

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: IPR2025-00597

U.S. PATENT NO. 11,966,346

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	June 30, 2025 Deposition Transcript of Kevin C. Almeroth
Ex. 2003	Reserved
Ex. 2004	Declaration of Dr. Michael Brogioli
Ex. 2005	Curriculum Vitae of Dr. Michael Brogioli
Ex. 2006	September 22, 2025 Deposition Transcript of Kevin C. Almeroth in IPR2025-00491
Ex. 2007	December 12, 2025 Deposition Transcript of Kevin C. Almeroth in IPR2025-00597
Ex. 2008	December 15, 2025 Deposition Transcript of Kevin C. Almeroth in IPR2025-00598
Ex. 2009	Reserved
Ex. 2010	Reserved
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	Reserved
Ex. 2014	Reserved
Ex. 2015	Reserved

Exhibit	Description
Ex. 2016	Reserved
Ex. 2017	Reserved
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	Declaration of Dr. Kevin Almeroth in IPR2025-00491
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	Reserved
Ex. 2026	Reserved
Ex. 2027	Reserved
Ex. 2028	Reserved
Ex. 2029	Reserved
Ex. 2030	Reserved
Ex. 2031	Reserved
Ex. 2032	Modified Protective Order
Ex. 2033	May 14, 2026 Deposition Transcript of Kevin C. Almeroth

I. INTRODUCTION

The Petition presented two obviousness combinations that mismatch different elements of distinct systems without identifying any teachings in the cited reference to reconcile these distinct approaches. Despite its hindsight-driven approach, the Petition still failed to identify all claimed limitations of U.S. Patent No. 11,966,346 (the “’346 Patent”) in the prior art.

For example, the Petitioner’s combination of *Beel* and *Dinka* relies on teachings of *Beel*’s peripheral device-based embodiments, yet attempts to attribute those same teachings to *Beel*’s peripheral device-less embodiments, without any explanation for how this elimination would function. This flaw is directly tied to the ’346 Patent Claims, which require *direct* communication between the base unit and the processing device, and are distinguished from systems using an intervening peripheral device. Ex. 1001, Cls. 1, 11.

Similarly, the Petitioner’s combination of *Kaplan* and *Van de Laar* fails to teach this required structure. In fact, the Reply ignores numerous teachings of *Kaplan*, in attempt to reconstruct the Claims through hindsight. Even with its improper hindsight and prior art cherry-picking, this combination fails to teach all aspects of the challenged claims.

Finally, Barco’s evidence of secondary considerations, including the Crestron license, is strong, factually un rebutted evidence that the claimed system was

recognized as innovative, and valid, over Petitioner's improper hindsight reconstruction.

II. GROUND 1

A. Claims 1 and 11

1. “the processing device having... a third party software for a Unified Communication call, a driver, a client software, when executed on the processing device, is configured to have the processing device interact directly with the base unit over a wireless connection,”

The Reply incorrectly contends that it can rely on the various disclosures of *Beel* without considering the context of each embodiment. Reply, 4–6. Even when combining multiple embodiments of a single reference, a motivation to combine with a reasonable expectation of success must be shown. *In re Stepan Co.*, 868 F.3d 1342, 1346 n.1 (Fed. Cir. 2017) (“Whether a rejection is based on combining disclosures from multiple references, combining multiple embodiments from a single reference, or selecting from large lists of elements in a single reference, there must be a motivation to make the combination and a reasonable expectation that such a combination would be successful, otherwise a skilled artisan would not arrive at the claimed combination.”); *Google LLC v. Headwater Research LLC*, IPR2024-00944 Paper 17 at 22 (PTAB December 4, 2024) (“Obviousness arguments—whether based on multiple references or a single reference—must be supported by some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.”) (internal citations and quotations omitted); *see Virtek*

Vision Int’l ULC v. Assembly Guidance Sys., Inc., 97 F.4th 882, 886 (Fed. Cir. 2024)

(requiring a motivation to combine even when the reference taught the modification “‘may be applied to any computer controlled aiming system.’”). Petitioner provides none. By conflating these distinct embodiments, Petitioner attributes functionality across embodiments without identifying any technically coherent modification that would enable the claimed configuration.

