

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TANKLOGIX, LLC,

Petitioner,

v.

SITEPRO, INC.,

Patent Owner.

PTAB Case No. IPR2025-00648

Patent No. 8,649,909

PATENT OWNER'S PRELIMINARY RESPONSE

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EXHIBIT LIST

No.	Exhibit Description
Ex. 2001	Docket Navigator - Motion Success for Stay Pending IPR for Judge Xavier Rodriguez
Ex. 2002	Scheduling Order for <i>SitePro, Inc. v. TankLogix, LLC</i> , 6:24-cv-00642-XR-DTG, pending in the United States District Court for the Western District of Texas.
Ex. 2003	SitePro's Preliminary Infringement Contentions, 6:24-cv-00642-XR-DTG, pending in the United States District Court for the Western District of Texas.
Ex. 2004	U.S. Patent No. 12,019,461
Ex. 2005	SitePro's Response to TankLogix's Motion to Stay, <i>SitePro, Inc. v. TankLogix, LLC</i> , 6:24-cv-00642-XR-DTG, Dkt. 33.
Ex. 2006	Reserved
Ex. 2007	Reserved
Ex. 2008	Reserved
Ex. 2009	Declaration of Dr. Robert A. Durham, Ph.D., FIEEE

I. INTRODUCTION

TankLogix, LLC (“TankLogix” or “Petitioner”) filed a petition for *Inter Partes* Review (“IPR”) against Claims 1-12 and 14-21 (“Challenged Claims”) of U.S. Patent No. 8,649,909 B2 (the “’909 patent”) based on three grounds. Each of Petitioner’s grounds fails to demonstrate a likelihood of prevailing, as shown in the sections below. Patent Owner requests the Board deny institution of this IPR.

The ’909 patent is the first in a series of granted patents directed to the remote control of fluid-handling devices, such as valves, pumps, process chambers, process filters, level switches, and the like for various oil and gas industrial systems. *See* Ex. 1001, title, 1:49-52, 5:30-42. The systems and methods described in the ’909 patent provide the infrastructure for users to remotely receive and analyze data of monitoring and control equipment for fluid-handling devices and to remotely command and control them. *See id.*, 2:54-3:20, FIG. 1, Claim 1. Such infrastructure includes site master controllers that are geographically distributed and in communication with a plurality of fluid-handling devices. *Id.* The fluid-handling devices are “controlled remotely without the need to install special-purpose software on the computing device through which remote control is exercised” (*id.*, 3:9-16), which solves several deficiencies in the art at the time of the ’909 patent, including manual on-site control or specialized software required for devices on a site-by-site basis. *Id.*, 1:23-43. Furthermore, the system and methods of the ’909 patent

advantageously enable the site master-controller to translate remote user commands into device-specific protocols for the various types of fluid-handling devices being controlled. *Id.*, 3:4-9.

Claim 1, for instance, requires, *inter alia*, multiple geographically-distributed site master controllers that are operable to receive encoded commands from a command-center server to control fluid-handling devices, translate the commands to a protocol suitable for the fluid-handling device to which the command is directed, and send the translated commands to the respective local controllers of the fluid-handling devices to drive the given fluid-handling device to a target state. Claim 1 also requires the site master controller to maintain the control of the fluid-handling devices in the absence of a network connection to the command-center server, which overcomes a critical shortcoming in supervisory control and data acquisition (SCADA) systems at the time of the '909 patent. *See id.*, Claim 1, 1:31-42.

Petitioner's invalidity allegations against Claim 1 based on the disclosures of U.S. Patent Publication No. 2015/0308244A1 ("Cardamone," Ex. 1005), U.S. Patent No. 8,667,091 B2 ("Almadi," Ex. 1006), and U.S. Patent Publication No. 2008/0316048A1 ("Abdallah," Ex. 1007) all fall woefully short since these references do not individually or collectively disclose, teach, or even suggest each claimed feature and the claimed system as a whole in the '909 patent. Not only is the claimed system patentably distinct from Petitioner's cited references, the Petition

lacks a full, genuine showing that each reference actually discloses or teaches each feature of the claim. For numerous claim elements and limitations of Claim 1, the Petition fails to show what disclosure in Cardamone, Almadi, or Abdallah corresponds to, or would be understood as, the claimed feature in the '909 patent. In many cases, Petitioner does not even address the recited element in the arguments.

Overall, the merits of the Petition are deficient, and its arguments are confusing and inconsistent for most, if not all, claim elements. As demonstrated below, independent Claims 1, 20 and 28 are shown to be patentable over each of Cardamone, Almadi, and Abdallah. With Claim 1 being patentable, it is self-evident that the dependent Claims 2-12 and 14-19 are also patentable over Petitioner's asserted references for at least the same reasons. Petitioner has failed to show that any of Grounds 1-3 demonstrate a reasonable likelihood of invalidating any of the Challenged Claims. Institution should consequently be denied under 35 U.S.C. § 314.

A. Level of ordinary skill in the art and claim construction

The Petition does not describe a person of ordinary skill in the art (POSITA), but relegates this task to its Petitioner's expert declaration ("the Wooley declaration"), which describes a POSITA as a person having "at least a bachelor's degree in mechanical, chemical, or electrical engineering, computer science, or a related field and significant experience with remotely controlling fluid-handling

devices, like SCADA systems.” Ex. 1002, ¶25.

Patent Owner believes a POSITA would have had at least a bachelor's degree in engineering (electrical, chemical, petroleum or mechanical), computer science, or a related field and at least two years of experience designing control systems for remotely controlling fluid-handling devices, like SCADA systems. Ex. 2009, ¶48. Alternatively, a POSITA would have had at least six years of experience in designing control systems for remotely controlling fluid-handling devices, such as SCADA systems. *Id.*

Patent Owner believes all claim terms should be interpreted in their plain and ordinary meaning. *Id.*, ¶73.

II. THE CHALLENGED CLAIMS ARE PATENTABLE OVER THE TEACHINGS OF CARDAMONE

A. Multiple claimed elements and limitations of Claim 1 lack any mapping or clear mapping to Cardamone in Ground 1

Petitioner asserts Cardamone alone anticipates and/or renders obvious Claims 1-8, 12, 14, 16, 17, and 19-21 under (pre-AIA) 35 U.S.C. § 102 or § 103. *See* Petition (Paper 2), 10-11. Petitioner's assertions are incorrect because, as shown in this section, Cardamone fails to disclose, teach, or suggest several claimed features and therefore do not anticipate or render obvious the whole of independent Claims 1, 20, and 21.

A claim is only unpatentable under § 102 if “each and every element as set forth in the claim is found . . . in a single prior art reference.” MPEP 2131; *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, (Fed. Cir. 1987). And, in *KSR International Co. v. Teleflex Inc.* (“KSR”), the Court reaffirmed the principles of obviousness based on the precedent that “[t]he combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.” MPEP 2141; *KSR.*, 550 U.S. 398, 416 (2007). Not only does Ground 1 fail to satisfy these legal standards (discussed later in **Section V**), the ground does not even *attempt* to identify each claim element and its limitation(s) in the claim.

