

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,
Petitioner,

v.

DIALECT, LLC,
Patent Owner.

Case IPR2025-01336
Patent 9,734,825

PATENT OWNER'S PRELIMINARY RESPONSE

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PATENT OWNER'S EXHIBIT LIST

Exhibit No.	Description
2001	Complaint in <i>Dialect, LLC v. Samsung Electronics Co., Ltd.</i> , Civ. No. 2-23-cv-00061 (E.D. Tex. Aug. 28, 2023)
2002	Redacted Order in <i>Dialect, LLC v. Samsung Electronics Co., Ltd.</i> , Civ. No. 2-23-cv-00061 (E.D. Tex. Aug. 28, 2023)
2003	Complaint in <i>Dialect, LLC v. Microsoft Corp.</i> , Civ. No. 2-24-cv-01067 (E.D. Tex. Dec. 20, 2024)
2004	Third Amended Docket Control Order in <i>Dialect, LLC v. Microsoft Corp.</i> , Civ. No. 2-24-cv-01067 (E.D. Tex. Aug. 6, 2025)
2005	Defendant's Preliminary Invalidity Contentions, <i>Dialect, LLC v. Meta Platforms, Inc.</i> , Civ. No. 7:25-cv-60 (W.D. Tex. Sept. 17, 2025)
2006	Scheduling Order, <i>Dialect, LLC v. Meta Platforms, Inc.</i> , Civ. No. 7:25-cv-60 (W.D. Tex. Aug. 7, 2025)
2007	Decision Denying Institution of <i>Inter Partes</i> Review, <i>Microsoft Corporation v. Dialect, LLC</i> , IPR2025-00655 (lead case), Paper 12 (PTAB Aug. 14, 2025)
2008-2011	Reserved
2012	Memorandum Opinion, <i>Dialect, LLC v. Amazon.com Inc.</i> , Civ. No. 1-23-cv-581 (E.D. Va. Apr. 29, 2024)
2013	Order (Construing Claim Terms), <i>Dialect, LLC v. Amazon.com Inc.</i> , Civ. No. 1-23-cv-581 (E.D. Va. Apr. 29, 2024)

Pursuant to 37 C.F.R. § 42.107, Patent Owner Dialect, LLC (“Dialect” or “Patent Owner”) files this preliminary response to the Petition, setting forth reasons why the Petition for *inter partes* review (“IPR”) of claims 5-8 of U.S. Patent 9,734,825 (the “’825 Patent”), as requested by Meta Platforms, Inc. (“Petitioner” or “Meta”), should be denied.¹

I. INTRODUCTION

Petitioner’s challenges to the ’825 patent should be denied. In independent claim 5 (the sole independent claim challenged), a method is recited where a parser receives keyword and probability data from an agent and a domain is determined for a natural language utterance based on determined scores “for each of the at least two possible contexts.” Petitioner’s obviousness theories collapse at two fundamental points.

First, the component that Petitioner points to for the claimed “agent” fails to satisfy the claimed requirements. Specifically, this component does not satisfy the claimed “agent” that provides keyword and probability information to the parser, as recited in element 5[b]. Rather than pointing to downstream agents, Petitioner incorrectly designates upstream speech recognition components as a “system agent.” Petitioner’s references (Ittycheriah and Ross in Grounds 1-2, and Baker

¹ By submitting this Preliminary Response, no waiver of any argument is intended by Patent Owner. Patent Owner will have a right to file a complete response to the Petition, should the Board institute *inter partes* review. 37 C.F.R. § 42.120(a).

and Hartano in Ground 3) do not disclose agents positioned downstream of the parser that would send keyword and probability data upstream to it. This deficiency alone is fatal to all four grounds.

Second, Petitioner fundamentally mischaracterizes how Ross operates. Ross does not score at least two contexts when processing an utterance or determine a domain based on at least two context scores. Petitioner argues that Ross's context stack, which is arranged in priority according to recency of prior access, constitutes the claimed "scoring" methodology. This is incorrect. Ross reorders its grammar stack prior to receiving a current utterance based on which grammar was last used, and that order is independent of analysis of the current user query. The stack order therefore has no bearing on whether a grammar can process a particular utterance or the particular score to be assigned to it. By contrast, the '825 patent requires at least two scores determined for the current utterance and determining a domain based on each of those two scores. Contrary to Petitioner's assertions, this is not how Ross operates. This fundamental distinction is fatal to Grounds 1 and 2.