In addition to the third and fourth embodiments, Petitioner cites to the first (e.g., ¶¶120–125), the second (e.g., ¶196), the seventh (e.g., ¶¶253–258), the ninth (e.g., ¶288), and the alternative (e.g., ¶¶310, 313–317, 320, 322–323) embodiments. *See* Petition, 25, 26, 28, 31, 32. Petitioner’s mismatching of embodiments is especially problematic given the third and fourth embodiment expressly exclude the peripheral transmitter device, a device essential to the other embodiments to perform the presentation function.

Petitioner ignores technical details of *Beel’s* embodiments to improperly reconstruct the ’346 Patent through hindsight. *KSR v. Teleflex Inc.*, 550 U.S. 398, 421 (2007) (“hindsight bias and must be cautious of arguments reliant upon *ex post* reasoning.”); *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”); *Diamond Rubber Co. of New York v. Consolidated Rubber Tire Co.*, 220 U.S. 428, 434–35 (1911) (“Many things, and the patent law abounds in

illustrations, seem obvious after they have been done, and, in the light of the accomplished result, it is often a matter of wonder how they so long eluded the search of the discoverer and set at defiance the speculations of inventive genius.”) (quotation omitted).

Petitioner seeks to rely on embodiments that require configuring the wireless transmitter of the processing device to connect to the base node, so the wireless transmitter of the processing device is blocked from other uses besides transmission through the portable application. Ex. 1005, ¶¶225, 236. Petitioner provides no explanation for how the processing device could participate in a Unified Communications required by the challenged claims without network access. This is also consistent with the distinction between electronic meeting systems (e.g., presentation systems) and web conferencing in *Beel*. Ex. 1005, ¶84. Web conferencing hardware was independently connected to the network, separate from the presentation system. *Id.* As a result, the Petition fails to establish claim 1 or 11 is obvious.

2. “wherein the base unit, via the transmitter, is configured to transmit data over the wireless connection to the processing device”

Beel does not disclose this limitation. *Beel*’s third embodiment describes a presentation system where the base node *receives* data, it does not describe *transmitting* data. Ex. 1005, ¶221. *Beel*’s other embodiments also fail to teach this

limitation. *Beel* Figure 1a, reproduced below.

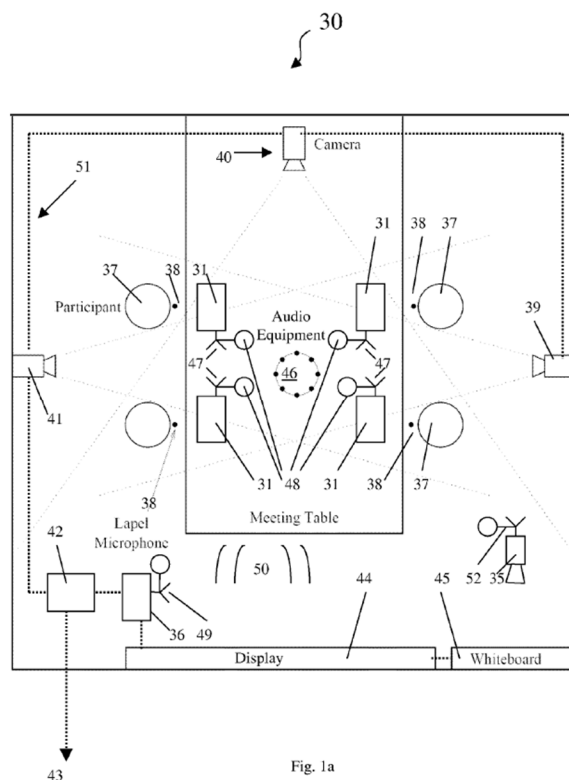


Fig. 1a

Id., Fig. 1a

Petitioner wrongly relies on the Board’s Institution Decision. Reply, 12–13 (citing Institution Decision, 24). The Institution Decision states “Beel expressly describes microphones 38 transmitting audio data *to* processing devices 31, which may be attached to base node 36.” Institution Decision, 24 (emphasis added).¹ But *Beel’s* microphones 38 are not described as communicating information to the processing device 31 *via* the base node. Ex. 1005, ¶120. Instead, the microphones 38 are lapel microphones (as noted in Figure 1a) in close proximity to the processing

