

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**SAMSUNG ELECTRONICS CO., LTD. AND
SAMSUNG ELECTORNICS AMERICA, INC.**

Petitioners,

v.

MAXELL, LTD.,
Patent Owner

Case: IPR2025-01308

U.S. Patent No. 11,277,650

**PATENT OWNER PRELIMINARY RESPONSE TO PETITION FOR
INTER PARTES REVIEW OF U.S. PATENT NO. 11,277,650**

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<i>Graham v. John Deere Co. of Kansas City</i> , 383 U.S. 1 (1966)	5
<i>Intelligent Bio-Systems, Inc. v. Illumina Cambridge Ltd.</i> , 821 F.3d 1359 (Fed. Cir. 2016)	5
<i>KSR Int’l Co. v. Teleflex Inc.</i> , 550 U.S. 398 (2007)	5
<i>Medichem, S.A. v. Rolabo, S.L.</i> , 437 F.3d 1157 (Fed. Cir. 2006)	6
<i>Net MoneyIN, Inc. v. VeriSign, Inc.</i> , 545 F.3d 1359 (Fed. Cir. 2008)	4, 5
<i>Securus Techs., Inc. v. Global Tel*Link Corp.</i> , 701 F. App’x 971 (Fed. Cir. 2017)	13, 14
 Statutes	
35 U.S.C. § 102	3, 4
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35 U.S.C. § 316(e)	8
 Other Authorities	
37 C.F.R. § 42.65(a)	1, 10

PATENT OWNER’S EXHIBIT LIST

Description	Exhibit #
Notice Letter to Samsung (July 7, 2021)	2001
Follow-up Notice Letter to Samsung (December 29, 2021)	2002
Docket Navigator Time to Trial Statistics for the Eastern District of Texas	2003
Docket Control Order, <i>Maxell, Ltd. v. Samsung Elecs. Co., Ltd.</i> , No. 5:25-cv-00052-RWS (E.D. Tex.)	2004
Jury Trial Transcript, Vol. 4, <i>Maxell, Ltd. v. Samsung Elecs. Co., Ltd.</i> , No. 5:23-cv-00092-RWS (E.D. Tex.)	2005
Complaint, <i>Maxell, Ltd. v. Samsung Elecs. Co., Ltd.</i> , No. 5:25-cv-00052-RWS (E.D. Tex.)	2006
Follow-up Notice Letter to Samsung (April 21, 2025)	2007
Law360 Article, “Maxell Settles Patent Suit Against Apple Over Mobile Tech”	2008
Law360 Article, “Maxell Scores \$43M EDTX Jury Win In ZTE Patent Trial”	2009
Law360 Article, “Maxell, Huawei Reach Terms To End Smartphone Patent Suit”	2010
Hudson Institute Article, “Google’s Loss to Sonos Settles It, Big Tech Has an IP Piracy Problem”	2011
PatentRenewal.com Article, “which-companies-hold-the-most-patents-in-the-world”	2012
Motion for Partial Summary Judgment of Validity Based on Sotera Stipulations, <i>Maxell, Ltd. v. Samsung Elecs. Co., Ltd.</i> , No. 5:23-cv-00092-RWS (E.D. Tex.)	2013

LISTING OF CHALLENGED CLAIMS¹

Claim	Claim Text
[1pre]	A contents reproducing system comprising:
[1a]	a main terminal; and
[1b]	a plurality of subsidiary terminals,
[1c]	wherein the main terminal comprises: a storage storing the contents;
[1d]	[wherein the main terminal comprises...] a first display displaying the contents; and
[1e]	[wherein the main terminal comprises...] a first controller controlling transmission/reception with the subsidiary terminals,
[1f]	wherein the first controller is configured to: store a plurality of device specific identification (ID) information of the subsidiary terminals,
[1g]	[wherein the first controller is configured to...] store a plurality of content information for identifying each of the contents, and
[1h]	[wherein the first controller is configured to...] store

¹ For convenience purposes only, Patent Owner adopts for this Preliminary Response the numbering of claim elements advanced by Petitioners in the Petition (Paper 1). Patent Owner does not concede the appropriateness of such grouping and numbering of claim elements.

	association information for transmitting one of the contents to one of the subsidiary terminals,
[1i]	wherein the association information defines that one of the contents identified by the content information is associated with one of the device specific ID information,
[1j]	wherein the plurality of subsidiary terminals comprise: a second display displaying the content; and
[1k]	[wherein the plurality of subsidiary terminals comprise...] a second controller controlling transmission/reception with the main terminal, the second controller storing device specific ID information for identifying the subsidiary terminal and transmitting the device specific ID information to the main terminal when connecting to the main terminal, and
[1l]	wherein, the main terminal determines whether it is possible to connect to the subsidiary terminal storing the device specific ID information, and transmits the content stored in the storage to the subsidiary terminal which can be connected, based on the association information then the subsidiary terminal reproduces the received content on the second display.
[2]	The contents reproducing system according to claim 1, wherein the main terminal includes a converter down-converting the content and transmits the down-converted content to the subsidiary terminal
[3]	The contents reproducing system according to claim 1,

	wherein the main terminal includes a network interface and acquires the content from an external server via the network interface.
[4pre]	A contents reproducing system comprising:
[4a]	a main terminal;
[4b]	first subsidiary terminal; and
[4c]	second subsidiary terminal,
[4d]	wherein the main terminal comprises: a storage storing the contents;
[4e]	[wherein the main terminal comprises...] a first display displaying the contents; and
[4f]	[wherein the main terminal comprises...] a first controller controlling transmission/reception with the first subsidiary terminal and the second subsidiary terminal,
[4g]	wherein the first controller is configured to: store first device specific identification (ID) information of the first subsidiary terminal and second device specific ID information of the second subsidiary terminal,
[4h]	[wherein the first controller is configured to...] store first content information for identifying first content among the contents and second content information for identifying second content among the contents, and
[4i]	[wherein the first controller is configured to...] store association information for transmitting one of the first content

	or the second content to one of the first subsidiary terminal or the second subsidiary terminal,
[4j]	wherein the association information defines that one of the first content or the second content is associated with one of the first device specific ID information or the second device specific ID information,
[4k]	wherein the first subsidiary terminal comprises: a second display displaying the content; and
[4l]	[wherein the first subsidiary terminal comprises...] a second controller controlling transmission/reception with the main terminal, the second controller storing the first device specific ID information for identifying the first subsidiary terminal and transmitting the first device specific ID information to the main terminal when connecting to the main terminal,
[4m]	wherein the second subsidiary terminal comprises: a third display displaying the content; and
[4n]	[wherein the second subsidiary terminal comprises...] a third controller controlling transmission/reception with the main terminal, the third controller storing the second device specific ID information for identifying the second subsidiary terminal and transmitting the second device specific ID information to the main terminal when connecting to the main terminal, and wherein,
[4o]	when the association information defines that the first content

	is associated with the first device specific ID information and the second content is associated with the second device specific ID information, the main terminal transmits the first content to the first subsidiary terminal and transmits the second content to the second subsidiary terminal, and
[4p]	when the association information defines that the second content is associated with the first device specific ID information and the first content is associated with the second device specific ID information, the main terminal transmits the second content to the first subsidiary terminal and transmits the first content to the second subsidiary terminal.

I. INTRODUCTION

Patent Owner Maxell, Ltd. (“Patent Owner”) respectfully requests that the Director deny institution of the Petition filed by Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (hereinafter “Petitioner” or “Samsung”) challenging the patentability of claims 1-4 (“challenged claims”) of U.S. Patent No. 11,277,650 (“the ‘650 Patent”) (EX1001).

Petitioner has failed to demonstrate a reasonable likelihood of success on the grounds submitted in its Petition. None of the cited references, whether taken alone or in reasonable combination, disclose or render obvious the arrangement of each limitation in the challenged claims. For example, Shindo fails to define an “association information” between content in trigger information 15 and terminal ID in management information 19. *See* EX1004 at ¶¶28, 33–38; *see also id.* at Fig. 1. Sasaki fails to define an “association information” by relying on delimiter information and device-specific terminal identification information. *See* EX1006 at ¶¶57, 129. The Futa-McClellan combination fails to define an “association information” by relying additional information and device IDs. *See* EX1009 at ¶¶146, 169, 171-172, and 212.

Moreover, the Petition is filled with conclusory statements that fail to demonstrate a reasonable likelihood of success on any ground and are neither bolstered nor supported by Dr. Joseph Paradiso's declaration (EX1002), which simply parrots Petitioners' conclusions without additional analysis or evidence. *See* 37 C.F.R. § 42.65(a) ("Expert testimony that does not disclose the underlying facts or data on which the opinion is based is entitled to little or no weight.").

For at least these reasons, Petitioner has failed to meet their burden of showing a reasonable likelihood of prevailing. Accordingly, the Director should deny Petitioners' request to institute *inter partes* review.

II. BACKGROUND

A. Overview of the '650 Patent

The '650 Patent, titled "*Contents Receiving System and Client*," issued from U.S. Application No. 16/855,012, which was filed on April 22, 2020. *See* EX1001 1:7-20. Through a series of applications and issued patents the '650 Patent has a priority date of September 27, 2006, *i.e.*, **the** claimed invention relate to disclosures from almost nineteen years ago demonstrating that the inventors of the '650 Patent were well ahead of their time as they were directed to coordinating the transmission of "subsidiary content in response to user's taste, and to provide each user with the

subsidiary content” by providing a system to coordinate and synchronize display tasks between main and subsidiary terminals. EX1001 2:3-7.