In particular, Ground 1 based on Cardamone either fails to map or provides unclear or incorrect element mappings for several limitations among the eleven claim sections of Claim 1 (parsed 1[p] to 1[j]). For brevity, just a few of these deficiencies are demonstrated below.

- 1. Cardamone does not disclose, teach, suggest, or render obvious the claimed feature of “*translating the plurality of commands [encoded in the first protocol] into translated commands encoded in [different] protocols*” in 1[i] of Claim 1.**

In Ground 1, Petitioner fails to map anything in Cardamone to claimed features recited in 1[i]. This is explained below. First, to level set, the features of 1[i] are associated with a step effectuated by “*one or more processors*” of each “*site*

master controller” of “*a plurality of geographically distributed site master controllers*,” which are initially recited in 1[b]. See 1[b], 1[f], 1[i] of Claim 1. Importantly, Petitioner maps the claimed “*site master controllers*” in 1[b] to Cardamone’s “control and communication computer 126.”¹ This mapping to Cardamone’s control and communication computer 126 is confirmed multiple times, particularly in 1[c], 1[d], 1[e], and 1[f]. See Petition, 12-15. This mapping is also endorsed in the Wooley declaration. See Ex. 1002, ¶58 (“[a] POSITA would understand that Cardamone discloses the site master controller of the ‘909 Patent through its disclosure of control and communication computer 126.”).

With this established, Petitioner not only must show how the claimed features in 1[i] are disclosed or taught by Cardamone, but also how Cardamone’s control and communication computer 126 is involved in effectuating the claimed features in 1[i]. The Petition fails for both.

¹ See Petition, 12-13, where Petitioner states “Cardamone discloses control and communication computer 126 arranged at the surface of the deep oil well. ... Control and communication computer 126 includes data sampling and storage mechanisms for receiving and storing sensory data from both pump system 122 and motor driver 124.”

First, the Petition and Petitioner's expert do not point out any disclosure in Cardamone that actually discloses *translating* multiple commands into multiple protocols. See Petition, 18-19; Ex. 1002, ¶¶68-71. Instead, Petitioner cites Cardamone's disclosure in ¶¶0029-0031, which does not teach or suggest "*translating*" commands into multiple protocols—much less doing so by a site master controller.

Cardamone's disclosure in ¶0029 refers to FIG. 2 and discusses an embodiment of pump system 122, which notably is exclusive of the control and communication computer 126 as clearly illustrated in FIG. 1 of Cardamone, reproduced below. It is unclear why the Petition cites to ¶0029 because it mostly pertains to equipment of pump 122 "arranged near the bottom of an oil well" and is completely void of any discussion about "*translating [] commands encoded in [different] protocols,*" as in 1[i] of Claim 1. See Ex. 1005, ¶0029. Notably, Cardamone's ¶0029 mentions a "synchronous serial interface (SSI) encoder" of motor sensor package 224 (*id.*), but this equipment discussed in Cardamone is not capable of meeting the limitations recited in 1[i] because it is simply a sensor that senses position of a linear motor shaft and relays that information to a motor drive (Ex. 2009, ¶94). Nonetheless, neither the Petition nor the Wooley declaration mention or provide any explanation about Cardamone's SSI encoder anyway. See Petition, 18-19; Ex. 1002, ¶¶68-71.

Cardamone, FIG. 1

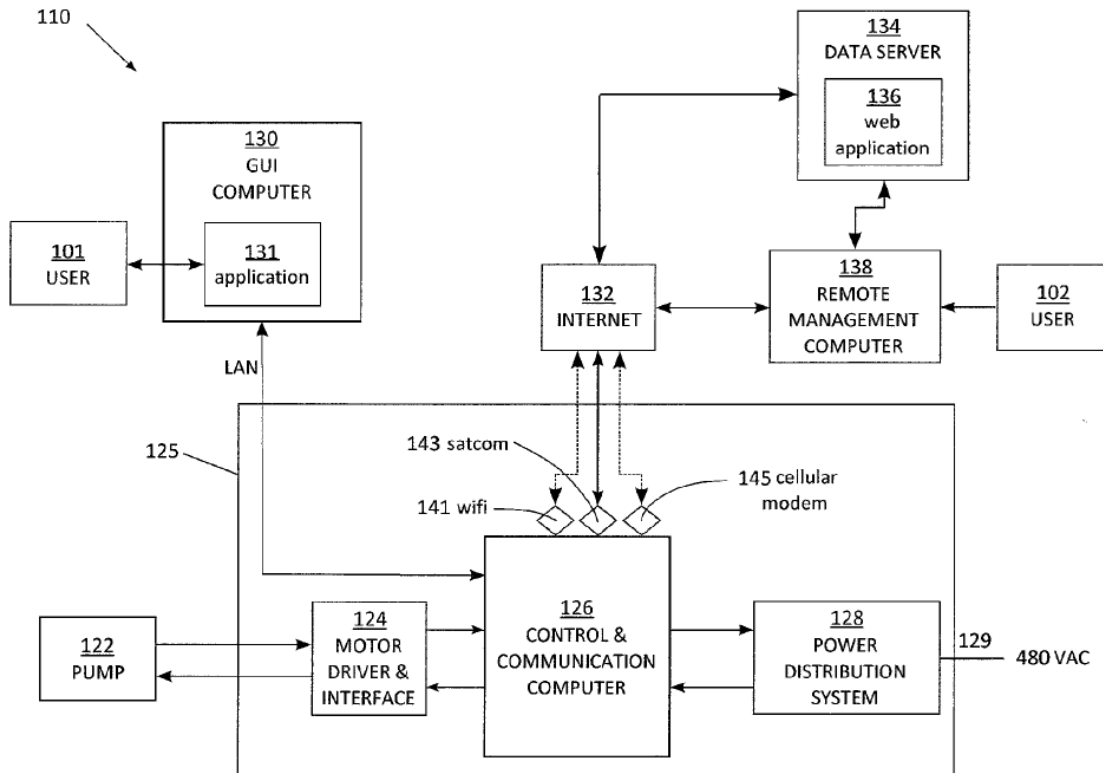


FIG. 1

Cardamone's disclosure in ¶0030 also refers to FIG. 2 and discusses the inlet and outlet of Cardamone's pump system 122. Again, nothing in this disclosure is mapped to the features in 1[i] of Claim 1, and Petitioner provides no explanation about anything described here by Cardamone. Patent Owner notes that Cardamone's ¶0030 mentions the data interface of the pump system 122 "may be implemented using alternative protocols for either analog or digital signal transfer." Ex. 1005, ¶0030. However, this single, brief statement in Cardamone is a far cry from the

limitations recited in 1[i] at least because it does not address anything regarding the claimed “*commands*” or “*translating*” protocols. Ex. 2009, ¶¶92-93.

Cardamone's disclosure in ¶0031 refers to FIG. 3 and describes an embodiment of the motor driver system and interface 124 from FIG. 1, which is exclusive of, but is in communication with, Cardamone's control and communication computer 126. Cardamone's ¶0031 mainly discusses motor drive unit 318 and digital interface bus 326, which Petitioner fails to explain their significance and only briefly mentions in the Petition as having “multiple protocols implemented.” See Petition, 18. However, this disclosure also fails to address the claimed features in 1[i] at least because it lacks any disclosure about “*commands*” or translation into “*a plurality of protocols different from the [initial control command] protocol,*” among other features in 1[i].