¹ All emphasis added unless otherwise noted.

devices “that can be used to transfer audio, e.g., to the processing devices 31 and to loud speaker (not shown) attached to the base node 36 or part of the display 44.” *Id.*, ¶120. The loud speaker may be attached to the base node, not the lapel microphones. *Id.* *Beel* does not teach communication from the lapel microphone to the base node and from the base node to the processing device as required by the challenged claims.

Beel also provides no disclosure of a base node communicating video data through this required structural transmission path. Presentation systems and web conferencing systems involved distinct systems. *Id.*, ¶84. The optional cameras 39, 40, and 41 are used to record the progress of the meeting. *Id.*, ¶120. These recordings may be routed to the base node or stored in the base node. *Id.* *Beel* provides no description of the data being communicated from the base node to the processing device via a peripheral device or directly. *Id.* The data from the other camera, camera 35, is not described as being shared to the base node, much less transmitted from the base node onto the processing device. *Id.*, ¶119.

The Petition and Reply rely on software of the peripheral devices responsible “for receiving media content from the network and for displaying the media content on the display in accordance with a set of rules[.]” Petition, 6; Ex. 1005, ¶71. Not only does this teaching require a peripheral device which is excluded from the Petition’s Ground 1, but it teaches the opposite communication path. As confirmed by Dr. Almeroth, the only explanation of the “set of rules” is in reference to using

the base node to display media content. Ex. 1005, ¶¶75, 123, 132, 135, 157; Ex. 2033, 25:11–28:7. Accordingly, *Beel* does not teach this limitation.

The Reply accuses Patent Owner of attacking *Beel* individually regarding this element. Reply, 12–13. The Petition, however, only cites *Beel* for this element. See Petition, 29 (citing only Exs. 1005 and 1002). Accordingly, the POR is properly responding to the Petitioned ground.

3. “and wherein the client software and the driver, when executed on the processing device, are configured to present the at least one functional device to the operating system of the processing device as a virtual functional device,”

The Reply argues *Beel*’s fourth embodiment teaches this limitation because the fourth embodiment copies the software of the third embodiment directly onto the computer. Reply, 14–15 (citing Ex. 1005, ¶247). Petitioner’s argument is flawed as drawing upon separate embodiments indiscriminately. *Supra* Section II.A.1. Petitioner improperly relied on how data is communicated over USB interfaces in *Beel*’s peripheral device-based embodiments which are not attributable to the third and fourth embodiments where no peripheral is used.

Beel’s third and fourth embodiments do not communicate data over a USB interface. The third embodiment is different than earlier embodiments because “the portable application is stored on a solid state memory” instead of a peripheral device (dongle). Ex. 1005, ¶215. The transceiver of the processing device is used for data communications. Ex. 1005, ¶¶217, 225. The software is run on the processing

device, so the data is not communicated over the USB interface. *Id.*, ¶221. The fourth embodiment is designed to not use USB ports. *Id.*, ¶¶248–249.

The Reply relies on a virtual audio speaker device as the virtual functional device, but this is described in yet another embodiment. *Id.*, ¶¶298–329. The virtual audio speaker is provided by the peripheral device presenting itself as an audio out device to the processing device, which would use a USB interface or similar serial interface. Ex. 1005, ¶313.

The Reply handwaves this structural difference and argues that the portable application would perform all of these functions. Reply, 17. But even the embodiments that describe a virtual speaker, the portable application is still only used to perform screen scraping. *Id.*, ¶320. The portable application reads the data from the buffers, timestamps it for later synchronization and prepares it for being shared to the plug and play port. *Id.* In contrast, the audio data is communicated to the peripheral device using drivers. *Id.*, ¶323. The screen scraping portable application is not involved in the audio communication process. *Id.* So, *even* putting aside Petitioner’s improper reliance on multiple embodiments, the fourth embodiment’s portable application still does not teach implementation of the virtual device without the peripheral device.

