed. Cir. 2015) (“the burden of persuasion...never shifts to the patentee”). PO need not identify “insurmountable technical barriers[.]” Reply, 14. Rather, **Petitioner** must establish a POSITA **would** be motivated to combine the cited references. *Virtek Vision Int'l ULC v. Assembly Guidance Sys., Inc.*, 97 F.4th 882, 888 (Fed. Cir. 2024). Petitioner has not.

3. The Reply improperly raises a new motivation to combine

In implicit recognition of the Petition’s failure, the Reply improperly raises new arguments. Petitioner “may not submit new evidence or argument in reply that it could have presented earlier, e.g., to make out a prima facie case of unpatentability.” U.S. Patent Trial and Appeal Board, Consolidated Trial Practice Guide, 73 (Nov. 2019).

First, the Reply identifies an “industry trend toward interoperability” which was not identified as a reason to combine *Kaplan* and *Van De Laar*. Reply, 11. This new argument is supported only by Dr. Almeroth’s conclusory testimony and should not be afforded weight. Reply, 11 (citing Ex. 1035, ¶16). In fact, Dr. Almeroth recognized systems today may still lack interoperability. Ex. 2033, 32:12–21.

Second, the Reply concludes that a POSITA would combine *Kaplan* and *Van de Laar* to achieve a “functional synergy...[that] would allow for scalable, user-

friendly conferencing systems that support both individual and group use cases.”

Reply, 12. Motivations of achieving synergy, scalability, and user-friendliness were not identified in the Petition. Again, these “motivations” are conclusory and made without any explanation of how they are achieved. Reply, 12 (citing Ex. 1035, ¶18). For example, the combination would be *significantly less* scalable and user-friendly in comparison with *Van de Laar*, because the combination requires a peripheral device connected to each personal computer rather than allowing the dockees to utilize their integrated dockee communication unit. Ex. 1007, ¶76, Fig. 1. A POSITA would not have been motivated to make the proposed combination.

IV. OBJECTIVE INDICIA OF NONOBVIOUSNESS

The Petition’s challenges are weak and fail without even considering the objective indicia of nonobviousness. Nevertheless, the factual circumstances surrounding the ’972 Patent weigh heavily in favor of nonobviousness.

1. The Crestron License

In *Ancora*, the Federal Circuit remanded because “[t]he Board applied a more exacting nexus standard than our case law requires for license evidence. Unlike products, which may incorporate numerous features beyond those claimed or described in a patent and therefore may require careful parsing to establish a nexus, actual licenses to the subject patent do not demand the same, as they are, by their nature, directly tied to the patented technology.” *Ancora Techs., Inc. v. Roku, Inc.*,

140 F.4th 1351, 1362 (Fed. Cir. 2025). Despite *Ancora*, Petitioner presents three arguments for why the Crestron license should be ignored. All of which fail.

First, Petitioner argues the license should be afforded no weight because the Crestron license covers more than the '972 Patent. Reply, 24–25. Petitioner relies on inapplicable case law. In *Merck & Cie v. Gnosis S.P.A.*, a licensee identified another licensed patent as more desirable. 808 F.3d 829, 838 (Fed. Cir. 2015) (“A Pamlab executive explained that Pamlab desired this stable form ‘[b]ecause of its uniqueness and its novel properties’”). Evidence of Pamlab’s preference for a different licensed patent made it hard 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.” *Id.* Here, no such evidence exists. [REDACTED]

[REDACTED]

[REDACTED] Ex. 2023, 58:14–19. No one patent was identified as being preferred. [REDACTED]

[REDACTED]

Moreover, Barco has many patents that Crestron did not license. Ex. 2017.

[REDACTED]

[REDACTED] Thus, Petitioner’s reliance on *Merck* does not overcome *Ancora*’s clear direction.

Second, Petitioner contends the Crestron license should be afforded no weight because Barco did not threaten litigation. Reply, 25. This argument has no support.

Crestron is a well-respected, sophisticated technology company. Crestron owns over 460 patent families, provides the USPTO's conference room equipment, and was represented by competent counsel when it agreed [REDACTED]

[REDACTED] Ex. 2011, 16–17; Ex. 2019; IPR2024-01436 Hearing Tr. at 124:21–125:2.

Petitioner provides no credible evidence that Crestron agreed to pay these substantial fees without first evaluating the value, validity, or enforceability of the '972 Patent. [REDACTED]

[REDACTED] Ex. 2023, 58:14–59:17.