Basically, Cardamone's disclosure in ¶¶0029-0031 is, at most, limited to *using* various protocols, but it does not even teach “*translating*” into different protocols as required by the claim. See Ex. 2009, ¶93 (“... Cardamone was not teaching translation between the different protocols”). Moreover, Petitioner's argument for 1[i] is limited to a single sentence² that neither is supported by

² After merely listing several elements of Cardamone's system 110, including

Cardamone's disclosure nor actually addresses the claimed features of 1[i]—not even in part. Contrary to Petitioner's contention, a POSITA would not understand Cardamone's system to *“translat[e] the plurality of commands into translated commands encoded in a plurality of protocols different from the first protocol, each translated command being translated into a protocol among the plurality of protocols suitable for a fluid-handling device to which the respective command is directed”* based on Cardamone's disclosure about the data interface and bus operations and communications with various types of devices using “multiple protocols.” Cardamone's mere use of a protocol does not disclose or teach translating between the protocols, and Cardamone's disclosure of different options of protocols does not disclose, teach, or suggest translating commands into a plurality of protocols which are different from a first protocol. *See* Ex. 2009, ¶92.

components of Cardamone's pump system 122 and motor driver system and interface 124, Petitioner provides an unsupported conclusory statement that “[a] POSITA would understand the claimed translation of protocols is required to permit the data interface and bus to operate and communicate with various types of devices using multiple different types of protocols.”

Petitioner's failed showing of at least 1[i]'s "translating" feature in Cardamone demonstrates that Cardamone does not anticipate nor render obvious Claim 1.

2. **Cardamone does not disclose, teach, suggest, or render obvious the claimed feature of "*the at least some of the translated command being operative to cause a local controller of the given fluid-handling device to drive the given fluid-handling device*" in 1[i] of Claim 1.**

The failures of the Petition are not limited to just the first half of limitations in 1[i], they continue for the other half too. Petitioner provides an **inconsistent** mapping of the claimed "*local controller*," which as Claim 1 requires, is to "drive the given fluid-handling device" as caused by at least some of the translated commands. Specifically, the Petition maps the claimed "*local controller*" to Cardamone's motor driver and interface 124; and Petitioner's expert takes no position on the "local controller." See Petition, 18-19 for 1[i] and 1[j], where the Petition states "Cardamone discloses control and communication computer 126 providing motor driver 124 with command signals to properly drive pump system 122." See also Ex. 1002, ¶¶71-72, where Petitioner's expert states "control computer 126 to drive the pump" without identifying a local controller (or any device) that is commanded by control computer 126 to do so.

Moreover, Petitioner's mapping of Cardamone's motor driver and interface 124 to the claimed "*local controller*" is **inconsistent** because Petitioner already

mapped features of the motor driver and interface 124 to the claimed “*master site controller*” that effectuates the “*translating*” in 1[i]. This is not only inconsistent but also nonsensical for Cardamone’s system because it would mean that Cardamone’s system doesn’t distinguish between a master site controller and local controller and its one controller (control/comm computer 126 with motor driver/interface 124) receive and send commands to itself.

Petitioner’s second failed showing of 1[i] in Cardamone further demonstrates that Cardamone does not anticipate nor render obvious Claim 1.

3. Cardamone does not disclose, teach, suggest, or render obvious the claimed feature of “*multiple user accounts*” in 1[a] of Claim 1.

In addition to 1[i], Petitioner fails to cogently map Claim 1’s “*multiple user accounts*” stored at the “*command-center server*” for 1[a]. See Petition, 11-12. The Petition’s only cited disclosure in Cardamone as to “*multiple user accounts*” is software application 131 of GUI computer 130 or its interface for presenting views and statuses of known pumps.³ To the extent this is even a mapping, neither

³ Petition states “GUI Computer 130 includes software application 131 to provide an interface for connecting to control and communication computer 126 which presents ‘a graphical geographical view of known pumps,’ and provides ‘basic

Cardamone's software application 131 nor its interface describe "*multiple user accounts*." Ex. 2009, ¶80. Moreover, Cardamone's software application 131 and its interface are not stored on Cardamone's data server 134, which Petitioner maps to the claimed "*command-center server*," and therefore cannot possibly correspond to Claim 1's "*multiple user accounts*" in any case.

Like for 1[i] above, Petitioner has not met its burden in showing 1[a] is disclosed, taught, suggested, or rendered obvious by Cardamone. Thus, Ground 1 also fails for this reason.

4. Several additional claim elements and limitations of Claim 1 are not disclosed or taught by Cardamone.

The Petition fails to properly map several other Claim 1 elements and limitations in addition to those discussed above in connection with 1[i] and 1[a].

For instance, Petitioner provides an incorrect mapping of the claimed "*communication module*" of 1[c] because Cardamone's wifi 141, satcom 143, Ethernet 423, and RS-485 transducer interface 435, which Petitioner relies on, are not operable to communicate with a "*fluid handling device*" as claimed since these communication elements are between Cardamone's control/comm computer 126

operation statuses for each of the known pumps,' *thereby disclosing "multiple user accounts"* according to the Claim. EX1005, ¶0041." Petition, 12 (emphasis added).

(mapped to the claimed “*site master controller*”) and the data server 134 (mapped to the claimed “*command-center server*”). See Petition, 13, and Ex. 1002, ¶59.

As another example, Petitioner fails to map anything in Cardamone to the claimed limitation in 1[g] of “*different commands among the plurality of commands being directed to different fluid handling devices.*” See Petition, 15-16, and Ex. 1002, ¶¶64-66. Petitioner does not even attempt to show “*a plurality of commands*” being directed to a “*plurality of fluid handling devices*”—let alone different commands directed to different devices—because Cardamone does not disclose such. Ex. 2009, ¶87

Further examples of incorrect or missed mappings include the claimed wherein-clause in 1[h] of “*the respective site-master controller [] maintain[ing] control of the fluid handling devices in the absence of a network connection to the command-center server,*” which Petitioner handwaves as “[a] POSITA would understand” argument based on Cardamone’s “movement profile” of the pump system. Petitioner does not support this argument by Cardamone’s disclosure, rather just conclusory statements.⁴ See Petition, 16-17, and Ex. 1002, ¶67.

⁴ The Petition does not cite to anything in Cardamone to support the assertion that “[a] POSITA would further understand establishing ... the movement profile ...

And, critically, Petitioner's primary contention that the claimed "*site master controller*" maps to Cardamone's control and communication computer 126 fails because computer 126 is not able to be arranged in the claimed system configuration nor provide the same or similar functionality as the claimed "*site master controller*" of Claim 1, as discussed above in **Section II.A.1**. Ex. 2009, ¶83.