Regarding *Christison*, the Reply wrongly ignores necessary hardware additions to present the wireless USB devices as native to the host device. *Christison*

relies on WUSB Hub 1000 to communicate to the host device with a wireless upstream port 1001 (i.e., a transmitter). Ex. 1011, 6:20–31. To communicate via the transmitter and present as a native USB device, the host computer must have a wireless USB host adapter. *Id.*, 3:54–65. Without either a native wireless USB host adapter embedded inside the host system or a Host Wire Adapter (HWA) attached as a peripheral, the host PC cannot receive the data as a USB device from the WUSB Hub. *Id.* So, any host PC would require additional hardware to communicate with the WUSB hub.

The Reply alleges that “Patent Owner improperly attacks Christison in isolation rather than addressing the combination.” Reply, 15–16. The Petitioner has made no attempt to explain how *Beel’s* identified software application enables a processing device to communicate directly with the base unit when *Christison* expressly requires improved native hardware or additional peripheral connections. There is no description of how Ground 1 meets this limitation while still teaching direct communication from the base node and the processing device.

4. “wherein the client software is further configured to provide data transformations based on a type of functional data from the at least one functional device to the processing device.”

The POR argued the Petition failed with respect to this limitation because (1) the Petition identified the wrong communications—namely communications from the processing device to the base node, rather than communications from the

functional device to the processing device; and (2) the Petition only identifies different data protocols, not that data transformations are performed based on a type of functional data. The Reply provides no response to the first argument, leaving it un rebutted. *See* Reply, 16–17.

Regarding the second point, Patent Owner’s argument is entirely consistent with the prosecution history. In the claims “the data transformations are related to the functional data of the functional device, e.g., the images from a camera, the audio data for a microphone, etc.” Ex. 1004, 1038. Meanwhile the Reply identifies communications that are not from a functional device, much less communications that are transformed based on the functional data from the functional device. The Petition’s failure to identify the functional device where data originates is another fatal flaw.

B. Arguments regarding claims 2, 3, 5, 12 and 13

Petitioner argues that *Beel* discloses a virtual microphone and virtual webcam because the microphones and webcams in Figure 1a allegedly communicate to the processing device via the base node. Reply, 20 (citing Ex. 1005, ¶¶119–121, 317, 320). The communication via a virtual webcam is also relied on by Petitioner for Claim 5. The Reply wrongly concludes that *Beel*’s virtual speaker teaches all virtual functional devices. Reply, 20.

First, as explained *supra* Section II.A.2, Petitioner mischaracterizes the

relationship between the microphones or webcams and the processing device and base node in *Beel*. There is no communication to the processing device from these functional devices via the base node in *Beel*.

Second, as explained *supra* Section II.A.3, *Beel*'s discussion of drivers is with respect to a separate embodiment which uses a peripheral device, and use of the drivers is not the same in these peripheral device-less embodiments.

Third, it is insufficient to merely identify a virtual audio speaker in *Beel* and conclude that that renders obvious all virtual functional devices. The Petition does not even attempt to explain why a virtual speaker renders obvious a virtual microphone. Notably, a virtual speaker would act as a sink for data to be transmitted to, whereas a virtual microphone would be a source that originates data.

C. Claim 6

Ground 1 does not teach that “the data transformations of the video data comprises decoding and compositing or decrypting the video data.” The “data transformations of the video data” referred to in Claim 6 relates back to the data transformations of Claim 1, which are performed by client software on the processing device. *See* Ex. 1001, Cls. 1, 6. The Reply incorrectly relies on features of the Base Unit to perform these functions. Reply, 20–21 (“*Beel* Figure 11 illustrates a ***base unit*** with a ‘video decode’ block 26 and a ‘compositor’ block 29, confirming that *Beel* expressly teaches ‘decoding and compositing’ video data.”).