During the time of the '650 Patent's invention, content systems struggled with displaying both main and subsidiary content on a single screen, which made it “relatively difficult for a user to view each content.” EX1001 1:41. The invention is directed to providing main content to be shared among family members to subsidiary terminals using specific ID information and content ID. *See* EX1001 1:61–65; *see also id.* at 2:8–23. The inventors of the '650 Patent were providing solutions for delivering content based on user's preference in 2006, when consumers were accessing content by going to brick and mortar stores like Blockbuster and Netflix was mailing DVDs.

B. Patent Prosecution History

U.S. Patent Application No. 16/855,012—which ultimately issued as the '650 Patent—was filed on April 22, 2020. This application is the latest in a long chain of continuation applications dating back to U.S. Application No. 11/861,390, filed on September 26, 2007. The '650 Patent claims foreign priority to Japanese Patent Application No. 2006-261645, filed on September 27, 2006.

The '650 Patent is the result of a thorough examination where the Examiner considered prior art analogous to that in the Petition and found the invention patentable. *See* EX1003 at 23, 210, 251–54. During prosecution, the Examiner issued rejections over a combination of references. *See id.* at 115–25, 197–209.

And Reichman et al disclose the first controller storing device specific ID information of the plurality of the subsidiary equipments, and storing a plurality of information for identifying the content to be transmitted to the subsidiary equipments in association with the device specific ID information; the second controller storing device specific ID

Id. at 121–122; *see also id.* at 206.

In response, the Applicant amended the claims to clarify the core invention: a main terminal that stores “association information” linking specific content to specific device IDs and then uses that stored association to determine which content to transmit to which terminal. *See id.* at 93–114. The Examiner found these arguments persuasive. *See id.* at 17–25 (stating “[t]he art of record did not teach or suggest the claims taken as whole”). The Notice of Allowance, particularly pointed to the prior art failing to teach the claimed controller that stores and uses “association information” where that information “defines that one of the contents...is associated with one of the device specific ID information” to transmit the correct content. *See*

id. at 22. The Petition now asks the Office to review the very same arguments using similar art that the Office already reviewed and found the claims patentable. Thus, the Director should decline to institute review.

C. Summary of Petitioner's Proposed Grounds for Unpatentability

Petitioner alleges that claims 1–4 of the '650 Patent would have been obvious under pre-AIA 35 U.S.C. § 103 and raises three grounds of alleged unpatentability. *See* Pet. at 1. The alleged invalidity grounds are summarized as follows:

Ground	'650 Claims	Type of Challenge	References
1	1-4	§ 103	Shindo
2	1-4	§ 103	Sasaki
3	1-4	§ 103	Futa in review of McClellan

D. Petitioner's Relied-Upon References

The three grounds relied upon by Petitioner are summarized as follows:

1. Overview of Shindo (EX1004)

WO 2005/094080 ("Shindo"), published on October 6, 2005, is generally directed to a "linked display system composed of an accumulation display device as a main display device, and mobile information terminals A and B as sub-display devices." EX1004 at ¶19. Shindo discloses a stand alone display device 1 receiving

program content, including “index information” specifying scenes and “trigger information” indicating available playback modes (*e.g.*, replay). *See id.* at ¶7. Specifically, Shindo discloses the stand alone display device 1 establishing a connection with a mobile information terminal A or B, receiving “management information19” including “mode information 25” being replays or highlights. *See id.* at ¶33; *see also id.* at Figs. 1, 7, and 9. When the stand alone display device 1 detects mode information 25 in management information 19 and matching mode information 16 in trigger information 15, it retrieves snippets of the program content as replays, highlights, or partial program content for transmission and display on mobile information terminal A or B. *See id.* at ¶¶28, 33, and 42.

2. Overview of Sasaki (EX1006)

Japanese Patent Appl. Pub. No. 2003-208375 (“Sasaki”), published on July 25, 2003, is generally directed to a system that “divides content into portions according to the free memory capacity of the content area of a personal digital assistant [PDA].” EX1006 at Abstract; *see also id.* at ¶57. Specifically, Sasaki discloses that PDA 2 does not have the same memory capacity as PC home server device 1; as such, segments (*e.g.*, portions) of content is transmitted to PDA 2 as delimiter information. *See id.* at ¶71. The PC home server device 1 transmits the

segment of content after it verifies the display and memory capacity of PDA 2. *See id.* at ¶132. The segment of content is, for example, a paragraph, chapter, article, or one to several lines of an electronic newspaper. *See id.* at ¶139.

3. Overview of Futa (EX1009)

U.S. Patent Appl. Pub. No. 2004/0010687 (“Futa”), published on January 15, 2004, is generally directed to a “content distributing system ... composed of a broadcast receiving device, a TV, a PC, [and] a data-communication controlling device.” EX1009 at ¶49. However, while Futa discloses using “judgment tables” for authorization, it does not teach or suggest using stored association information to define a link between a specific content and a specific device to determine transmission.

Specifically, Futa describes the data-communication controlling device storing “judgment tables each of which includes additional information and a device ID of a reception device belonging to a category specified as being permitted to use content having the additional information.” EX1009 at Claim 15. When routing content, the device authenticates the receiving device using its ID and certificate, checks the content's additional information, selects the corresponding judgment table, and determines if the receiving device's ID is present in the table to permit or

prohibit transmission. *See* EX1009 at Claim 1. The reference focuses on this category-based authorization.

4. Overview of McClellan (EX1010)

U.S. Patent No. 5,619,250 (“McClellan”) is generally directed to an operating system for set top box utilizing dynamic system upgrades. *See* EX1010 at 1:25–30. McClellan discloses that the OS comprises “modules of code wherein each module of code performs a particular function.” EX1010 at Claim 1. Specifically, McClellan describes downloading new system modules and adding corresponding “description records” to a “configuration description block,” allowing the system to use the new module without restarting. EX1010 at 4:13-49. The reference focuses on this modular architecture for real-time system upgrades.

III. LEVEL OF ORDINARY SKILL

Petitioner proposes that a person of ordinary skill in the art (POSITA) would have had a “Bachelors’ degree in electrical or computer engineering, computer science, or a comparable field of study, plus approximately two or more years of experience with content distribution for or over networked systems or other relevant experience” Pet. at 3; *see also* EX1002 at ¶52.

For the purposes of this Preliminary Response, Patent Owner does not contest that the relevant fields of art include computer science and electrical or computer engineering with experience in networked systems. While Patent Owner may not agree with the precise level of experience proposed by Petitioner, these differences need not be resolved at this stage. Patent Owner reserves the right to provide further evidence and argument on this issue at a later time. The prior art cited by the Petitioner would have been understood by a POSITA under either definition.

IV. CLAIM CONSTRUCTION

For purposes of this Preliminary Response, Patent Owner also applies the plain and ordinary meaning of all terms.

V. LEGAL STANDARD

A claim is also not patentable if the differences between the claim and the prior art are such that the subject matter as a whole would have been obvious to a person of ordinary skill in the art at the time of the invention. 35 U.S.C. § 103(a) (pre-AIA). Obviousness requires assessing (1) the “level of ordinary skill in the pertinent art,” (2) the “scope and content of the prior art,” (3) the “differences between the prior art and the claims at issue,” and (4) “secondary considerations” of non-obviousness such as “commercial success, long felt but unsolved needs, failure

of others, etc.” *KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 406 (2007) (quoting *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1, 17-18 (1966)).

It is the petitioner’s burden to prove unpatentability, *E.I DuPont de Nemours & Co. v. Synvina C.V.*, 904 F.3d 996, 1007 (Fed. Cir. 2018), and “to demonstrate both ‘that a skilled artisan would have been motivated to combine the teachings of the prior art references to achieve the claimed invention, and that the skilled artisan would have had a reasonable expectation of success in doing so.’” *Intelligent Bio-Systems, Inc. v. Illumina Cambridge Ltd.*, 821 F.3d 1359, 1367-68 (Fed. Cir. 2016) (quotations and citations omitted). However, petitioners must first show that all of the claimed elements are disclosed in the prior art. *See Medichem, S.A. v. Rolabo, S.L.*, 437 F.3d 1157, 1164 (Fed. Cir. 2006) (considering motivation to combine and reasonable expectation of success only “if all the elements of an invention are found in a combination of prior art references”).

VI. THE PETITION DOES NOT SHOW A LIKELIHOOD OF PREVAILING WITH RESPECT TO ANY CHALLENGED CLAIM

In addition to the grounds already presented in Patent Owner’s Request for Discretionary Denial, institution should be denied because Petitioner does not establish a reasonable likelihood of prevailing against any challenged claim.