Claim 1 cannot be anticipated or rendered obvious by Cardamone when there are numerous claim elements and limitations absent in the cited reference. The fact that the Petition does not identify multiple claim features in the references is indicative of the reference's lack of disclosure and overall teaching. Claim 1 is

causes control and communication computer 126 to maintain control of the fluid handling devices in the absence of a network connection to the command-center server." Petition, 17. Rather, the Petition cites to the Wooley declaration at ¶67, and the Wooley declaration does not explain how a POSITA would understand this from Cardamone and instead makes a parallel, unsupported conclusion "because the operating parameters have already been locally established," citing to eight disparate paragraphs in Cardamone—none of which support Petitioner's expert's cursory reasoning.

clearly patentable over Cardamone, and therefore its dependent claims are too.

Thus, *inter partes* review of the '909 patent is unwarranted.

B. Multiple claimed elements and limitations of Claims 20 and 21 also lack any mapping or clear mapping to Cardamone in Ground 1

Like for Claim 1, the Petition also fails to make a sufficient anticipation or obviousness showing for the other independent claims of the '909 patent. Claim 20 is directed to a computer product claim with similar limitations as 1[g]-1[j] of Claim 1; and Claim 21 is directed to a method also with similar limitations as 1[g]-1[j] of Claim 1. Importantly, neither Claim 20's nor Claim 21's limitations are identical in language or equivalent in scope to their similar counterparts in Claim 1. Yet, the Petitioner disregarded the differences and instead falsely concluded that "Cardamone anticipates Claim 20 [and Claim 21]. *See* Petition, 28-29.

Specifically, for Claim 20, Petitioner states at 28 of the Petition:

Claim 20's limitation 20[a] is analogous to limitation 1[g], limitation 20[b] is analogous to limitation 1[h], limitation 20[c] is analogous to limitation 1[i] and limitation 20[d] is analogous to limitation 1[j]. Each of Claim 20's limitations are disclosed by Cardamone for reasons provided above, and incorporated here. See supra, Section VIII(A)(1). Cardamone anticipates Claim 20.

Petitioner mirrors the same statements for Claim 21.

Petitioner's conclusions immediately fail because key differences between Claim 1 and Claims 20 and 21 are missed or ignored. For instance, 1[g] recites "*receiving, via the network interface, **from the command-center server**, a plurality of commands ...*"; whereas 20[a] recites "*receiving, via a network interface, **from a remote user device**, a plurality of commands ...*." This difference also shows up in 20[b], as "*remote user device*" is again recited (instead of "*command-center server*" as in 1[h]). The claimed "*command-center server*" in 1[g] is clearly different than the claimed "*remote user device*" in 20[a]. Thus, Petitioner has failed to map the claimed "*remote user device*" of 20[a] to anything Cardamone. This failure for 20[a] also applies for 21[a].

Furthermore, as discussed above in **Sections II.A.1-II.A.2**, the limitations of 1[i] are not disclosed, taught, suggested, or rendered obvious by Cardamone, and the Petition and the Wooley declaration each do not make a showing to the contrary. Therefore, 20[c] and 21[c] which recite a similar "translating" feature as in 1[i] fails for the same or similar reasons discussed above.

As a result of the above, Ground 1's assertions against Claims 20 and 21 necessarily fail.

III. THE CHALLENGED CLAIMS ARE PATENTABLE OVER THE TEACHINGS OF ALMADI

A. Multiple claimed elements and limitations of Claim 1 lack any mapping or clear mapping to Almadi in Ground 2

Petitioner asserts Almadi alone anticipates and/or renders obvious Claims 1, 5, 6, 9-11, 14-16, and 18-21 under (pre-AIA) 35 U.S.C. § 102 or § 103. *See* Petition, 29. Petitioner's assertions are incorrect because, as shown in this section, Almadi fails to disclose, teach, or suggest several claimed features and does not anticipate or render obvious independent Claims 1, 20, and 21.

In particular, Ground 2 based on Almadi either fails to map or provides unclear or incorrect element mappings for several limitations among the eleven claim sections of Claim 1 (parsed 1[p] to 1[j]). For brevity, just a few of these deficiencies are demonstrated below.

1. Almadi does not disclose, teach, suggest, or render obvious the claimed “*site master controllers*” in 1[b] of Claim 1.

In Ground 2, Petitioner's showing that Almadi discloses, teaches, or suggests a site master controller like that of the claimed system in Claim 1 is incorrect. Almadi does not, and the Petition fails to map anything in Almadi that could be considered reasonably similar to the “*plurality of geographically distributed site master controller*” recited in 1[b].

Petitioner maps the claimed “*site master controllers*” to Almadi’s remote subsystems 120.⁵ Petition, 32. Petitioner’s expert concurs. Ex. 1002, ¶105. However, Almadi’s remote subsystems 120 are field devices⁶ to “perform tasks including processing of measurement and control data and signal conversions.” Ex. 1006, 12:27-37. Almadi lists examples of these in-the-field remote subsystems 120, which include “permanent down hole monitoring (“PDHM”) systems, electrical submersible pump (“ESP”) systems, smart well completion (“SWC”) systems, and flow meter systems, and any of the types of Intelligent Equipment Devices (“IED”).” *Id.*

⁵ Petitioner states “Almadi discloses a plurality of remote subsystems 120 ...” and “[a] POSITA would understand Almadi discloses a plurality of geographically distributed site master controllers ... through its disclosure of remote subsystems 120.” Petition, 32.

⁶ Almadi discloses “The automation architecture of modern industrial operations ... is enabled at the field-level and process-level by *various interconnected devices herein referred to as remote subsystems or field devices.*” Ex. 1006, 1:23-32 (emphasis added). *See also id.*, 12:36-40 (“Remove (*sic*) subsystems 120 can ... communicate with *other* field devices”).

Almadi's remote subsystems 120 do not possess the architecture or configuration that satisfies the limitations of the claimed "*site master controllers*" recited in 1[c]-1[j] of Claim 1. Ex. 2009, ¶113. For instance, Almadi does not teach or suggest the remote subsystems 120 have the capability to ***translate commands*** between protocols, as required in 1[i]. In fact, any translating capability of Almadi's system is imparted in the integrated node 100 and not in its remote subsystems. Specifically, Almadi discloses that integrated node 100 includes "a protocol translator or translation server 102 to translate communications with each of the remote subsystems 120 according to any one or more of a plurality of messaging protocols." Ex. 1006, 14:10-17. Petitioner clearly mapped Almadi's integrated node 100 to the claimed "*command-center server*" introduced in 1[a] and Almadi's remote subsystems 120 to the claimed "*site master controllers*" of 1[b]. Petitioner cannot attribute features (like *translating*) of one component (like integrated node 100) to another (like remote subsystems 120) simply to create a hindsight mapping to SitePro's patented system, particularly when Almadi's disclosure does not support such attribution, and moreover, teaches against such complexities.⁷

⁷ Almadi states "[i]n addition to the cost and other disadvantages of having to supply the number of hardware components described, the operation of numerous hardware

Petitioner's failed showing of at least 1[b]'s "*site master controllers*" is a fatal flaw in Petitioner's anticipation and obviousness allegation. Thus, Claim 1 stands as valid over Almadi for at least the reasons above.

2. Almadi does not disclose, teach, suggest, or render obvious the claimed feature of "*translating the plurality of commands [encoded in the first protocol] into translated commands encoded in [different] protocols*" in 1[i] of Claim 1.