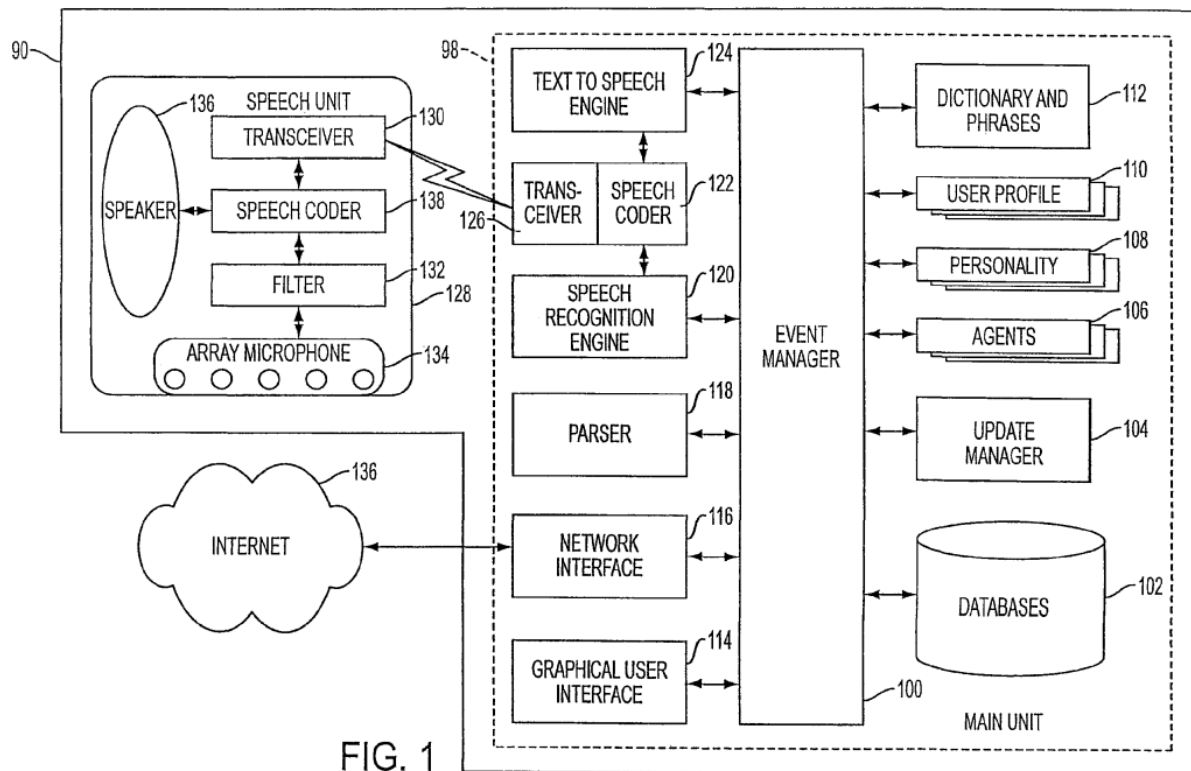
These shortcomings are fatal to Petitioner's challenges, and compel denial of the Petition on the merits.

II. THE '825 PATENT

The '825 patent is entitled, "Methods and Apparatus for Determining a Domain Based on the Content and Context of a Natural Language Utterance," and

relates to retrieval of online information or processing of commands through a speech interface.

FIG. 1 of the '825 patent, reproduced below, provides an exemplary schematic diagram view of a system according to an embodiment of the '825 patent:



'825 patent, FIG. 1; *see also id.*, 9:9-10. As shown in the figure above, the system 90 may include a main unit 98 and a speech unit 128. The event manager 100 may mediate interactions between other components of the main unit 98. '825 patent, 10:30-34. The speech unit 128 includes one or more microphones, for example array microphone 134, to receive the utterances of the user. The speech received at

the microphone 134 may be processed by filter 132 and passed to the speech coder 138 for encoding and compression. In one embodiment, a transceiver module 130 transmits the coded speech to the main unit 98. '825 patent, 10:55-61.

Coded speech received at the transceiver 126 on the main unit 98 is passed to the speech coder 122 for decoding and decompression. The decoded speech is processed by the speech recognition engine 120 using data in the dictionary and phrases module 112 and received from the agents 106. The recognized words and phrases are processed by the parser 118, which transforms them into complete commands and questions using data supplied by an agent[s] 106. The agent[s] 106 then process the commands or questions. '825 patent, 11:14-21.