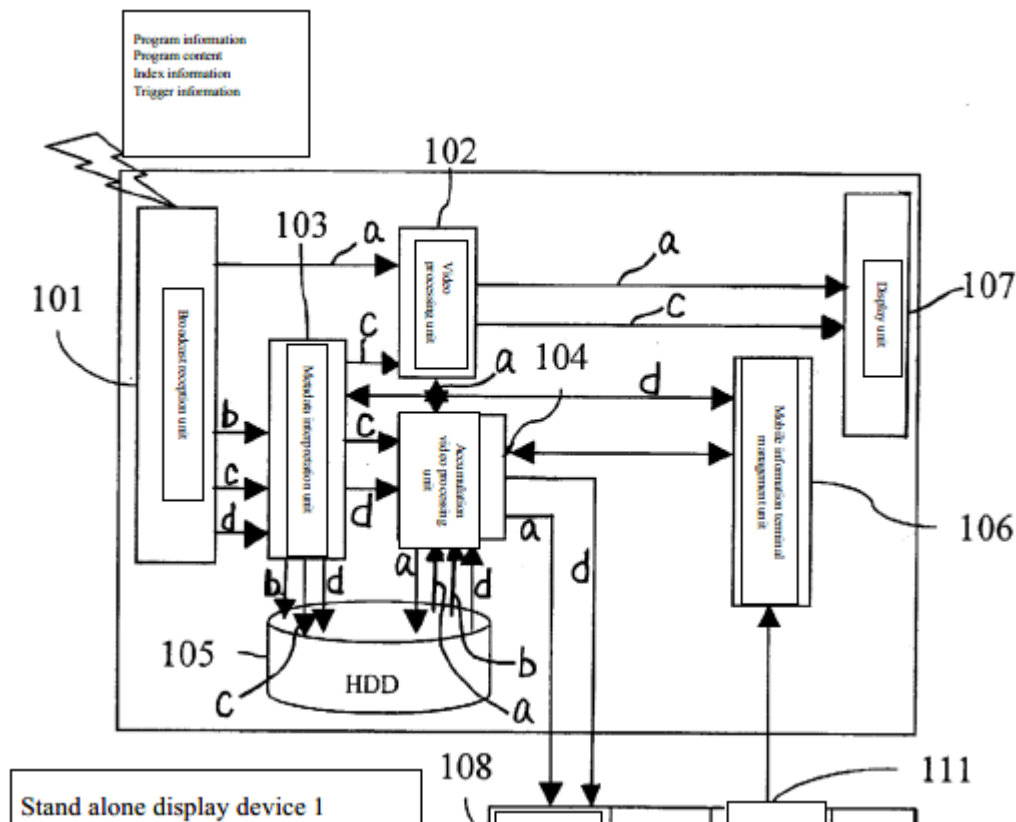
A. Ground 1: Petitioner Fails to Establish That Claims 1-4 Would Have Been Obvious Based on Shindo

Petitioner has not shown a reasonable likelihood of prevailing on Ground 1 because Shindo fails to disclose key features of the '650 Patent's invention. As detailed below, the Petition's mapping of Shindo to the challenged claims fails at least for the following reasons.

1. Petitioner Fails to Establish That Claim Limitation [1f] Would Have Been Obvious In View of Shindo

The Petition's mapping of this limitation is superficial and ignores the specifics required by the claim. Claim limitation [1f] recites that the first controller is configured to "store a plurality of device specific identification (ID) information of the subsidiary terminals." Petitioner fails to establish this limitation.

Petitioner's allege that terminal ID 20 in Management information 19 corresponds to the "plurality of device specific identification (ID) information." *See* Pet. at 12. Petitioner does not point to any storage device in stand alone display device 1 for this limitation's discussion. *See id.* Patent Owner is left to assume that HDD 105 is the storage as that is the storage of stand alone display device 1. *See id.* at 7.



EX1004 at Fig. 1

Shindo discloses that HDD 105 accumulates program contents, index information 10, partial program content, and trigger information 15. See EX1004 at ¶¶20, 24, 26, 28, 33; see also *id.* at Fig. 1. **However, management information 19 is only stored in either mobile information terminal A or B—it is not stored in HDD 15 of the stand alone main display device 1.** See *id.* at ¶40; see also *id.* at Fig. 1. Specifically, the management information 19 is stored in the terminals that

Petitioner has mapped as the claimed “subsidiary terminals” not the claimed “main terminals.” As such, terminal ID 20 contained in management information 19 does not meet “store a plurality of device specific identification (ID) information” since management information 19 is only stored in either mobile information terminal A or B. *See id.* at Fig. 9; *see also id.* at ¶42. Fig. 1 of Shindo provides no indication that management information 19 is stored in HDD 15 of the stand alone main display device 1 since only “signal lines a” indicating program content, “signal lines b” indicating index information 10, “signal lines c” indicating trigger information 15, and “signal lines d” indicating program information are stored in HDD 105. *See id.* at ¶20; *see also id.* at Fig. 1.

Petitioner also alleges that “the terminal ID, the owner’s name, and the user’s name . . . also constitute the claimed ‘device specific ID information,’” but Petitioner never provides any evidence of these being saved in HDD 15. *See Pet.* at 13. Moreover, claim 1 recites a main terminal comprising “a first controller” configured to “store a plurality of device specific identification (ID) information of the subsidiary terminals.”

The Petition provides no explanation or evidence that any **controller** within “stand alone display device 1” is configured to store management information 19,

terminal ID, owner's name, and/or the user's name. Indeed Shindo's disclosure is completely silent as to the presence of any "controller" let alone a controller configured to perform the claimed storing. Indeed, beyond conclusory assertions, there is no evidence provided by the Petitioners that a "stand alone display device 1," such as a **television** having "broadcast reception unit" 101 and similar broadcast type functions would include any such controller in the 2006 timeframe.

Petitioner mischaracterizes Shindo when alleging that "[t]he terminal ID 20 is invoked when display device 1 sends content to mobile information terminals A-B in accordance with the mode information associated with the terminal ID," or "terminal ID 20 is used by display device 1 for identifying the correct playback mode when sending content to the terminal associated with a given terminal ID." Pet. at 13 (citing to EX1004, ¶40). While mobile information terminal management unit 106 makes an inquiry regarding mobile information terminal A or B, it is only interested in extracting mode information 25 in management information 19 to compare against mode information 16 in trigger information 15—terminal ID 20 is not used for any comparison and has no significance. *See* EX1004 at ¶33; *see also id.* at Figs. 1, 7, and 9. For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [1f] would have

been rendered obvious in view of Shindo.

2. Petitioner Fails to Establish That Claim Limitation [1h] Would Have Been Obvious In View of Shindo

The Petition attempts to create the claimed “association information” by combining disparate pieces of data in Shindo that are never associated in the manner required by the claims. Claim limitation [1h] recites that the first controller is configured to “store association information for transmitting one of the contents to one of the subsidiary terminals.” Petitioners fail to establish this limitation. First, the Petition provides no evidence that the “stand alone display device 1,” such as a **television** includes a controller when Shindo’s disclosure is completely silent as to the presence of any such “controller.”

Second, Petitioner alleges that the claimed “association information” is, collectively, the trigger information 15, the index information 10, and management information 19. See Pet. at 17. Petitioner fails to show how index information 10 is used for any association purposes, let alone the claimed “association information”—it is not. Petitioner has identified metadata interpretation unit 103 extracting and comparing “mode information 16” in trigger information 15 and “mode information 25” in management information 19 for the existence of a corresponding mode (*i.e.*,

mode information 16 and 25 being “Replay”). *See* Pet. at 19 (citing to EX1004 at ¶¶28, 33). Petitioner’s allegations do not point to the collective use of index information 10, trigger information 15, and management information 19; instead, a comparison is made solely using mode information 16 and mode information 25. *See id.* In contrast, the plain and ordinary meaning of “association information” requires there to be an association that “defines that one of the contents identified by the content information is associated with one of the device specific ID information.” There is no such association between content and device specific ID defined by trigger information 15, index information 10, and management information 19. Indeed, the fact that the Petition relies on three different types of information to allegedly map to the claimed “association information” plainly demonstrates that the Petitioner tacitly admits that there is no piece of information disclosed in Shindo that defines such an association.

Furthermore, Petitioner alleges that the metadata interpretation unit 103 detecting the index information 10 based on specified index ID 17 in trigger information 15 together with accumulation video processing unit 104 rearranging partial program content for transmission to mobile information terminal using linked trigger information 15, index information 10, and partial program content is the

claimed “association information.” *See* Pet. at 19–20 (citing to EX1004 at ¶¶33–38). Once again, cobbling through different disclosures in Shindo about information that has completely different functions *i.e.*, triggering or indexing—in an attempt to provide conclusory assertions of obviousness. Further, the detection of specified index ID 17 in trigger information 15 and rearranging partial program content based on linked information are both performed using information solely contained in HDD 105—not involving any information from mobile information terminal—, which is different from the detection of mode information 16 in trigger information 15 and mode information 25 in management information 19 because stand alone display device 1 obtains mode information 25 from mobile information terminal to perform a comparison.

As such, detection of specified index ID 17 in trigger information 15 and rearranging partial program content based on linked index information 10, trigger information 15, and partial program content do not meet the claimed “association information” because beyond conclusory assertions—the Petition provides no evidence that the collection of disparate pieces of information each having disparate functions in Shindo correspond to the claimed association information whose function—as claimed—is to define an association between “contents identified by

the content information” and “device specific ID information.”