In Ground 2, Petitioner incorrectly maps 1[i]'s "*translating*" feature to Almadi's disclosure and fails to map anything in Almadi to claimed limitation of "*translating the plurality of commands [encoded in the first protocol] into translated commands encoded in [different] protocols*" recited in 1[i].

As discussed above, Petitioner mapped Almadi's integrated node 100 to the claimed "*command-center server*" and Almadi's remote subsystems 120 to the claimed "*site master controllers*." By doing so, any subsequent mapping to the features of the claimed "*site master controllers*" must be attributed to Almadi's remote subsystems 120—not Almadi's integrated node 100—because these components of Almadi's system are structurally and functionally distinct. Petitioner cannot borrow features from one component and give them to another without a clear

components results in increased power and space requirements and a more complex support model to deploy, maintain, and operate the components. Ex. 1006, 2:35-40.

teaching or suggestion by Almadi and/or an explanation of how and why a POSITA would understand such feature transfer. Here, the Petition and Petitioner's expert did neither. Neither the Petition nor the Wooley declaration show or explain any "translating" feature of Almadi's remote subsystems 120. *See* Petition, 38-40; *see also* Ex. 1002, ¶115. Both identify Almadi's "protocol translator" to translate, but neither identify or remedy the important distinction that Almadi's remote subsystems 120 do not translate protocols. *Id. See* Ex. 2009, ¶¶120-121.

Yet further, Petitioner provides no mapping in Almadi to the claimed limitation of "*translating the plurality of commands [encoded in the first protocol] into translated commands encoded in [different] protocols.*" The Petition lists example protocols discussed in Almadi at 14:22-27 that happen to be different from each other (Petition, 39), but fails to address the ***translating*** limitation. Instead, Petitioner makes an unsupported allegation that "[a] POSITA would understand that the use of different protocols by the [integrated node 100's] protocol translator requires that the protocols must be translated as claimed in the '909 Patent." *Id.*, 40. The Petition cites to the Wooley declaration—not Almadi—which provides no rationale as to how a POSITA would understand Almadi's disclosure to teach *translating [a] plurality of commands into translated commands encoded in a plurality of protocols different from [a] first protocol, where each translated command is translated into a protocol among the plurality of protocols suitable for*

a fluid-handling device to which the respective command is directed. See Ex. 2009, ¶121.

Petitioner's failed showing of 1[i] in Almadi further demonstrates that Almadi does not anticipate nor render obvious Claim 1.

3. Almadi does not disclose, teach, suggest, or render obvious the claimed feature of “multiple user accounts” in 1[a] of Claim 1.

Just like in Ground 1, Petitioner improperly maps 1[a]'s claimed “multiple user accounts” to the cited reference. Here, Petitioner makes an unsupported “POSITA would understand” argument that Almadi's disclosure of ‘multiple different network operating environments and applications applicable to different entities’ supposedly discloses “*the respective user account.*” See Petition, 32. Petitioner's statement, however, even if true relates to “*the respective user account*” and not the “multiple user accounts,” as the claim requires. Further, Petitioner's statement about the claimed “*the respective user account*” is unsubstantiated because it does not cite anything in Almadi and instead refers to Petitioner's expert declaration (i.e., citing ¶104 of Ex. 1002 at pg. 41), which similarly lacks any citations to Almadi regarding “user accounts.” *Id.* Petitioner's circular logic does not satisfy a showing in Almadi. Petitioner's missed mapping can be explained by the fact Almadi does not disclose, teach, or suggest “*a command center server having a data store storing multiple user accounts,*” much less “*account[s]*”

corresponding to a set of [facilities],” or particularly to facilities that are operated by multiple different entities. *See* Ex. 2009, ¶111.

Thus, like 1[b] and 1[i] above, Petitioner has not met its burden in showing 1[a] is anticipated or rendered obvious by Almadi. Thus, Ground 2 also fails for this reason.

4. Several additional claim elements and limitations of Claim 1 are not disclosed or taught by Almadi.

The Petition fails to properly map several other Claim 1 elements and limitations in addition to those discussed above in connection with 1[b], [i] and 1[a]. For instance, Petitioner provides an incorrect mapping of the claimed “*communication module*” of 1[c], “*memory*” of 1[e], and “*one or more processors*” of 1[f] that are included as part of “*each site master controller*.” Petitioner maps these components to structures of Almadi’s “*integrated node 100*,” which Petitioner had mapped to the claimed “*command-center server*” of 1[a]. *See* Petition, 33-35, and Ex. 1002, ¶106-110. *See, e.g.,* Ex. 2009 ¶¶115-116, discussing why Almadi’s input/output 104, which Petitioner mapped to the claimed “*communication module*” of the “*site master controller*,” does not meet the requirements of 1[c].

Also, Petitioner’s arguments for 1[g] provide yet another example of inconsistent feature mapping for the claimed “*site master controller*.” For 1[g], where the “*site master controller*” is to receive, from the command-center server,

commands encoded in a first protocol to control the fluid-handling devices, Petitioner points again to Almadi's integrated node 100 (which Petitioner maps to the claimed "*command-center server*") receiving input from Almadi's remote host computer 110. *See* Petition, 36-37. Under such mapping, the command-center server (Almadi's integrated node 100) would be receiving the commands and not the site master controller (Almadi's remote subsystems 120), as required by Claim 1.⁸ And, the Petition completely skips over the "*encoded in a first protocol*" limitation of 1[g] (*id.*), perhaps leaving it to Petitioner's expert, who only referred to his previous discussion at ¶69 about translation of protocols. *See* Ex. 1002, ¶111.

Thus, Claim 1 cannot be anticipated or rendered obvious by Almadi when there are numerous claim elements and limitations absent in the cited reference. Like Ground 1, Ground 2 fails, so the Petition for *inter partes* review should not be instituted.

⁸ Petitioner does not explain in the Petition, nor through Petitioner's expert, how commands "from a user through remote host 110" that are received by Almadi's command center server are able to "control specific fluid handling devices" as alleged in the Petition and the Wooley declaration. *See* Petition, 36; *also see* Ex. 1002, ¶111.

B. Multiple claimed elements and limitations of Claims 20 and 21 also lack any mapping or clear mapping to Almadi in Ground 2

Petitioner makes the same perfunctory analysis of Claims 20 and 21 for Ground 2 like in Ground 1, discussed above in **Section II.B**. Petitioner's unsupported conclusions about these claims with respect to Almadi fail for the same reasons in Ground 1 because Petitioner missed or ignored key features of the claims and did not map each element and limitation to Almadi's disclosure. Rather than providing a clear mapping for the claimed features of Claims 20 and 21, Petitioner relies on its earlier mappings to Almadi as done in Claim 1. Not only do they miss the mark (discussed above in **Section III.A**), they also neglect the differences in the claims. For instance, 1[g] recites "*receiving, via the network interface, from the command-center server, a plurality of commands ...*"; whereas 20[a] recites "*receiving, via a network interface, from a remote user device, a plurality of commands ...*." This difference also shows up in 20[b], as "*remote user device*" is again recited (instead of "*command-center server*" as in 1[h]). The claimed "*command-center server*" in 1[g] is clearly different than the claimed "*remote user device*" in 20[a]. Thus, Petitioner has failed to map the claimed "*remote user device*" of 20[a] to anything Almadi. The failure for 20[a] also applies for 21[a].