Third, Petitioner argues that PO must “show that any challenged patents cover the licensee's Product by a comparison of the product to the challenged claims.” Reply, 25 (citing *Teva Pharms. Int'l GmbH v. Eli Lilly & Co.*, 8 F.4th 1349, 1364 (Fed. Cir. 2021)) (quotations and modifications omitted). This argument ignores *Ancora*, and overlooks the fact that Crestron admits its products embody the

challenged claims. Ex. 2018.⁵ Petitioner’s “argument loses sight of the true purpose of the nexus requirement, which is to consider whether the fact-finder can infer that the licensing arose out of recognition and acceptance of the subject matter claimed in the patents.” *Teva*, 8 F.4th at 1364. Petitioner wrongly characterizes Crestron’s license as just “a desire to avoid risk”. Reply, 25–26. [REDACTED]

[REDACTED]

[REDACTED] Ex. 2023, 58:19–59:17.

2. The Barco ClickShare System

Petitioner fails to identify any unclaimed feature responsible for ClickShare’s claimed commercial success. Rather, Barco’s identified base units (CX-20, CX-30, CX-50, CB Core, CB Pro) and ClickShare Buttons all practice the claimed invention. Ex. 2017. The revenue and estimated profits Barco provides as proof of commercial success is not for the total ClickShare Product line, but only the products that practice the claimed ’972 Patent invention. Ex. 2010; POR, 69 fn5. The claims recite “a base unit” and Dr. Almeroth agrees that a base unit is required. Ex. 1001, cls. 1, 9; Ex. 2033, 42:2–7.

Petitioner’s reliance on the *C5 product manual* as not including a Button and

⁵<http://web.archive.org/web/20250429020329/https://www.crestron.com/Legal/Pat>

allowing Teams and Zoom is irrelevant to this proceeding, as the C5 does not practice the '972 Patent and Barco does not rely on its sales. Ex. 2017, 9–10; Ex. 1038. Petitioner disputes Barco's analytics on customer's statistics. Reply, 20. Petitioner mistakenly relies on an edge scenario where *ClickShare* owners have never used the ClickShare application, and do not use the ClickShare Button. However, even when users have installed the application, Barco's analytics show 85% of users still utilize the Button. Ex. 1040, 175:10–24; Ex. 1047, 199:23–200:18. This overwhelming continued use of the button certainly establishes the users' button preference. Moreover, Mr. Ludke's testimony that he remains "surprised" by the demand for Barco's ClickShare product given other market alternatives, which *required* Crestron to license the '972 Patent, only confirms the unexpected success of Barco's patented technology. Ex. 1042, 100:25–101:20.

V. DR. BROGIOLI PROVIDED RELIABLE TESTIMONY

The Reply criticizes Dr. Brogioli for not testifying beyond the scope of his declaration, something that the PO and its declarant need not do. Reply, 1–3. The Petition fails to clearly identify endpoints which would have enabled Dr. Brogioli to more thoroughly respond. Reply, 1–3, 7; Ex. 1034, 142:1–6 ("My declaration was responding to statements Dr. Almeroth made. To the extent I didn't discuss something in my declaration or analyze it, it would be because he hadn't made arguments about it one way or the other for me to respond to."); Ex. 1002, ¶¶81–91,

123–133 (Dr. Almeroth identifying multiple competing scenarios and multiple different components of *Beel* and *Christison* as allegedly disclosing the claimed endpoints); Ex. 2030, ¶¶90–93. Petitioner bears the burden of proof, and it has not met this burden. *Dynamic Drinkware, LLC v. Nat’l Graphics, Inc.*, 800 F.3d 1375, 1378 (Fed. Cir. 2015) (“the burden of persuasion... never shifts to the patentee”); 35 U.S.C. § 316(e). Petitioner’s expert, Dr. Almeroth, likewise hedged his deposition testimony with his declarations. Ex. 2033, 23:11–24:1, 40:6–9. As noted at the prior hearing, Dr. Almeroth’s declarations provide little analysis. IPR2024-01436 Hearing Tr. at 96:11-22. Further, Dr. Almeroth confirmed his conclusory opinions extend far beyond what a reference itself discloses without providing any supporting analysis. Ex. 2033, 16:12–21:5, 39:18–41:19, 11:24–12:4 (“I’ve written papers on it”).

VI. CONCLUSION

For the reasons set forth above, the patentability of all claims of the ’972 Patent should be upheld.

Dated: March 13, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on March 13, 2026, a true and correct copy of the foregoing was caused to be served on the following counsel of record for Petitioner by electronic mail at the following addresses:

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