Moreover, as stated *supra* §VI.A.1 (claim limitation [1f]), none of the data in management information 19 is stored in HDD 105 since only program content, index information 10, trigger information 15, and program information are stored in HDD 105. *See* EX1004 at ¶20; *see also id.* at Fig. 1. Further, there is no disclosure of a “first controller” configured to store such association information when Shindo is silent as to the present of any “controller.” In fact, the entirety of Shindo is completely silent to presence of any “controller.” While metadata interpretation unit 103 compares mode information 16 in trigger information 15 with mode information 25 in management information 19, only mode information 16 is stored in HDD 105—not mode information 25. *See id.* at ¶¶28, 31–38. Thus, the collective index information 10, trigger information 15, and management information 19 also do not meet the claimed “association information.”

In addition, mobile information terminal A or B do not receive one of the program contents; instead it receives rearranged partial program content or reconstructed program content (*i.e.*, replays or highlights being **portions** from one program content), which is not one program content being the claimed “one of the contents.” *See* EX1004 at ¶¶20, 28, 33–37. Petitioner agrees that the claimed

“contents” is program contents; therefore, “one of the contents” is not one or more scenes of content, but it is one program content—from many program contents. *See* Pet. at 26. Petitioner appears to be pointing to different pieces of content across the various claim limitations without providing any explanation on how this meets the claim limitations. Petitioner appears to construe “one of the contents” as a portion of the content (*see* Pet. at 17), but they have provided no support for their proposed construction of the claimed “one of the contents.” Therefore, Petitioner has failed to show that mobile terminal A or B receive one of the program content, as required by the claimed “one of the contents.”

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [1h] would have been rendered obvious in view of Shindo.

3. Petitioner Fails to Establish That Claim Limitation [1i] Would Have Been Obvious In View of Shindo

This limitation recites the specific definition of the “association information,” which Shindo lacks. Claim limitation [1i] recites “wherein the association information defines that one of the contents identified by the content information is associated with one of the device specific ID information” Petitioner fails to

establish that claim limitation [1i] would be obvious in view of Shindo.

As an initial matter, and as stated *supra* §VI.A.1–2 (claim limitations [1f] & [1h]), management information 19 and none of its data are stored in HDD 105. Nor is there a “first controller” that is configured to store association information. Therefore, the collective index information 10, trigger information 15, and management information 19 do not meet the claimed “association information.” In addition, one or more scenes of content is not the claimed “one of the contents.”

Petitioner alleges that the claimed “one of the contents” is one or more scenes of content, “content information” is content ID, and “device specific ID information” is terminal ID. *See* Pet. at 20. However, the association information stored in HDD 105 cannot define one or more scenes of content from content ID in program content because the data structure in HDD 105 includes program content, index information 10, trigger information 15, and program information—not management information 19 or any data therein. *See* EX1004 at ¶¶20, 24, 26–30, 33–38; *see also id.* at Figs. 1, 5–8.

Petitioner agrees that Shindo discloses metadata interpretation unit 103 extracting and comparing “mode information 16” in trigger information 15 and “mode information 25” in management information 19 for the existence of a

corresponding mode (*i.e.*, mode information 16 and 25 being “Replay”) for the transmission of rearranged partial program content to mobile information terminal. *See* Pet. at 19–20 (citing to EX1004 at ¶¶28, 33–38). However, Petitioner mischaracterizes Shindo’s systems when alleging that an association is performed between program ID 11 in trigger information 15 and terminal ID 1 in management information 19. *See* Pet. at 21. Contrary to Petitioner’s allegations, terminal ID in management information 19 is never referred to in any association functions performed by metadata interpretation unit 103, neither is terminal ID referred to in any linking association functions performed by accumulation video processing unit 104—this is because terminal ID is irrelevant to any association. *See* EX1004 at ¶¶28, 33–38; *see also id.* at Fig. 1.

A POSITA would understand that Shindo is solely interested in verifying that a match exists with the mode information in both trigger information 15 and management information 19—not terminal ID—for transmission of replays or highlights once mobile information terminal management unit 106 accepts a connection request. *See id.* at ¶¶5–6, 33–38, 40, 42; *see also id.* at Figs 1, 9. Shindo does not disclose that management information 19 is accumulated in HDD 105 of stand alone display device 1; it is only stored in mobile information terminal. *See id.*

at ¶40; *see also id.* at Fig. 1. As such, Petitioner's attempt to force a connection where none exists does not meet the burden of proving a proposition of unpatentability.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [1i] would have been rendered obvious in view of Shindo.

4. Petitioner Fails to Establish That Claim Limitation [1j] Would Have Been Obvious In View of Shindo

Claim limitation [1j] recites “wherein the plurality of subsidiary terminals comprise: a second display displaying the content.”

Petitioner has not demonstrated how the second display in the mobile information terminal A or B displaying reconstructed program content meets the claimed “displaying **the** content.” *See* Pet. at 22. There is no explanation provided by Petitioner on how the reconstructed program content correspond to **the** program content identified in the Petition for claim limitation [1d]. Instead, in claim limitation [1j], Petitioner points to snippets (*e.g.*, starttime and finishtime), which are described as “rearranged,” “partial,” or “reconstructed” by Shindo). *See* EX1004 at ¶¶21–22, 26, 28, 34, 37. There is no analysis provided on how “plurality of subsidiary

terminals [of Shindo]" include "a second display displaying **the** content" that Petitioner identifies as program content displayed on display unit 107 of stand alone display device 1. Instead, Petitioner points to difference pieces of content, *i.e.*, program content in [1d] and snippets in [1j], without ever addressing the antecedent basis in claim 1. *See id.* at ¶¶5–8. Thus, Petitioner fails to show that mobile information terminal A or B display the program content displayed on stand alone display device 1, as required by the claimed "content" of claim 1.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [1j] would have been rendered obvious in view of Shindo.

5. Petitioner Fails to Establish That Claim Limitation [1k] Would have Been Obvious In View of Shindo

Claim limitation [1k] recites "[wherein the plurality of subsidiary terminals comprise: . . .] a second controller controlling transmission/reception with the main terminal, the second controller storing device specific ID information . . . and transmitting the device specific ID information to the main terminal when connecting to the main terminal."

Petitioner alleges that collectively reception unit 108 and instruction unit 111 as second controller control transmission/reception with the main terminal even though Shindo is completely silent as to the presence of a “controller.” See Pet. at 23. Specifically, Petitioner alleges that reception unit 108 controls the reception of information from stand alone display device 1. See *id.* at 23–24 (citing to EX1004 at ¶¶20, 42; see also *id.* at Fig. 1. However, contrary to instruction unit 111 sending a connection request—indicative of control—to mobile information terminal management unit 106 in stand alone display device 1 to connect and only send management information 19, reception unit 108 makes no such control of reception. See *id.* at ¶¶42, 45; see also *id.* at Fig. 1. This is because Shindo only discloses that it receives the input of the reconstructed program content from the accumulation video processing unit 104. See *id.* It is, rather, accumulation video processing unit 104 that controls the reception of partial program content to reception unit 108. See *id.* at ¶¶34, 37, 40, 42; see also *id.* at Fig. 1.

As such, Petitioner fails to show that the collective reception unit 108 and instruction unit 111 control reception with stand alone display device 1.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [1k] would have been

rendered obvious in view of Shindo.

6. Petitioner Fails to Establish That Claim Limitation [11] Would Have Been Obvious In View of Shindo

Claim limitation [11] recites “wherein, the main terminal determines whether it is possible to connect to the subsidiary terminal... and transmits the content... based on the association information.” Petitioner fails to establish this limitation.

For the same reasons provided *supra* §VI.A.2–4 (claim limitations [1h], [1i], and [1j]), Petitioner fails to establish claim limitation [11] because no association information and content has been shown. Therefore, Shindo’s main terminal cannot possibly perform the function required by claim limitation [11], which is to determine a connection with a mobile information terminal and transmit partial program content based on a non-existent association information because the terminal ID is never used to match mode information. *See* EX1004 at ¶33. The Petition fails to explain how Shindo’s stand alone display device 1 could make a determination based on a data structure in HDD 105 that Shindo does not possess. The expert declaration offers no insight, merely repeating the Petition’s conclusory allegations.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [11] would have been

rendered obvious in view of Shindo.

7. Petitioner Fails to Establish That Claim 2 Would Have Been Obvious In View of Shindo

Claim 2 recites: “[t]he contents reproducing system according to claim 1, wherein the main terminal includes a converter down-converting the content and transmits the down-converted content to the subsidiary terminal.”

Because claim 2 depends from claim 1, it includes all of the limitations that Shindo fails to teach, as detailed *supra* §VI.A.1–6 (claim limitations [1f], [1h], [1i], [1j], [1k], and [1l]). Petitioner’s argument for claim 2 fails for at least these same reasons. Petitioners’ arguments regarding the additional limitation of a “converter down-converting the content” cannot cure the fundamental deficiencies in Shindo.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim 2 would have been rendered obvious in view of Shindo.

8. Petitioner Fails to Establish That Claim 3 Would Have Been Obvious In View of Shindo

Claim 3 recites: “[t]he contents reproducing system according to claim 1, wherein the main terminal includes a network interface and acquires the content from an external server via the network interface.”

Because claim 3 depends from claim 1, it includes all of the limitations that Shindo fails to teach, as detailed *supra* §VI.A.1–6 (claim limitations [1f], [1h], [1i], [1j], [1k], and [1l]). Petitioner's argument for claim 3 fails for at least these same reasons. Petitioner's arguments regarding the additional limitation of a “network interface” do not cure the fundamental deficiencies in Shindo.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim 3 would have been rendered obvious in view of Shindo.