Ground 2's assertions against Claims 20 and 21 necessarily fail for Petitioner's lack of specific analysis for those claims, as well as for Petition's flawed

anticipation and obviousness analyses for Claim 1 limitations, which also apply to Claims 20 and 21.

IV. THE CHALLENGED CLAIMS ARE PATENTABLE OVER THE TEACHINGS OF ABDALLAH

A. Multiple claimed elements and limitations of Claim 1 lack any mapping or clear mapping to Abdallah in Ground 3

Petitioner asserts Abdallah alone anticipates and/or renders obvious Claims 1, 9-11, 20, and 21 under (pre-AIA) 35 U.S.C. § 102 or § 103. *See* Petition, 52-53. Petitioner's assertions are incorrect because, as shown in this section, Abdallah fails to disclose, teach, or suggest several claimed features and does not anticipate or render obvious independent Claims 1, 20, and 21.

In particular, Ground 3 based on Abdallah either fails to map or provides unclear or incorrect element mappings for several limitations among the eleven claim sections of Claim 1 (parsed 1[p] to 1[j]). For brevity, just a few of these deficiencies are demonstrated below.

1. Abdallah does not disclose, teach, suggest, or render obvious the claimed feature of “*translating the plurality of commands [encoded in the first protocol] into translated commands encoded in [different] protocols*” in 1[i] of Claim 1.

In Ground 3, just like for Ground 2, Petitioner incorrectly maps 1[i]'s “*translating*” feature to Abdallah's disclosure. Petitioner maps Abdallah's central communication gateway 202 to the claimed “*command-center server*” recited in 1[a]

and Abdallah's sensor nodes to the claimed "*site master controllers*."⁹ See Petition, 54-55. Petitioner's expert provided the same mapping.¹⁰ See Ex. 1002, ¶¶155-157. By doing so, any subsequent mapping to the features of the claimed "*site master controllers*" must be attributed to Abdallah's sensor nodes (e.g., sensor node 224)—not Abdallah's central communication gateway 202—because these components of Abdallah's system are structurally and functionally distinct. Petitioner cannot borrow features from one component and give them to another without a clear teaching or suggestion by Abdallah and/or an explanation of how and why a

⁹ Petitioner states "Abdallah discloses a command center server as its central communication gateway 202" and "[a] POSITA would understand that Abdallah discloses a plurality of geographically distributed site master controllers ... through its disclosure of well site sensor nodes." Petition, 54 and 55, respectively.

¹⁰ Wooley declaration states "I understand that Abdallah discloses the command-center server ... through its disclosure of the central communication device gateway" and "[a] POSITA would understand that Abdallah discloses a plurality of geographically distributed site master controllers ... through its disclosure of well site sensor nodes." Ex. 1002, ¶¶155 and 157, respectively.

POSITA would understand such feature transfer. Here, the Petition and Petitioner's expert did neither.

Neither the Petition nor the Wooley declaration show or explain any “*translating*” feature of Abdallah's sensor node 224. *See* Petition, 61-64; *see also* Ex. 1002, ¶168. Both identify Abdallah's gateway 300, which notably includes a “protocol translator” to translate, but neither identify or remedy the important distinction that Abdallah teaches the central communication gateway—not sensor node 224—perform the translations. *Id.* *See* Ex. 2009, ¶¶149-150.

Furthermore, regardless of Petitioner's improper mapping, Abdallah does not disclose, teach, or suggest performing the translation of commands at the nodes (e.g., sensor node 224 or comm nodes 204, 206, 208) and then passing the translated command on to any local controller. Ex. 2009, ¶150. To the contrary, Abdallah teaches translation is performed by the gateway (e.g., central communication gateway 202). *See* Ex. 1007, ¶¶0208-0209 and FIG. 6 (reproduced below), discussing “the central gateway controller may translate from a protocol in which it was received the information to use a protocol recognized by the addressed node.” *Also see id.*, ¶0098 and FIG. 3, discussing “gateway 300 may further include a protocol translator 306.”

Abdallah, FIG. 6 (annotated)

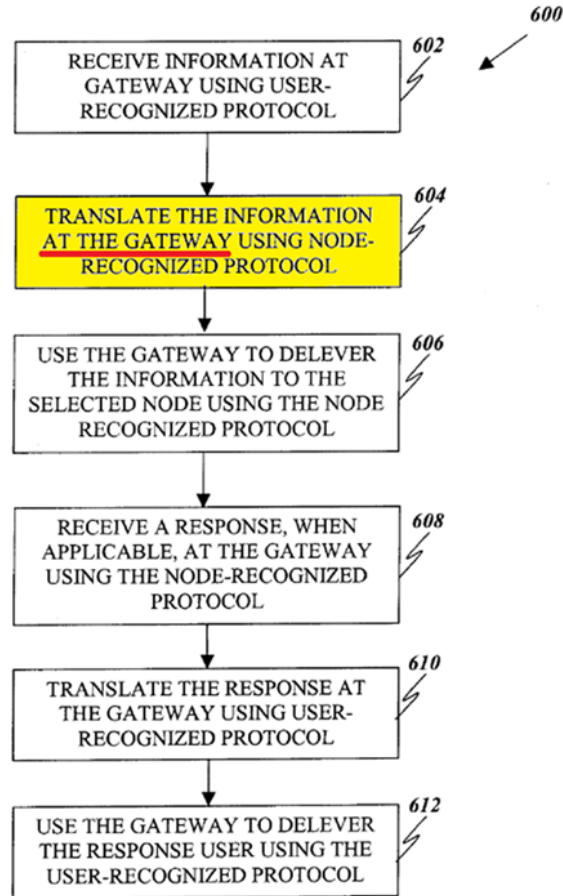


FIG. 6

Petitioner's failed showing of 1[i] in Abdallah demonstrates that Abdallah does not anticipate nor render obvious Claim 1.

2. **Abdallah does not disclose, teach, suggest, or render obvious the claimed feature of “*sending the translated commands to respective local controllers of the respective fluid-handling devices*” in 1[j] of Claim 1.**

Petitioner fails to properly map the claimed features of 1[j] to Abdallah. Petitioner's mapping of 1[j] picks up from the failed mapping of 1[i] by positing that

“the gateway is used to deliver the translated responses using the user-recognized protocol,” citing to Abdallah’s ¶0209 and FIG. 6. *See* Petition, 64; Ex. 1002, ¶169. Petitioner doubles down on Abdallah’s gateway’s role in sending translated commands, citing disclosure in Abdallah (i.e., ¶¶0097-0098) pertaining to FIG. 3 (reproduced below). *Id.* Yet, FIG. 3 of Abdallah shows “a gateway device method” illustrating how Abdallah’s central gateway (gateway 300) communicates with remote nodes or SCADA systems in the overall well site system illustrated in FIGS. 1 and 2 of Abdallah. Ex. 1007, ¶0014, ¶¶0097-0098, FIG. 3.