The data transformations are provided by the client software executed on the processor of the processing devices. *Id.*, Cl. 1. Accordingly, it is improper to rely on features of the base unit as allegedly teaching these features.

D. Claims 10 and 20

Ground 1 does not teach the claimed endpoints. The Petition contends that the fourth embodiment includes all teaching relating to the peripheral device to allege this limitation is obvious. Reply, 21. As explained *supra* Section II.A.1, that is improper. Moreover, the alleged endpoints (*see* Petition, 40–41) relied on in the Petition are specifically found on the peripheral devices. Ex. 1001, Fig. 11. There has not been an attempt to identify where these endpoints present in the peripheral device-less embodiments of *Beel*.

E. Motivation to combine

The law requires Petitioner establish a persuasive motivation to combine to ensure the theories do not fall into the trap of hindsight. *KSR*, 550 U.S. at 421 (“hindsight bias and must be cautious of arguments reliant upon *ex post* reasoning.”); *Metalcraft*, 848 F.3d at 1367 (Fed. Cir. 2017) (“we cannot allow hindsight bias to be the thread that stitches together prior art patches”); *Diamond Rubber*, 220 U.S. at 434–35 (“Many things, and the patent law abounds in illustrations, seem obvious after they have been done, and, in the light of the accomplished result, it is often a matter of wonder how they so long eluded the search of the discoverer and set at

defiance the speculations of inventive genius.”) (quotation omitted).

The POR explained Ground 1 relies on nearly the same motivation to combine and references to challenge the ’346 Patent as Petitioner does to challenge other Barco patents, which, unlike the ’346 Patent, expressly require use of a peripheral device. POR, 35–36; Ex. 2033, 11:9–13, 12:19–24. The similar alleged motivations proposed in the distinct challenges underscores the improper use of hindsight.

The Reply does not dispute the near identical nature of the challenges. Reply, 12. Instead, the Reply improperly argues its alleged motivation “applies broadly[.]” *Id.* Petitioner’s broad applications of a generic motivation to combine to recreate an issued claimed invention is improper and cannot be adopted. *Virtek* 97 F.4th at 888.

The cited references, including their combination, simply do not suggest the claimed solution of the ’346 Patent. The ’346 Patent recognized that hardware capabilities on personal devices were inadequate in the virtual meeting context. Ex. 1001, 1:37–42. The ’346 Patent presents a system where improved hardware connected to a base unit is made available to a user’s personal device through direct communication between the base unit and the personal device. *Id.*, 10:28–41, Cl. 1.

Dinka also recognized the hardware limitations of existing mobile devices, but teaches away from the challenged claims. Ex. 1006, 2:15–18. For example, *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* recognizes that PCs or laptops are capable of participating and hosting VoIP calls, but expressly teaches use of specialized hardware is preferred in the meeting room context. *Id.*

The Reply advances an overly strict test, suggesting that a reference must find the solution “unworkable” or else it does not teach away. Reply, 9. In fact, *Dinka*’s pervasive preference towards specialized television hardware systems with embedded functions unquestionably teaches away from the ’346 Patent’s claimed system, which provides improved functional devices via the claimed base unit and direct communication to a personal device. *Spectralytics, Inc. v. Cordis Corp.*, 649 F.3d 1336, 1343–44 (Fed. Cir. 2011) (pervasive general preference can amount to teaching away).

“Evidence suggesting reasons to combine cannot be viewed in a vacuum apart from evidence suggesting reasons not to combine.” *Arctic Cat Inc. v. Bombardier Recreational Products*, 876 F.3d 1350, 1363 (Fed. Cir. 2017). Moreover, ***even if*** evidence does not “rise to the level of teaching away,” it is still proper to consider that “a skilled artisan would be discouraged from pursuing such a combination.” *Id.*; *Laboratory Corp. of America Holdings v. Ravgen, Inc.*, No. 23-1342, 2025 WL 32904, at *4 (Fed. Cir. Jan. 6, 2025) (nonprecedential).

Absent Petitioner’s hindsight reconstruction of the ’346 Patent Claims, a POSITA would not arrive at the proposed system. Such hindsight reconstruction is

especially unpersuasive in light of the secondary considerations of nonobviousness.