9. Petitioner Fails to Establish That Claim Limitation [4g] Would Have Been Obvious In View of Shindo

Claim limitation [4g] recites that the first controller is configured to “. . . store first device specific identification (ID) information of the first subsidiary terminal and second device specific ID information of the second subsidiary terminal.”

For, at least, the same reasons provided in *supra* §VI.A.1 (claim limitation [1f]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4g] would have been rendered obvious in view of Shindo.

10. Petitioner Fails to Establish That Claim Limitation [4i] Would Have Been Obvious In View of Shindo

Claim limitation [4i] recites “. . . store association information for

transmitting one of the first content or the second content to one of the first subsidiary terminal or the second subsidiary terminal.”

For, at least, the same reasons provided in *supra* §VI.A.2 (claim limitation [1h]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4i] would have been rendered obvious in view of Shindo.

11. Petitioner Fails to Establish That Claim Limitation [4j] Would Have Been Obvious In View of Shindo

Claim limitation [4j] recites “wherein the association information defines that one of the first content or the second content is associated with one of the first device specific ID information or the second device specific ID information.”

For, at least, the same reasons provided in *supra* §VI.A.3 (claim limitation [1i]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4j] would have been rendered obvious in view of Shindo.

12. Petitioner Fails to Establish That Claim Limitation [4k] Would Have Been Obvious In View of Shindo

Claim limitation [4k] recites “wherein the first subsidiary terminal comprises: a second display displaying the content.”

For, at least, the same reasons provided in *supra* §VI.A.4 (claim limitation [1j]), Petitioner fails to show a reasonable likelihood of success in establishing that

claim limitation [4k] would have been rendered obvious in view of Shindo.

13. Petitioner Fails to Establish That Claim Limitation [4l] Would Have Been Obvious In View of Shindo

Claim limitation [4l] recites “[wherein the first subsidiary terminal comprises . . .] a second controller controlling transmission/reception with the main terminal, the second controller storing the first device specific ID information . . . and transmitting . . . to the main terminal when connecting to the main terminal.”

For, at least, the same reasons provided in *supra* §VI.A.5 (claim limitation [1k]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4l] would have been rendered obvious in view of Shindo.

14. Petitioner Fails to Establish That Claim Limitation [4m] Would Have Been Obvious In View of Shindo

Claim limitation [4m] recites “wherein the second subsidiary terminal comprises: a third display displaying the content.”

For, at least, the same reasons provided in *supra* §VI.A.4 (claim limitation [1j]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4m] would have been rendered obvious in view of Shindo.

15. Petitioner Fails to Establish That Claim Limitation [4n] Would Have Been Obvious In View of Shindo

Claim limitation [4n] recites “[wherein the second subsidiary terminal comprises . . .] a third controller controlling transmission/reception with the main terminal, the third controller storing the second device specific ID information . . . and transmitting . . . to the main terminal when connecting to the main terminal.”

For, at least, the same reasons provided in *supra* §VI.A.5 (claim limitation [1k]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4n] would have been rendered obvious in view of Shindo.

16. Petitioner Fails to Establish That Claim Limitation [4o] Would Have Been Obvious In View of Shindo

Claim limitation [4o] recites “when the association information defines that the first content is associated with the first device specific ID information and the second content is associated with the second device specific device ID information, the main terminal transmits the first content to the first subsidiary terminal and transmits the second content to the second subsidiary terminal.”

For, at least, the same reasons provided in *supra* §VI.A.6 (claim limitation [1l]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4o] would have been rendered obvious in view of Shindo.

17. Petitioner Fails to Establish That Claim Limitation [4p] Would Have Been Obvious In View of Shindo

Claim limitation [4p] recites “when the association information defines that the second content is associated with the first device specific ID information and the first content is associated with the second device specific device ID information, the main terminal transmits the second content to the first subsidiary terminal and transmits the first content to the second subsidiary terminal.”

For, at least, the same reasons provided in *supra* §VI.A.6 (claim limitation [11]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4p] would have been rendered obvious in view of Shindo.

B. Ground 2: Petitioner Fails to Establish That Claims 1-4 Would Have Been Obvious Based on Sasaki

Petitioner has not shown a reasonable likelihood of prevailing on Ground 2 because Sasaki fails to disclose key features of the '650 Patent's invention. As detailed below, Sasaki fails to teach the core association and determination logic of the '650 Patent.

1. Petitioner Fails to Establish That Claim Limitation [1pre] Would have Been Obvious In View of Sasaki

Claim limitation [1pre] recites “[a] contents reproducing system comprising.”

Petitioner fails to establish what “[a] contents” is in Sasaki. Petitioner fails to establish this limitation.

For example, Petitioner alleges that Figs 1 and 2 of Sasaki describe a PC home server device 1, one or more personal digital assistants (PDAs) as the reproducing system; however, nowhere does Petitioner provide an explanation of what the contents would be in Sasaki. *See* Pet. at 37–38.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [1pre] would have been rendered obvious in view of Sasaki.

2. Petitioner Fails to Establish That Claim Limitation [1h] Would Have Been Obvious In View of Sasaki

Claim limitation [1h] recites that the first controller is configured to “store association information for transmitting one of the contents to one of the subsidiary terminals.” Petitioner fails to establish this limitation.

As an initial matter, while there is disclosure of a “display controller” in Sasaki, Petitioner does not point to any evidence that a **controller** that is configured to store association information.

Petitioner alleges that the claimed “the contents” is electronic newspapers. *See* Pet. at 40. In addition, Petitioner alleges that the claimed “plurality of content information” is content identification information. *See id.* at 45. Moreover, Petitioner alleges that the claimed “association information” is delimiter information, and “one of the contents” is lines of an electronic newspaper. *See id.* at 46. Petitioner alleges that “one of the contents” is lines of an electronic newspaper, the last paragraph, chapter, or last few lines of transmission information segment (*i.e.*, portions of the content), but Petitioner fails to explain how portions of content meets the required “one of the contents” displayed on PDA 2.

For example, Sasaki discloses that PDA 2 does not have the same memory capacity as PC home server device 1; therefore, **segments** (*e.g.*, article, paragraphs, chapters) of the electronic newspaper is transmitted to PDA 2. *See* EX1006 at ¶71 (emphasis added). Specifically, CPU 101 refers to the display information from the PDA 2 to match its capabilities, and CPU 101 calculates and generates the **content segment** such that the free memory capacity of PDA 2 is not exceeded. *See id.* at ¶132 (emphasis added). The **last part of the content segment** (*e.g.*, paragraph, chapter, article, or one to several lines) is stored as previous delimiter information. *See id.* at ¶139. In addition, content segment (*i.e.*, portions of the content or content

part) is stored in data memory 214 of PDA 2, and when the user requests the continuation of the previously requested content segment, data memory 214 is erased so that PDA 2 frees up memory capacity for PC home server device 1 to send the next content segment (*e.g.*, one or several lines of information) according to a new content distribution request. *See id.* at ¶¶101–104. As such, PDA 2 does not receive electronic newspaper in PC home server device 1 since it, instead, receives segments of the electronic newspaper after which the segments are erased to accept a new segment according to the display and memory capacity of PDA 2. Petitioner appears to be pointing to different piece of content across the various claim elements without providing any explanation on how this meets the claim elements. Petitioner appears to construe “one of the contents” as a portion of the content (*see* Pet. at 46), but Petitioner provides no support for their proposed construction of the claimed “one of the content.”

Since the claimed “association information” requires the transmission of one of the contents being one electronic newspaper, delimiter information cannot be an “association information” because it only transmits a segment (*e.g.*, lines of an electronic newspaper). *See* Pet. at 72 (citing EX1006 at ¶¶57, 72, 78).

Furthermore, as Sasaki explains, the delimiter information is stored to “identify[] the last part of the transmission information segment previously transmitted.” EX1006 at ¶57. The delimiter information is simply a bookmark, not an association map. **The Petition fails to point how the delimiter information contains any association information** between the entirety of the electronic newspaper and PDA 2.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [1h] would have been rendered obvious in view of Sasaki.

3. Petitioner Fails to Establish That Claim Limitation [1i] Would Have Been Obvious In View of Sasaki

Claim limitation [1i] recites “wherein the association information defines that one of the contents identified by the content information is associated with one of the device specific ID information.” Petitioner fails to establish this limitation.

As an initial matter, for the same reasons provided in *supra* §VI.B.2, Petitioner fails to establish the claimed “association information.” Indeed, Petitioner has provided no explanation how “portion of content” meets the claimed “one of the contents.” See Pet. at 48. In addition, delimiter information is just a bookmark for

identifying the last part of the transmission information segment. *See* EX1006 at ¶¶57, 72. In addition, Petitioner does not point to a **controller** that is configured to store association information.

The delimiter information does not contain any data relating content identification information, content information, or device-specific terminal identification information because PC home server device 1 already searched the distribution request source identification information to obtain the content identification information, content information, and device-specific terminal identification information before it obtains the delimiter information. *See id.* at ¶129. In other words, PC home server device 1 did not extract content identification information, content information, or device-specific terminal identification information from delimiter information.