Abdallah, FIG. 3

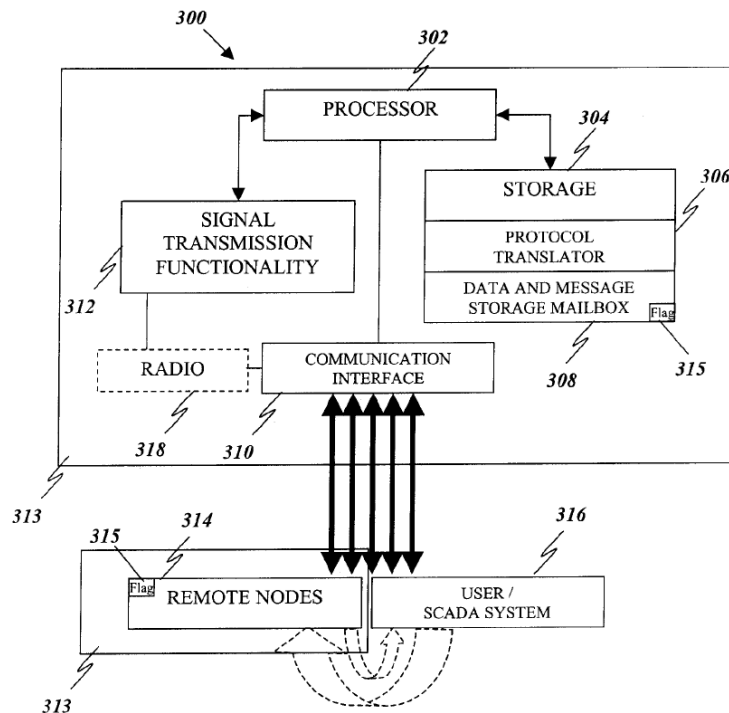


FIG. 3

As clearly shown above, Abdallah does not teach nodes (such as sensor nodes mapped to the claimed “*site master controller*”) sending the translated commands to local controllers. In fact, there is no disclosure or suggestion of a ‘local controller’ to which Abdallah’s sensor nodes would direct commands to. Ex. 2009, ¶149. Rather, information translated by Abdallah’s central gateway into the node-recognized protocol is delivered to the select node. Ex. 1007, FIG. 6. This at odds with the features of the claimed system of Claim 1, which the Petition fails to account for.

Ground 3 fails thus fails because Petitioner again did not meet its burden in showing claim feature, such as 1[j], is disclosed, taught, or suggested by Abdallah.

3. Abdallah does not disclose, teach, suggest, or render obvious the claimed feature of “multiple user accounts” in 1[a] of Claim 1.

Just like in the previous grounds, Petitioner’s mapping of 1[a]’s claimed “multiple user accounts” to Abdallah is faulty because it does not match the limitations of 1[a]. Petitioner maps the “multiple user accounts” to the Abdallah’s well sites—not to any type of user accounts. See Petition, 54, stating (with emphasis added) “Abdallah discloses that multiple accounts, i.e. well sites, may be connected to the gateways. EX1007, ¶206 (“Multiple well sites may be monitored using more local gateways”).” Petitioner’s expert declaration is absolutely silent about the claimed “multiple user accounts” in Ground 3. See Ex. 1002, ¶155.

Nowhere in Abdallah are “*multiple user accounts*” as claimed in 1[a] disclosed or taught. *See* Ex. 2009, ¶134.

Thus, Petitioner has not met its burden in showing 1[a] is anticipated or rendered obvious by Abdallah. Thus, Ground 3 fails.

4. Several additional claim elements and limitations of Claim 1 are not disclosed or taught by Abdallah.

The Petition fails to properly map other Claim 1 elements and limitations in addition to those discussed above in connection with 1[i], [j] and 1[a]. For instance, the claimed wherein-clause in 1[h] of “*the respective site-master controller [] maintain[ing] control of the fluid handling devices in the absence of a network connection to the command-center server*” is not addressed in the Petition. Instead, Petitioner provides a conclusory statement that “[a] POSITA would further understand” this limitation based on Abdallah’s scheme for sensing a signal change rate and selecting a transmission mode in real-time. *See* Petition, 60. Petitioner does not support this argument by Abdallah’s disclosure, and Petitioner’s assertion is not supported by Petitioner’s expert either.¹¹

¹¹ The Petition does not cite to anything in Abdallah to support the assertion that “[a] POSITA would further understand that the “sensing a signal change rate [and] selecting a real-time transmission mode ...” described by Abdallah determines...

Thus, Claim 1 cannot be anticipated or rendered obvious by Abdallah when there are numerous claim elements and limitations absent in the cited reference. Like Grounds 1 and 2, Ground 3 fails. Thus, *inter partes* review of the '909 patent should not be instituted.

B. Multiple claimed elements and limitations of Claims 20 and 21 also lack any mapping or clear mapping to Abdallah in Ground 3

The same flawed analysis of Claims 20 and 21 in Grounds 1 and 2 is repeated for Ground 3. Petitioner makes unsupported conclusions about these claims with respect to Abdallah, which fail for the same reasons articulated in **Sections II.B** and **III.B**—that is because Petitioner missed or ignored key features of Claims 20 and 21 and did not map each element and limitation to Abdallah's disclosure. Again, rather than analyzing the claimed features of Claims 20 and 21, Petitioner relies on its earlier mappings to Abdallah as done in Claim 1. Not only do these mappings fail for reasons discussed in connection with Claim 1 (*see Section IV.A* above), they also neglect the differences in the claims. As noted before, 1[g] recites “receiving,

target states ... of the fluid-handling devices over time in the absence of a network connection to the command-center server.” Petition, 60. The Petition cites only to the Wooley declaration at ¶166, which is silent on the “absence of a network” feature in Ground 3.

via the network interface, from the command-center server, a plurality of commands ..."; whereas 20[a] recites "*receiving, via a network interface, from a remote user device, a plurality of commands ...*." This difference also shows up in 20[b], as "*remote user device*" is again recited (instead of "*command-center server*" as in 1[h]). The claimed "*command-center server*" in 1[g] is clearly different than the claimed "*remote user device*" in 20[a]. Thus, Petitioner has failed to map the claimed "*remote user device*" of 20[a] to anything Abdallah. The failure for 20[a] also applies for 21[a].

As a result of the above, Ground 3's assertions against Claims 20 and 21 necessarily fail.

V. PETITION FAILS TO MEET MULTIPLE LEGAL REQUIREMENTS OF UNPATENTABILITY

A. Grounds 1-3 fail to delineate between § 102 and § 103 arguments and fail to properly assert either category.

Each Ground of the Petition asserts unpatentability under both the anticipation standard of § 102 and the obviousness standard of § 103 but fails to fully or clearly articulate either theory. *See* Petition, 10 (Ground 1), 29 (Ground 2), 52–53 (Ground 3). Due to this lack of clarity, the grounds of the Petition are substantively deficient

and noncompliant with 35 U.S.C. § 312(a)(3),¹² and therefore institution of *Inter Partes* Review should be denied.