III. GROUND 2

A. Claims 1 and 11

1. “wherein the client software and the driver, when executed on the processing device, are configured to present the at least one functional device to the operating system of the processing device as a virtual functional device,”

- a. Primary and Secondary Dockees

The Petition erroneously relied on features of the primary and secondary dockees indiscriminately in its challenge. POR, 37–38. The Reply does not dispute this, but instead argues (incorrectly) that a device can “operate as both a primary and secondary dockee at the same time.” Reply, 21–22. This reading of *Van de Laar* is not supported by *Van de Laar*’s disclosure.

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, consistent with Dr. Brogioli’s testimony. *Id.*; Ex. 1060, 91:20–92:1. *Van de Laar* does not disclose a device acting as both a primary and secondary dockee simultaneously, as they are exclusively described as communicating with each other via the WDH. At deposition, Dr. Almeroth further complicated this interpretation, arguing that a device could be a primary dockee with respect to certain functional devices and a secondary dockee

with respect to other functional devices. Ex. 2033, 36:5–13; *see* Reply, 22.

Petitioner’s allegation that *Van de Laar*’s primary dockees receive data from simulated peripherals (Reply, 22) is expressly contradicted by *Van de Laar*. As Petitioner block quotes:

The host may be further arranged to make *the AV output for the secondary dockee available as a peripheral for docking (e.g. simulated webcam)*, that will appear to the dockee as a real peripheral (e.g. USB webcam) through the docking protocol.... *in effect, the host may offer one set of peripherals to the primary dockee and another set of peripherals, which may include such simulated peripherals for secondary dockees.*

Petition, 55 (Ex. 1007, ¶54).

So, as an example, the presenting primary dockee can share its screen and audio as if the display and speakers connected to the WDH are its own display and speaker, whereas the secondary dockee receives the audio stream and media stream as if it was a real USB webcam, when in reality audio and visual data of the primary dockee are just being simulated as a webcam to the secondary dockee. Ex. 1007, ¶54. The plain language of *Van de Laar*, relied on by Petitioner for this very limitation, confirms that the primary dockees receive a separate set of peripherals than the secondary dockees’ simulated peripherals. *Id.*

This deficiency cannot be remedied by *Kaplan*. *Kaplan* does not disclose communications from the mapped receiver to the mapped transmitter. In fact,

Kaplan expressly limits data communication from the transceiver to the computer.

Ex. 1008, Table 1 (“No access to the computer through transmitter”).

b. Drivers

As explained in the POR, the Petition does not identify a driver which performs the claimed process. *See* POR, 38–39 (Citing Petition, 55–56). The Reply attempts to construct a strawman argument that the POR disputed the existence of drivers. Reply, 23–24. Petitioner has not identified prior art teachings of drivers being used as claimed in the ’346 Patent in its Ground 2 challenge. In fact, the newly submitted arguments regarding drivers involves (1) the ’346 Patent’s definition of drivers being used to define a standard class of peripherals and (2) *Kaplan*’s use of drivers to communicate with its peripheral device transmitter—which is not a claimed direct communication. Reply, 23 (citing Ex. 1001, 8:53–67; Ex. 1008, ¶¶17, 45, 47–49); Ex. 1001, Cls. 1, 11.

2. “the processing device being configured to host the Unified Communication between two or more other processing devices, and”

The Reply accuses the POR of misconstruing *Van de Laar*’s disclosure. Reply, 19.² While Skype communicates in the application layer and Miracast

² Petitioner makes this argument under Ground 1. As Ground 1 does not contain *Van de Laar*, Patent Owner addresses this argument under Ground 2.

communicates in the transport layer, *Van de Laar* does not teach using these systems at the same time. *Van de Laar* describes communicating from the primary dockee to the WDH using Miracast. Ex. 1007, ¶¶124–126. “*In another embodiment*” *Van de Laar* describes sharing content from the primary dockee to the WDH using Skype. Ex. 1007, ¶128. *Van de Laar* does not describe a system that uses Miracast and Skype at the same time—and would have no reason to rely on both at the same time to enable communications between the same devices. Dr. Almeroth’s hypothetical using Miracast and a unified communications protocol (e.g., Skype) at the same time did not involve communications between the same device, which is the only description *Van de Laar* provides, such that his hypothetical is beyond the actual teachings of *Van de Laar*. Ex. 2007, ¶¶124–126, 128; Ex. 2033, 40:1–41:12.