More particularly, once the words and phrases have been recognized by the speech recognition engine 120, parser 118 looks for questions or commands, context and criteria. The parser 118 determines a context for an utterance by applying prior probabilities or fuzzy possibilities to keyword matching, user profile 110, and dialog history. The context of a question or command determines the domain and thereby, the domain agent 156, if any, to be evoked. '825 patent, 18:12-20. "The parser dynamically receives keyword and associated prior probability or fuzzy possibility updates from the system agent 150 or an already active domain agent 156." '825 patent, 18:22-27. Based on these probabilities or

possibilities the possible contexts are scored and the top one or few are used for further processing. *Id.*

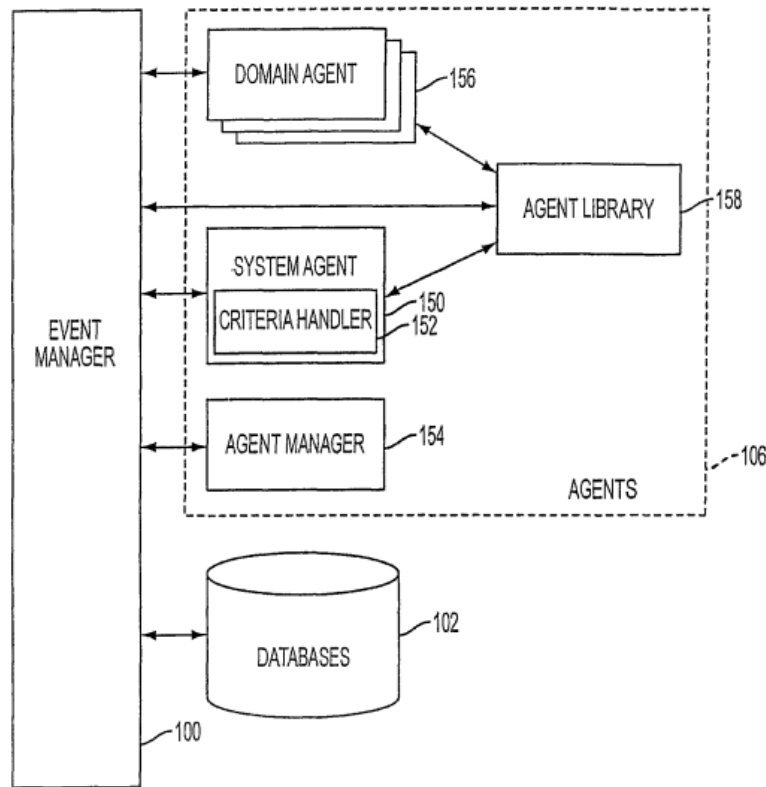


FIG. 2

As shown in Fig. 2, the agents 106 receive and return events to the event manager 100. Both system agents 150 and domain agents 156 receive questions and commands from the parser 118. '825 patent, 12:11-13. "Based on keywords in the questions and commands and the structures of the questions and commands, the parser invokes the required agent[s]." '825 patent, 12:13-16.

Independent claim 5, which is the sole independent claim challenged in this proceeding, recites in full:

5. A method for responding to a user generated natural language speech utterance, the method comprising:

recognizing, by a speech recognition engine, one or more words
in the user generated natural language speech utterance;

*receiving, at a parser, keyword and associated prior
probabilities or fuzzy possibilities from a system agent
or an active domain agent of a plurality of autonomous
executable domain agents;*

determining, for the natural language speech utterance, *a score*
for each of at least two possible contexts, wherein the
scores are determined based on the received keyword and
associated prior probabilities or fuzzy possibilities;

determining by the parser, a domain for the user generated
natural language utterance *based on* the recognized one
or more words of the natural language utterance and *the
determined scores for each of the at least two possible
contexts;*

selecting at least one of the plurality of autonomous executable
domain agents based, at least in part, on the determined
domain, wherein each of the plurality of domain agents is
configured to respond to queries and/or commands within
a particular domain, wherein the particular domain
indicates an area of expertise within which the domain
agent is capable of responding to the queries and/or
commands;

providing at least one query and/or command based on the natural language utterance to the selected at least one of the plurality of domain agents;
creating, by the selected at least one of the plurality of domain agents, one or more queries based on the at least one query and/or command;
sending, by the selected at least one of the plurality of domain agents, the one or more queries in an asynchronous manner to one or more local or external information sources.

'825 patent, claim 5 (emphasis added).

III. CLAIM CONSTRUCTION

Petitioner provides no express claim construction. Pet., 17. Even though it provides no express construction, Petitioner nevertheless “reserves the right to argue alternative constructions in other proceedings, including that the claims are indefinite where such a defense is available.” Pet., 17 n.1.

As will be addressed in more detail in Section IV, Petitioner's approach not only violates 37 C.F.R. § 42.104(b)(3) but also is used to distort claim 5 in a manner that is completely inconsistent with the language used in the claim considered in light of the disclosure of the '825 patent. Thus, without waiving its right to submit responsive express constructions in a Patent Owner Response, Patent Owner will show, in Section IV below, that Petitioner's grounds include

fundamental flaws and fail to establish the disclosure of every claimed element in each independent claim.