First, it is unclear whether the Petition intends to raise both § 102 and § 103 arguments. Each Ground is titled “[Reference] Anticipates Claims [list of claim numbers],” indicating only § 102 arguments. Petition, 10 (Ground 1), 29 (Ground 2), 52–53 (Ground 3). However, within each Ground, the Petition also uses boilerplate language to assert an obviousness theory. *See id.*, e.g., Petition, 10-11 (The challenged claims “are anticipated by [reference] under 35 U.S.C. § 102, or would be obvious to a POSITA in view of [reference] under 35 U.S.C. § 103.”). The Petition then follows a robotic pattern. For each claim limitation, the Petition recites the limitation, lists paraphrased disclosure from the reference—often out of context, and then presents a conclusory statement that the reference “therefore, anticipates, or renders obvious to a POSITA [the claim or limitation].” *See, e.g.*, Petition, 19.

¹² 35 U.S. Code § 312(a) Requirements of Petition.—A petition filed under section 311 ***may be considered only if***— . . . (3) the petition identifies, in writing ***and with particularity***, each claim challenged, ***the grounds on which the challenge to each claim is based***, and the evidence that supports the grounds for the challenge to each claim, . . . (emphasis added)

For anticipation under § 102, Petitioner fails to map each element of the claim to the disclosures in the cited reference, as described above, so any § 102 argument fails from the start.

For obviousness under § 103, not only does Petitioner fail to show the requisite teaching or suggestion in the prior art of each claimed feature, Petitioner fails to explain any reasoning for why any claim would be obvious within the framework for objective analysis articulated in *Graham v. John Deere Co.*, 383 U.S. 1 (1966) and reiterated in *KSR International Co. v. Teleflex Inc.*, 550 U.S. 398 (2007). The court has “repeatedly emphasized that an obviousness inquiry requires examination of all four *Graham* factors and that an obviousness determination can be made only after consideration of each factor.” *Nike, Inc. v. Adidas AG*, 812 F.3d 1326, 1335 (Fed. Cir. 2016).

Here, for every claim element of the Challenged Claims, the Petition lacks any articulation of the second *Graham* factor (ascertaining the differences between the claimed invention and the prior art). While arguing such differences risks undercutting Petitioner's anticipation arguments, Petitioner in this case chose to avoid taking the risk at the expense of ignoring the legal standard of obviousness. The Petition asserts the dual anticipation-obviousness theory without a clear mapping of claim features to the cited references and with hollow conclusions that “[a] POSITA would recognize” or “understand.” *See, e.g.*, Petition, 19. The Petition

lacks any explanation as to *why* the prior art disclosure would render a limitation obvious to a POSITA. These unsubstantiated assertions of anticipation and obviousness do not fully articulate either invalidity theory.

These improper grounds not only require Patent Owner to respond to multiple incomplete arguments but also impel the Board to analyze multiple unarticulated invalidity grounds under multiple legal standards. The gaps in Petitioner's claim mapping (discussed above) raise doubts that any § 102 argument was made in good faith. Yet Patent Owner is forced to respond to both anticipation and obviousness arguments, despite neither theory being sufficiently explained for Patent Owner to appropriately rebut. The Board is also burdened with sifting through Petitioner's positions to look for hidden obviousness assertions. While the Petition includes no credible obviousness explanations, Petitioner has improperly shifted the burden to the Board and to Patent Owner.

Accordingly, the Petition has failed to conduct the proper anticipation and obviousness analyses, which warrants denial of institution of this IPR.

B. Ground 1 lacks *Dynamic Drinkware* analysis.

In Ground 1, the Petition asserts that Cardamone is prior art under pre-AIA § 102(e) (Petition, 9), but fails to conduct a *Dynamic Drinkware* analysis to establish that Cardamone is entitled to an early priority date.

Cardamone is U.S. Patent Publication No. 2015/0308244A1 (“the ’244 Publication”) that published on October 29, 2015—close to three years after the December 7, 2012 priority date of the ’909 patent—and ultimately claims priority to U.S. provisional application 61/729,815 (“the ’815 Provisional”), filed November 26, 2012. Ex. 1005, front page. The Petition fails to satisfy its burden of showing that at least one claim of the Cardamone publication is supported by the earlier provisional, and that the portions of the Cardamone publication relied upon were in the provisional application. *See Dynamic Drinkware, LLC v. Nat’l Graphics, Inc.*, 800 F.3d 1375, 1378-79, 1381-82 (Fed. Cir. 2015); *Ex parte Mann*, Appeal No. 2015-3571, 2016 WL 7487271, at *5-6 (PTAB Dec. 21, 2016); *Huawei Device Co. v. Optis Cellular Tech., LLC*, Case No. IPR2018-00658, Paper 14 at 26-27 (PTAB Oct. 9, 2018).

Ground 1 should fail as a matter of law since Petitioner did not satisfy the legal requirement to present this analysis that Cardamone is actually prior art to the ’909 patent.

C. Ground 2 relies on incorrect section of pre-AIA § 102.

In Ground 2, the Petition cites Almadi as prior art under § 102(a). Petition, 9. Pre-AIA 35 U.S.C. § 102(a), applicable here, renders a patent invalid when “the invention was . . . patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent.” However, the ’909

patent has a priority date of December 7, 2012, and the Almadi patent did not issue until March 4, 2014. Therefore, the Almadi patent does not qualify as prior art under § 102(a).¹³

This mischaracterization of Almadi is reflective of the multitude of problems and overall inadequacy of the Petition, which impels denial of institution of this IPR.

¹³ Petitioner purports this was a “clerical or typographical” error and is attempting to correct this and numerous other purportedly “typographical” errors in its filings. *See* Petitioner’s Notice of Errata (Ex. 1010) filed July 8, 2025 (referring to “error” #1). Out of courtesy, Patent Owner did not oppose Petitioner’s proposed correction. However, Patent Owner notes that Petitioner had ample time to review and correct any “typographical” errors, from the time Petitioner was served with the complaint on January 7, 2025 (in *SitePro, Inc. v. TankLogix, LLC*, 6:24-cv-00642-XR-DTG litigation), until Petitioner filed this Petition on February 28, 2025. Petitioner’s actions are even more egregious considering that the current Petition is a virtual copy-cat of a petition filed by another petitioner in April 2024 (*see* IPR 2024-00724, Paper 2), and therefore Petitioner did not spend anytime developing technical or legal arguments of the Petition.

VI. CONCLUSION

For the reasons discussed above, Patent Owner respectfully requests that the Board deny Petitioner's Petition for *Inter Partes* Review of the '909 patent.

Dated: July 16, 2025

Respectfully submitted,

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CERTIFICATE OF WORD COUNT UNDER 37 CFR § 42.24(d)

Under 37 C.F.R. § 42.24(d), the undersigned certifies that the word count for this Patent Owner's Preliminary Response to the Petition for *inter partes* review totals 8,226 words, excluding the parts exempted by 37 C.F.R. § 42.24(a). The word count was made using the built-in word count function in the Microsoft® Word software used to prepare this document.

Dated: July 16, 2025

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that I caused to be served a true and correct copy of the foregoing PATENT OWNER'S PRELIMINARY RESPONSE and accompanying exhibits by email to the electronic service addresses for Petitioner on the date indicated below:

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