The Reply incorrectly argues that the claims do not require simultaneous use of Miracast and Skype transmissions. Reply, 19. The challenged claims do in fact require that the virtual functional device is presented to the unified communication call. Ex. 1001, Cl. 1. Petitioner relies on Wi-Fi Miracast for the alleged virtual functional devices. Petition, 52. Use of both Miracast and Skype for communications between the same devices at the same time to perform the same data communications is contrary to *Van de Laar*’s distinction between embodiments and any practical uses of these technologies. This interpretation is insufficient to render the challenged claims obvious.

3. “wherein the client software is further configured to provide data transformations based on a type of functional data from the at least one functional device to the processing device.”

The Ground 2 challenge rests fundamentally on Dr. Almeroth’s testimony that the data is transcoded based on the type of functional data. POR, 43–45 (citing Petition, 57). The Petition does not even identify separate functional devices in relation to the type of data transformations. Petition, 57 (citing Ex. 1007, ¶¶56, 59–60, 123, 126). The Reply does not respond to the POR’s argument.

B. Claims 2, 3, 5, 6, 7, 12, 13, and 16

The Reply admits that the primary dockees must operate as both primary dockees and secondary dockees simultaneously for the purposes of the functional device simulation to invalidate each of these claims. Reply, 26. As explained *supra* Section III.A.1.a; this argument fails. *See* Ex. 1007, ¶54 (“So, in effect, the host may offer one set of peripherals to the primary dockee and another set of peripherals, which may include such simulated peripherals for secondary dockees.”).

Regarding Claims 7 and 16 more specifically, the antecedent basis of “at least one functional device” requires that the claimed functional device in Claims 7 and 16 be presented as a virtual functional device. In other words, these claims require more than simply that the device “access these” devices. Reply, 27.

C. Claims 9 and 18

The Reply mischaracterizes *Van de Laar*’s Skype disclosure. Reply, 28. In *Van de Laar*, Skype is one of multiple different protocols that may be used to enable

“primary dockees to provide output to the WDH and/or its audio peripherals through audio stream between the dockee and the WDH.” It is not a unified communication call between two or more other processing devices. *See* Ex. 1001, Cls. 9, 18. The Reply’s argument ignores the implementation details of *Van de Laar* in favor of its hindsight reconstruction theory.

D. Motivation to combine

The POR argued that (1) the Petition inconsistently relies on multiple inconsistent transmission protocols, (2) *Kaplan* and *Van de Laar* teach divergent communications methods, and (3) the proposed motivations to combine are insufficient. POR, 46–58. The Reply fails to adequately address these issues.

1. The challenge’s inconsistent reliance is not permitted

The Reply makes no allegation that its reliance is not inconsistent. Reply, 25–26. Instead, it argues such reliance is permitted. *Id.* Even in making this argument, the Reply points to *Kaplan*’s USB transmission teaching without explaining whether or not it is relied on to provide transmissions in its combination. *Id.*, 25 (“A POSITA would have recognized that *Kaplan*’s USB transmission teaching could be combined with *Van de Laar*’s multi-device WDH functionality without adopting every aspect of either reference.”). The ’346 Patent expressly precludes communication using a USB transmitter. Ex. 1001, Cls. 1, 11. And despite alleging that a combination could be made “without adopting every aspect of either reference” the Petitioner

makes no showing and provides no clarity over what elements are adopted and not adopted. This is not the flexible approach approved by *KSR*. 550 U.S. at 1731. The lack of clarity in the challenge, especially when tied to a specific claim element, is fatal for the challenge.