For example, Petitioner alleges that the claimed “one of contents” is a portion of electronic newspaper, “content information” is content identification information, and “device specific ID information” is device-specific terminal identification information. *See* Pet. at 48. This claim limitation requires that “the association information defines that one of the contents . . . is associated with one of the device specific ID information.” The delimiter information, however, does not define how

a portion of the electronic newspaper is linked or associated with the device-specific terminal identification information—it only provides lines of a newspaper or its position. *See* EX1006 at ¶57. That is, Sasaki's delimiter information only defines a portion or a stopping point of an electronic newspaper. *See id.*

Sasaki's purpose is portion of content resumption. *See id.* at ¶¶101–104. Sasaki's system is designed to solve the problem of distributing large files to devices with limited memory. *See id.* The PC home server device 1 sends a chunk of data, and the delimiter marks where it left off. *See id.* at ¶¶71–74, 124–139. This is functionally different from the claimed “association information,” which defines a persistent link between a content and a device specific ID information for the purpose of determining a destination for content.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [1i] would have been rendered obvious in view of Sasaki.

4. Petitioner Fails to Establish That Claim Limitation [1j] Would Have Been Obvious In View of Sasaki

Claim limitation [1j] recites “wherein the plurality of subsidiary terminals comprise: a second display displaying the content.”

All Petitioner has done is identify display 205. Pet. at 49. Petitioner has not demonstrated how display 205 in the PDA 2 displays “the content.” *See* Pet. at 49. In fact, Petitioner is silent regarding what is the content even though Petitioner previously defined it as portion of content or segmented content. *See* Pet. at 49–50; *see also id.* at 48. There is no explanation provided by Petitioner on how portions of or segmented content correspond to electronic newspaper identified in claim limitation [1d]. Instead, in claim limitation [1j], Petitioner points to segmented content being displayed on display 205. There is no analysis provided on how “plurality of subsidiary terminals [of Sasaki]” include “a second display displaying **the** content. The antecedent basis simply requires that the second display of the subsidiary terminals displays **the** content that is displayed on the main terminal. Petitioner concedes that “the content” (*i.e.*, electronic newspaper in PC) is not being displayed on display 205.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [1j] would have been rendered obvious in view of Sasaki.

5. Petitioner Fails to Establish That Claim Limitation [1l] Would Have Been Obvious In View of Sasaki

Claim limitation [1l] recites “wherein, the main terminal determines whether it is possible to connect to the subsidiary terminal... and transmits the content... based on the association information.” Petitioner fails to establish this limitation.

For the same reasons provided *supra* §VI.B.1–4 (claim limitations [1pre], [1h], [1i], and [1j]), Petitioner fails to establish claim limitation [1l] because no association information is shown. Therefore, Sasaki’s main terminal cannot perform the function required by claim limitation [1l], which is to determine a connection with PDA 2 and transmit a portion of or segmented content based on Petitioner’s non-existent association information because the delimiter information does not associate the device-specific terminal identification information with the portion of or segmented content.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [1l] would have been rendered obvious in view of Sasaki.

6. Petitioner Fails to Establish That Claim 2 Would Have Been Obvious In View of Sasaki

Claim 2 recites: “[t]he contents reproducing system according to claim 1,

wherein the main terminal includes a converter down-converting the content and transmits the down-converted content to the subsidiary terminal.”

Because claim 2 depends from claim 1, it includes all of the limitations that Sasaki fails to teach, as detailed *supra* §VI.B.1–5 (claim limitations [1pre], [1h], [1i], [1j], and [1l]). Petitioner's argument for claim 2 fails for at least these same reasons. Petitioner's arguments regarding the additional limitation of a “converter down-converting the content” cannot cure the fundamental deficiencies in Sasaki.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim 2 would have been rendered obvious by Sasaki.

7. Petitioner Fails to Establish That Claim 3 Would Have Been Obvious In View of Sasaki

Claim 3 recites: “[t]he contents reproducing system according to claim 1, wherein the main terminal includes a network interface and acquires the content from an external server via the network interface.”

Because claim 3 depends from claim 1, it includes all of the limitations that Sasaki fails to teach, as detailed *supra* §VI.B.1–5 (claim limitations [1pre], [1h], [1i], [1j], and [1l]). Petitioner's argument for claim 3 fails for at least these same reasons.

Petitioner's arguments regarding the additional limitation of a "network interface" do not cure the fundamental deficiencies in Sasaki.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim 3 would have been rendered obvious in view of Sasaki.

8. Petitioner Fails to Establish That Claim Limitation [4pre] Would Have Been Obvious In View of Sasaki

Claim limitation [4pre] recites "[a] contents reproducing system comprising."

For, at least, the same reasons provided in *supra* §VI.B.1 (claim limitation [1pre]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4pre] would have been rendered obvious in view of Sasaki.

9. Petitioner Fails to Establish That Claim Limitation [4i] Would Have Been Obvious In View of Sasaki

Claim limitation [4i] recites "[wherein the first controller is configured to . . .] store association information for transmitting one of the first content or the second content to one of the first subsidiary terminal or the second subsidiary terminal."

For, at least, the same reasons provided in *supra* §VI.B.2 (claim limitation [1h]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4h] would have been rendered obvious in view of Sasaki.

10. Petitioner Fails to Establish That Claim Limitation [4j] Would Have Been Obvious In View of Sasaki

Claim limitation [4j] recites “wherein the association information defines that one of the first content or the second content is associated with one of the first device specific ID information or the second device specific ID information.”

For, at least, the same reasons provided in *supra* §VI.B.3 (claim limitation [1i]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4j] would have been rendered obvious in view of Sasaki.

11. Petitioner Fails to Establish That Claim Limitation [4k] Would Have Been Obvious In View of Sasaki

Claim limitation [4k] recites “wherein the first subsidiary terminal comprises: a second display displaying the content.”

For, at least, the same reasons provided in *supra* §VI.B.4 (claim limitation [1j]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4k] would have been rendered obvious in view of Sasaki.

12. Petitioner Fails to Establish That Claim Limitation [4m] Would Have Been Obvious In View of Sasaki

Claim limitation [4m] recites “wherein the second subsidiary terminal comprises: a third display displaying the content.”

For, at least, the same reasons provided in *supra* §VI.B.4 (claim limitation [1j]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4m] would have been rendered obvious in view of Sasaki.

13. Petitioner Fails to Establish That Claim Limitation [4o] Would Have Been Obvious In View of Sasaki

Claim limitations [4o] recites “when the association information defines that the first content is associated with the first device specific ID information and the second content is associated with the second device specific device ID information, the main terminal transmits the first content to the first subsidiary terminal and transmits the second content to the second subsidiary terminal.”

For, at least, the same reasons provided in *supra* §VI.B.5 (claim limitation [1l]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitations [4o] would have been rendered obvious in view of Sasaki.

14. Petitioner Fails to Establish That Claim Limitation [4p] Would Have Been Obvious In View of Sasaki

Claim limitations [4p] recites “when the association information defines that the second content is associated with the first device specific ID information and the first content is associated with the second device specific device ID information, the main terminal transmits the second content to the first subsidiary terminal and

transmits the first content to the second subsidiary terminal.”

For, at least, the same reasons provided in *supra* §VI.B.5 (claim limitation [11]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4p] would have been rendered obvious in view of Sasaki.

C. Ground 3: Petitioner Fails to Establish That Claims 1-4 Would Have Been Obvious Based on Futa and McClellan

Ground 3 alleges claims 1-4 are obvious over Futa (EX1009) in view of McClellan (EX1010). Pet. 62–86. This ground fails because Petitioner has not established a proper motivation to combine these references, McClellan is non-analogous art, and the proposed combination fails to teach key limitations of the challenged claims, particularly the main terminal storing and using association information to determine transmission.

1. Petitioner Fails to Establish that a POSITA Would Combine Futa and McClellan

Petitioner fails to show that a POSITA seeking to use association information to transmit content, as claimed in the '650 Patent, would have been motivated to combine Futa with McClellan. Pet. 64–65. The '650 Patent is in the field of controlling digital broadcast wave and/or network content for delivery and reception using association information to subsidiary terminals together with a main terminal.

See EX1001 at 2:3–7. The '650 Patent seeks to solve the pertinent particular problem of providing content to specific users on specific subsidiary terminals based on association information managed by a main terminal, even while the main terminal displays the content. *See id.* at 3:11–24; *see also id.* at Claims 1 and 4.

Futa is not seeking to solve the same pertinent particular problem as the '650 Patent. **For example, Futa addresses the problem of controlling transmission or authorization of a content using category information indicating a category of device for copyright protection.** See EX1009 at ¶¶10, 12, 146, 169-171; *see also id.* at Fig. 9 and Claim 1. In addition, while the content distribution system 1 includes a broadcast receiving device 10, TV 20, PC 30, and data-communication controlling device 40, only data-communication controlling device 40 controls the reception and transmission of a single content to TV 20 and PC 30 using **category information**. *See id.* at Fig. 1; *see also id.* at ¶¶164, 170, 176. Furthermore, **category information is not the claimed “association information”** because it simply provides a value of “0,” “1,” or “2,” which has nothing to do with the identification of the content or any device ID—it is simply a copyright protection level. *See id.* at ¶146. As such, Futa does not address the problem of providing content for specific users based on association information defined between content and device IDs. See EX1001 at

Claims 1 and 4.