IV. PETITIONER'S CHALLENGES FAIL ON THE MERITS

Of Petitioner's four Grounds, Petitioner asserts three alternative grounds asserting that independent claim 5 is obvious. Ground 1 asserts claim 5 is obvious in view of Ross² and Ittycheriah³. Ground 2 asserts claim 5 is obvious in view of Ross, Ittycheriah, and Glover⁴. Ground 3 asserts claim 5 is obvious in view of Hartano⁵ and Baker⁶. For completeness, Ground 4 asserts dependent claim 8 is obvious in view of Hartano, Baker and Glover. Petitioner's treatment of element 5[b], however, is similar in each of Grounds 1-3. Pet., 25-29 (Ground 1); Pet., 46 (Ground 2, which relies on Ground 1); Pet., 58-59 (Ground 3). Petitioner's treatment of element 5[c] is the same for Grounds 1 and 2.

A. Grounds 1-4 Fail Because Petitioner Fails to Show How the Proposed Combinations Satisfy Element 5[b]

Element 5[b] recites "receiving, at a parser, keyword and associated prior probabilities or fuzzy possibilities from a system agent or an active domain agent of a plurality of autonomous executable domain agents." Petitioner distorts the

² Ex. 1005, U.S. Patent Application Publication No. 2002/0133354 ("Ross").

³ Ex. 1007, U.S. Patent 5,937,383 to Ittycheriah ("Ittycheriah").

⁴ Ex. 1011, U.S. Patent Application Publication No. 2002/1065860 to Glover ("Glover").

⁵ Ex. 1006, PCT Publication No. WO 00/11571 to Hartono ("Hartono").

⁶ Ex. 1008, U.S. Patent 5,680,511 to Baker ("Baker").

meaning of this claim element, mistakenly pointing to speech engine processing for recognizing words, rather than receiving keyword and probability or possibility data from an agent. In the structure of claim 5, element 5[a], not element 5[b], recognizes words in a speech utterance. Consistent with the '825 specification discussed above, element 5[b] then operates to receive information from an agent, including keyword and associated prior probabilities or fuzzy possibilities, for subsequent processing at a parser. This is evident from element 5[b]'s use of the terms "agent" and "keyword."

A "parser" in the '825 patent sends questions or commands downstream to the "agents." The '825 patent explains that "[o]nce the context for the question or command has been determined, the parser 118 can invoke the correct agent 156, 150." '825 patent, 18:47-49; *see also id.*, 19:18-41 ("Once the context and the criteria are determined, the parser 118 may form the question or command in a standard format or hierarchical data structure used for processing by the agents 150, 156 ... The agents 150, 156 may receive a command or question once the parser 118 has placed it in the required standard format. Based on the context, the parser 118 evokes the correct agent to process the question or command ... Commands can be directed to the system 90 or to an external entity. System commands are generally directed to the system agent 150. Commands for external entities are 40 generally processed by a domain agent 156.'").

Further, the “agents” in the ’825 patent send “keyword and associated prior probability or fuzzy possibility updates” upstream to the parser. The ’825 patent states, “[t]he parser dynamically receives keyword and associated prior probability or fuzzy possibility updates from the system agent 150 or an already active domain agent 156.”

From the structure of the ’825 system, where the parser sends commands, e.g., to an agent and receives keywords, e.g., from an agent, the proper understanding of “keywords” in the ’825 patent, and their relationship to recognized words in an utterance, becomes clear. “Keywords” are words an agent would find significant if contained in an utterance. The ’825 patent allows updates to keywords to agents to propagate to a parser so that the parser can attempt to match new keywords to recognized words. ’825 patent, 12:60-13:9 (“new keywords for a domain, which can include names of politicians, athletes, entertainers, names of new movies or songs, etc. who have achieved recent prominence”); *id.*, 18:16-18 (“[t]he parser 118 determines a context for an utterance by applying prior probabilities or fuzzy possibilities to keyword matching, user profile 110, and dialog history.”).

Petitioner, nevertheless, fails to recognize the downstream nature of an “agent” and suggests that a “system agent” need only provide “default functionality and basic services.” Pet., 25-26 (Ground 1); Pet., 58-59. In so doing,

Petitioner points to components upstream of the parser that provide “recognized words” to the parser as satisfying element 5[b]. In Ground 1 (and by incorporation Ground 2), Petitioner relies on Ross’s “context manager” to be the claimed “parser” (*see, e.g., Pet., 28-29*). Petitioner contends that “Ittycheriah’s speech recognition is a *system agent* because it is a component of the Ross system that provides the basic service of recognizing words in the speech utterance and outputs a decoded keyword (*keyword*) along with its likelihood score (*associated prior probabilities or fuzzy possibilities*).” *Pet., 25-26* (emphasis in original).