2. A reference's teachings cannot be ignored

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 45 (PTAB Mar. 18, 2025) (“It is improper to use hindsight to pick and choose isolated disclosures in the prior art”). The Board must consider the full teachings of *Kaplan*, and cannot ignore the full scope of its teachings as Petitioner suggests. *Id.*

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.

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 ad hoc 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 argues that Patent Owner improperly limits *Kaplan* to a single embodiment. Reply, 24–25. But there is no alternative pairing approach described in *Kaplan*. The walled garden approach is included in *Kaplan*'s independent claims. Ex. 1008, Cls. 1, 10, 14 (all including the limitation where the transmitter unit “is configured to not perform two-way wireless communications with any other devices”). *Kaplan*'s walled garden pairing is not a fringe embodiment, but expressly tied to what its inventors drafted as its inventive aspect.

A POSITA, recognizing the difference between *Van de Laar*'s ad hoc meeting system with the pre-paired transmitter and receiver of *Kaplan* would not be motivated to combine these systems. Broad allegations of “benefits” without appreciating technical differences between these systems are insufficient to render the claims obvious. Instead, Petitioner seeks to pick and choose teachings of a

reference to reconstruct the '346 Patent through improper hindsight, which should not be rewarded.

3. The Reply does not respond to the identified insufficiencies

The Reply provides only a two sentence conclusion that a POSITA would be motivated to combine *Van de Laar* with *Kaplan* to achieve “the stated purpose of the '346 patent.” Reply, 26. The Reply’s new argument is expressly tied to hindsight. *Id.* The only other allegation, to “connect multiple dockee devices” is contrary to *Kaplan*’s teachings of one-to-one connections. *See supra* Section III.D.2. The Reply also provides no response to the other insufficiencies identified by Patent Owner. *See* POR, 55–58.

IV. EVIDENCE ESTABLISHES NON-OBVIOUSNESS OF THE INVENTION

Preliminarily, the Reply and Dr. Almeroth present arguments on commercial success, which are unresponsive to any argument raised in the POR. Reply, 30–31 (citing POR 58–62); Ex. 1062, ¶¶88–91, 93–94. Accordingly, these arguments can be ignored as nonresponsive.

The Reply baselessly argues that the Crestron License was entered into to avoid litigation expense and to obtain other unidentified business benefits. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Ex. 2023, 4:3–10, 9:1–6, 58:16–19. Crestron

agreed to license the challenged patent without any litigation being filed or threatened. *Id.*, 58:14–19. Petitioner presents ***no evidence*** that the Crestron License was a strategy to avoid litigation expense. In fact, no litigation was filed and Crestron did not offer a product that competed with ClickShare until after securing its license. *Id.* Patent Owner never had an infringement claim because Crestron obtained a license before selling its desired products. *Id.* Petitioner’s argument is unsupported by the Crestron license facts and effectively argues that all license negotiations are a litigation cost saving strategy.

Petitioner argues that Crestron sought the license to obtain “mutual business interests” but makes no showing that these interests were anything other than the patent rights required to build and sell a desired product. Reply, 29. The license involved business interests because, through the license, Crestron could sell products that practice the patented technology and Barco obtained licensing income. That is simply how licenses work.

Lastly, the Reply imposes “a more exacting nexus standard than our case law requires for licensing evidence.” *Ancora Techs., Inc. v. Roku, Inc.*, 140 F.4th 1351, 1362 (Fed. Cir. 2025). “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.” *Id.*

“[T]he fact that a license concerns rights to more than one patent does not detract from the fact that each patent is a subject of the license.” *Id.*, at 1363. The Reply’s argument requiring the license be apportioned is contrary to the Federal Circuit’s unequivocal ruling in *Ancora*.

V. CONCLUSION

For the reasons set forth above, the patentability of all claims of the ’346 Patent should be upheld.

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Respectfully submitted,

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Certification of Word Count Under 37 C.F.R. § 42.24(d)

The undersigned hereby certifies that the foregoing contains 5,586 words according to the word count of the word-processing software used to prepare the foregoing.

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CERTIFICATE OF SERVICE

I hereby certify that on May 28, 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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