McClellan is not analogous art to either the '650 Patent or Futa. **McClellan is directed to an “improved operating system which accommodates system upgrades in real time” for “set top boxes.”** EX1010, 1:26-29. Its teachings concern a set top box for use in an interactive television system and the internal software architecture for managing system modules to facilitate updates, a field distinct from content transmission using association information. *See id.* at 3:60–4:1. Furthermore, McClellan is not seeking to solve the same pertinent particular problem as the '650 Patent; it aims to improve the efficiency of updating set-top box software and hardware.

Therefore, a POSITA seeking to solve the problem addressed by the '650 Patent, transmitting content for specific users based on association information, would not have been motivated to combine Futa and McClellan to arrive at the claimed invention. McClellan is non-analogous art, and neither reference addresses the pertinent particular problem solved by the '650 Patent. **Futa teaches category-based authorization, while McClellan teaches OS modularity for upgrades.** Compare EX1009 at ¶¶12 and 251 with EX1010 at Abstract and 4:45-46. Combining these disparate teachings would not have logically led a POSITA to the claimed

invention. Even if a POSITA were somehow motivated to combine these references, the resulting system would merely be Futa's authorization system running on McClellan's upgradeable OS. As detailed below, such a combination still fails to disclose or suggest the key limitations of the challenged claims.

2. Petitioner Fails to Establish That Claim Limitation [1pre] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [1pre] recites that "[a] contents reproducing system." Petitioner fails to establish this limitation.

Petitioner alleges that Futa discloses the claimed "contents." *See* Pet. at 65–66. However, Petitioner has not shown that content distribution system 1 provides multiple contents. For example, Futa discloses that broadcast receiving device 10 extracts from the received digital broadcast wave packets that constitute a content and stores the same as a reconstructed content using the received packets. *See* EX1009 at ¶¶56–58. Petitioner's allegations rely on Futa only disclosing a single content. *See* Pet. at 65–66 (asserting that "*a contents reproducing system (content distribution system 1)*" or citing to EX1009 at ¶50 that broadcast receiving device 10 receives and stores content).

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that limitation [1pre] would have been rendered obvious in view of Futa.

3. Petitioner Fails to Establish That Claim Limitation [1c] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [1c] recites “wherein the main terminal comprises: a storage storing the contents.” Petitioner fails to establish this limitation.

Petitioner alleges that the claimed “storing contents” is content in Futa. *See* Pet. at 68. However, Futa’s content is not multiple contents because it is a single content provided to broadcast receiving device 1 as different packets constituting a single content, which is reconstructed for storage in content storing unit 103. *See* EX1009 at ¶¶56–60. Therefore, Petitioner has failed to establish how broadcast receiving device 10 and data-communication controlling device 40 store multiple contents. Even if Futa were to combined with McClellan—they cannot be combined—it would still not arrive at the claimed “storing contents” because McClellan discloses that a single movie can be downloaded for a user to watch segment by segment to the set top box. *See* EX1010 at 2:11–29. McClellan acknowledges that digital communication, which allow higher data rates, are limited

to accessing or downloading only a single movie. *See id.* at 1:47–60 (disclosing that “communication will be digital . . . , which will allow for much higher data transfer rates which are required, for example, to access a movie”).

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that limitation [1c] would have been rendered obvious by Futa in view of McClellan.

4. Petitioner Fails to Establish That Claim Limitation [1d] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [1d] recites “[wherein the main terminal comprises . . .] a first display displaying the contents.” Petitioner fails to establish this limitation.

For, at least, the same reasons provided *supra* §VI.C.2–3 (claim limitations [1pre] and [1c]), Petitioner fails to establish claim limitation [1d] because Futa nor McClellan disclose the claimed “contents.”

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that limitation [1d] would have been rendered obvious by Futa in view of McClellan.

5. Petitioner Fails to Establish That Claim Limitation [1g] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [1g] recites “[wherein the first controller is configured to . . .]

store a plurality of content information for identifying each of the contents.”

Petitioners fail to establish this limitation.

For, at least, the same reasons provided *supra* §VI.C.2–4 (claim limitations [1pre], [1c], and [1d]), Petitioner fails to establish claim limitation [1g] because Futa nor McClellan disclose the claimed “contents.”

Petitioner alleges that the claimed “plurality of content information” is **content ID**, and “content IDs” are stored in storing unit 103. *See* Pet. 72 (emphasis added). However, Futa only discloses that Fig. 3 discloses content 150 that is composed of a header information including “‘content ID’151” “used to uniquely identify content.” EX1009 at ¶¶61–62; *see also id.* at Fig. 3. Nowhere in Petitioner’s citation of Futa is it disclosing “content IDs” let alone the claimed “plurality of content information.” *See* Pet. at 72–3.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that limitation [1g] would have been rendered obvious by Futa in view of McClellan.

6. Petitioner Fails to Establish That Claim Limitation [1h] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [1h] recites that the first controller is configured to “store

association information for transmitting one of the contents to one of the subsidiary terminals.” Petitioner fails to establish this limitation.

As an initial matter, for, at least, the same reasons provided *supra* §VI.C.2–4 (claim limitations [1pre], [1c], and [1d]), Petitioner fails to establish claim limitation [1h] because Futa nor McClellan disclose the claimed “contents.”

Petitioner alleges that Futa’s “judgment tables” constitute the claimed “association information.” *See* Pet. at 73. Futa discloses storing judgment tables A430 and B440 within the communication controlling unit 407. *See* EX1009 at ¶169. However, these tables store authorization rules, mapping content categories (represented by “additional information” values 1 or 2) to lists of device IDs belonging to categories permitted to receive that type of content. *See id.* at ¶172. For example, table B440 indicates devices IDA and IDC are permitted to receive high-value content via additional information “2” (e.g., high-value content)—the additional information or category information is completely void from any association with content ID because it is simply a copyright protection level. *See id.* at ¶¶146, 172; *see also id.* Fig. 8B. The claimed “first controller” storing the judgment table alone can only ascertain that device ID “IDA” or “IDB” have copyright protection level set for additional information “2.” *See id.* This structure

facilitates an access control check: “Is device IDA allowed to receive content type 2?” *Id.* at ¶181. This is fundamentally different from the claimed “association information,” which must define a specific link between one specific content and one specific subsidiary terminal for the purpose of determining where to transmit that content. Futa’s tables define group permissions based on type, not specific transmission mappings. *Id.* at ¶172.

Furthermore, McClellan relied upon by Petitioner for discussing operating system module descriptions, provides no teachings on storing content to device transmission information based on association information. *See* EX1010 at 1:25–30. The combination thus lacks the claimed stored association information.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that limitation [1h] would have been rendered obvious by Futa in view of McClellan.

7. Petitioner Fails to Establish That Claim Limitation [1i] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [1i] recites “wherein the association information defines that one of the contents . . . is associated with one of the device specific ID information”. Petitioner fails to establish this limitation.

As an initial matter, for, at least, the same reasons provided *supra* §VI.C.2–6 (claim limitations [1pre], [1c], [1d], [1g], and [1h]), Petitioner fails to establish claim limitation [1i] because Futa nor McClellan disclose the claimed “contents” and “association information.”

Petitioner again alleges that Futa's judgment tables provide this definition. *See* Pet. at 74–76. Futa's judgment tables define that devices have copyright protection level permitting to reception of content using “additional information.” *See* EX1009 at ¶¶146, 169, 171-172, and 212. This does not meet the claim requirement that the stored information defines an association linking one specific content (identified by content info) to one specific device (identified by device ID). Futa lacks any stored definition linking, for example, “Program.01” (*Id.* at ¶62) specifically to device “IDA” for transmission determination. *See id.* at ¶172; *see also id.* at Fig. 8B. Petitioner conflates Futa's category-based permission structure with the specific content to device association defined in the claim. *Id.*

McClellan provides no relevant disclosure regarding the claimed association information for curing Futa's deficiency. *See* Pet. 74–76. The combination fails to teach association information that defines the specific relationship required by the claim.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that limitation [1i] would have been rendered obvious by Futa in view of McClellan.

8. Petitioner Fails to Establish That Claim Limitation [1k] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [1k] recites “[wherein the plurality of subsidiary terminals comprise . . .] a second controller controlling transmission/reception with the main terminal, the second controller storing device specific ID information for . . . transmitting the device specific ID information to the main terminal when connecting to the main terminal.” Petitioner fails to establish this limitation.

Petitioner alleges that the claimed “second controller” is controlling unit 204 or controlling unit 304 for controlling the transmission/reception with, collectively, broadcast receiving device 10 and data-communication controlling device 40. *See* Pet. at 77. However, Futa discloses that only communication controlling unit 407 controls the transmission/reception with the alleged main terminal because only communication controlling unit 407 successfully authenticates device ID “IDA,” “IDB,” and “IDC” using authentication unit 404 where an unsuccessful authentication causes revocation of devices certificate, which ceases any further

transmission and receptions with data-communication controlling device 40 and broadcast receiving device 10. See EX1009 at ¶¶149–50, 164, 172; see also *id.* at ¶151; *id.* at Figs. 9–10. Futa discloses that controlling unit 204 in TV 20 and controlling unit 304 in PC 30 only, respectively, read the network address “IPA” or “IPB” stored in memory unit 102 or memory 103, and transmit the network address and content request to data-communication controlling device 40 via communicating unit 201 or communicating unit 301, which is not the claimed “controlling transmission/reception,” let alone the functions of communication controlling unit 407. See *id.* at ¶¶86, 101, 113, 128; see also *id.* at Figs. 9–10. Therefore, Petitioner has failed to demonstrate that Futa or McClellan discloses the required “second controller controlling transmission/reception with the main terminal.”

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that limitation [1k] would have been rendered obvious by Futa in view of McClellan.

9. Petitioner Fails to Establish That Claim Limitation [1l] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [1l] recites “wherein, the main terminal determines whether it is possible to connect to the subsidiary terminal... and transmits the content... based

on the association information.” Petitioner fails to establish this limitation.

For the same reasons provided *supra* §VI.B.2–7 (claim limitations [1pre], [1c], [1d], [1g], [1h], and [1i]), Petitioner fails to establish claim limitation [1l] because no contents and association information are established.

Petitioner alleges Futa transmits based on its judgment tables. *See* Pet. at 80–81. The Futa-McClellan combination lacks the claimed “contents” and “association information.” Consequently, the combined system cannot transmit content based on association information. Futa’s system transmits content based on the result of its authorization check using the judgment tables—whether copyright permission is granted or denied. *See* EX1009 at ¶¶207, 212. Specifically, communication controller unit 407 performs a judgment (step S306) to see if the target device’s ID is included in the relevant judgment table for the content’s category information or additional information. *Id.*, ¶¶211–212. Transmission proceeds (steps S208–S210) only if this check is affirmative; otherwise, it is prohibited (step S207). *Id.* at ¶¶207–208. The basis for transmission is the permission status derived from the category-based rule check, not a lookup in a association information defining the specific content to device link. McClellan adds no relevant transmission logic. *See* EX1010 at 1:25–30. Because the combination lacks the claimed “contents” and “association

information,” it cannot perform the claimed step of transmitting based on association information.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that limitation [11] would have been rendered obvious by Futa in view of McClellan.

10. Petitioner Fails to Establish That Claim 2 Would Have Been Obvious In View of Futa and McClellan

Claim 2 recites “[t]he contents reproducing system according to claim 1, wherein the main terminal includes a converter down-converting the content and transmits the down-converted content to the subsidiary terminal.”

Because claim 2 depends from claim 1, it includes all of the limitations that Futa and McClellan fails to teach, as detailed in *supra* §VI.C.2-9. (claim limitations [1pre], [1c], [1d], [1g], [1h], [1i], and [1l]). Petitioner's argument for claim 2 therefore fails for at least these same reasons. Petitioner's arguments regarding the additional limitation of a "converter down-converting the content," for which they cite no evidence in Futa or McClellan and merely make an conclusory assertion of obviousness, cannot cure the fundamental deficiencies in Futa and McClellan.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim 2 would have been rendered obvious in view of Futa and McClellan.

11. Petitioner Fails to Establish That Claim 3 Would Have Been Obvious In View of Futa and McClellan

Claim 3 recites “[t]he contents reproducing system according to claim 1, wherein the main terminal includes a network interface and acquires the content from an external server via the network interface”.

Because claim 3 depends from claim 1, it includes all of the limitations that Futa and McClellan fails to teach, as detailed in *supra* §VI.C.2-9. (claim limitations [1pre], [1c], [1d], [1g], [1h], [1i], and [1l]). Petitioner's argument for claim 3 fails for at least these same reasons. Petitioner's arguments regarding the additional limitation of a "network interface" to acquire content from an external server cannot cure the fundamental deficiencies in Futa and McClellan.

For at least the foregoing reasons, Petitioner fails to show a reasonable likelihood of success in establishing that claim 3 would have been rendered obvious in view of Futa and McClellan.

12. Petitioner Fails to Establish That Claim Limitation [4pre] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [4pre] recites “[a] contents reproducing system comprising.”

For, at least, the same reasons provided in *supra* §VI.C.2 (claim limitation [1pre]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4pre] would have been rendered obvious by Futa in view of McClellan.

13. Petitioner Fails to Establish That Claim Limitation [4d] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [4d] recites “wherein the main terminal comprises: a storage storing the contents.”

For, at least, the same reasons provided in *supra* §VI.C.3 (claim limitation [1c]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4d] would have been rendered obvious by Futa in view of McClellan.

14. Petitioner Fails to Establish That Claim Limitation [4e] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [4d] recites “[wherein the main terminal comprises . . .] a first display displaying the contents.”

For, at least, the same reasons provided in *supra* §VI.C.4 (claim limitation [1d]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4e] would have been rendered obvious by Futa in view of McClellan.

15. Petitioner Fails to Establish That Claim Limitation [4h] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [4h] recites “[wherein the main terminal comprises . . .] store first content information for identifying first content among the contents and second content information for identifying second content among the contents.”

For, at least, the same reasons provided in *supra* §VI.C.5 (claim limitation [1g]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4h] would have been rendered obvious by Futa in view of McClellan.

16. Petitioner Fails to Establish That Claim Limitation [4i] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [4i] recites “[wherein the first controller is configured to . . .] association information for transmitting one of the first content or the second content to one of the first subsidiary terminal or the second subsidiary terminal.”

For, at least, the same detailed reasons provided in supra §VI.C.6 (claim limitation [1h]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4i] would have been rendered obvious in view of Futa and McClellan.

17. Petitioner Fails to Establish That Claim Limitation [4j] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [4j] recites “wherein the association information defines that one of the first content or the second content is associated with one of the first device specific ID information or the second device specific ID information.”

For, at least, the same detailed reasons provided in supra §VI.C.7 (claim limitation [1i]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4j] would have been rendered obvious in view of Futa and McClellan.

18. Petitioner Fails to Establish That Claim Limitation [4l] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [4l] recites “[wherein the plurality of subsidiary terminals comprise . . .] a second controller controlling transmission/reception with the main terminal, the second controller storing device specific ID information for . . . transmitting the first device specific ID information to the main terminal when

connecting to the main terminal.”

For, at least, the same detailed reasons provided in supra §VI.C.8 (claim limitation [1k]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4l] would have been rendered obvious in view of Futa and McClellan.

19. Petitioner Fails to Establish That Claim Limitation [4n] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [4n] recites “[wherein the plurality of subsidiary terminals comprise . . .] a third controller controlling transmission/reception with the main terminal, the third controller storing device specific ID information for . . . transmitting the second device specific ID information to the main terminal when connecting to the main terminal.”

For, at least, the same detailed reasons provided in supra §VI.C.8 (claim limitation [1k]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4n] would have been rendered obvious in view of Futa and McClellan.

20. Petitioner Fails to Establish That Claim Limitation [4o] and Would Have Been Obvious In View of Futa and McClellan

Claim limitation [4o] recites “when the association information defines that

the first content is associated with the first device specific ID information and the second content is associated with the second device specific ID information, the main terminal transmits the first content to the first subsidiary terminal and transmits the second content to the second subsidiary terminal.”

For, at least, the same reasons provided in *supra* §VI.C.9 (claim limitation [11]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4o] would have been rendered obvious in view of Futa and McClellan.

21. Petitioner Fails to Establish That Claim Limitation [4p] Would Have Been Obvious In View of Futa and McClellan

Claim limitation [4p] recites “when the association information defines that the second content is associated with the first device specific ID information and the first content is associated with the second device specific ID information, the main terminal transmits the second content to the first subsidiary terminal and transmits the first content to the second subsidiary terminal.”

For, at least, the same reasons provided in *supra* §VI.C.9 (claim limitation [11]), Petitioner fails to show a reasonable likelihood of success in establishing that claim limitation [4p] would have been rendered obvious in view of Futa and

McClellan.

VII. CONCLUSION

For at least the foregoing reasons, the Director should deny institution of the Petition.

Dated: October 30, 2025

Respectfully submitted,

/Robert G Pluta Reg No 50970 /
Robert G. Pluta (Reg. No. 50,970)
Amanda S. Bonner (Reg. No. 65,224)
MAYER BROWN LLP
71 S. Wacker Drive
Chicago, IL 60606
Telephone: (312) 701-8641
Fax: (312) 706-8144

Saqib Siddiqui (Reg. No. 68,626)
MAYER BROWN LLP
1999 K Street NW
Washington, D.C. 20006
Telephone: 202-263-3000

Counsel for Maxell, Ltd.

Case IPR2025-01308
Patent No. 11,277,650
Patent Owner's Preliminary Response

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of October, 2025, a copy of the attached
PATENT OWNER'S PRELIMINARY RESPONSE was served by electronic
mail to the attorneys of record, at the following addresses:

Gianni Minutoli
Gianni.Minutoli@us.dlapiper.com

James M. Heintz
Jim.Heintz@us.dlapiper.com

Joseph Wolfe
Joseph.Wolfe@us.dlapiper.com

DLA-Maxell-2-IPRs@us.dlapiper.com

Dated: October 30, 2025

Respectfully submitted,

/Robert G. Pluta/

CERTIFICATION PURSUANT TO 37 C.F.R. § 42.24(d)

Pursuant 37 CFR 42.24(d), the undersigned certifies that this Preliminary Response and complies with the type-volume limitation of 37 CFR § 42.24(a). The word count application of the word processing program used to prepare this Patent Owner's Preliminary Response indicates that the Preliminary Response contains 12,532 words, excluding the parts of the brief exempted by 37 C.F.R. § 42.24(a).

Respectfully submitted,

/Robert G. Pluta, Reg. No. 50,970 /