First, Petitioner’s Ground 1 and 2 theories are fundamentally flawed, as there is nothing in Ittycheriah that would suggest sending anything other than recognized words, which Ittycheriah refers to as a “decoded keyword” or “decoded script,” to a parser. Petitioner’s suggestion that Ittycheriah’s “likelihood scores” stored in a “cache database” satisfy the claimed “prior probabilities” is wrong because Petitioner fails to show that the “likelihood scores” propagate to the parser. Rather, the “likelihood scores” are used internally within Ittycheriah to recognize words, and are not shown to be passed through Ittycheriah with the recognized words. *See, e.g., Pet., 28* (citing Ittycheriah, 4:38-43, 4:48-5; Ex1003, ¶¶158-161).

Second, as presented in the combination, Ittycheriah’s speech recognition is located upstream of Ross’s parser. *See, e.g., Pet., 28-29*. As such, Ittycheriah’s

speech processing cannot be the claimed “system agent” as contended, because an “agent” in the context of claim 5 must be located downstream of parser.

Moreover, although Ittycheriah refers to the recognized words as “decoded keywords,” Ittycheriah’s “decoded keywords” do not satisfy the claimed “keyword.” In claim 5 and the ’825 patent, “keywords” are what recognized words are compared to, not recognized words themselves. Thus, Petitioner’s Grounds 1 and 2 fail.

Ground 3 similarly fails as Petitioner’s theories for Ground 3 parallel the failed theories of Grounds 1 and 2. Instead of Ross’s parser, Petitioner relies on Harano’s. Pet., 59. Instead of Ittycheriah’s speech unit, Petitioner relies on Baker’s. Pet., 58-59.

Similar to the first deficiency of Grounds 1 and 2, Petitioner fails to demonstrate that Baker’s speech unit would send Baker’s “rank signal,” which Petitioner contends to correspond to the claimed “associated prior probabilities or fuzzy possibilities” to a Harano’s parser. Indeed, as recognized in the Petitioner’s expert and the Petition, “[i]n the combination, ***Baker’s output is the recognized words or series of words of a spoken utterance*** ‘just as if the data were being typed.’” Ex1003, ¶288 (citing Baker, 1:4-7, 1:32-36) (emphasis added); Pet., 59 (citing Ex1003, ¶¶287-290). That “rank signals” in Baker are used to recognize

words does not provide any indication that the “rank signals” would be sent to a parser. Ground 3 fails for this reason.

And similar to the second deficiency of Grounds 1 and 2, Petitioner relies on Baker's upstream speech unit to satisfy the claimed “system agent.” Pet., 58-59. But Petitioner points to nothing downstream of a parser in Baker, and thus Baker cannot satisfy the claimed “system agent.” Further, in the combination, Baker's output corresponds to the recognized words or phrase of a spoken utterance “just as if the data were being typed” (Pet., 59). Again, in claim 5 and the '825 patent, “keywords” are what recognized words are compared to, not recognized words themselves. Thus, Petitioner's Ground 3 also fails for these reasons. Ground 4, only directed to dependent claim 8, fails because it depends on the success of Ground 3.

B. Grounds 1 and 2 Also Fail Because Petitioner Fails to Show Ross Determines “Scores” in the Manner Claimed in Element 5[c] or Uses “Scores” in the Manner Claimed in Element 5[d]

As introduced above, element 5[c] of the '825 patent “determining, for the natural language speech utterance, a score for each of at least two possible contexts, wherein the scores are determined based on the received keyword and associated prior probabilities or fuzzy possibilities.”

In the Petition, Petitioner relies on the Ross to disclose element 5[c]. *See* Pet., 29-30. This is wrong. Petitioner points to Ross's “recency of access

characteristic” as the claimed “score” in element 5[c]. Pet., 56. Per Ross, the context grammars in a context list are ordered based on priority of prior access, but this order has nothing to do with scoring possible contexts. Rather, the ordering is established prior to processing a current query, and the process of ordering of context grammars exists separate from and independent of any determination of a context for an utterance. Therefore, it is wrong for Petitioner to contend that the priority order of a context manager's entries corresponds to “determining, for the natural language speech utterance, a score for each of at least two possible contexts” as claimed in element 5[c].

The Petition also uses misleading characterizations in its argument to hide the shortcoming of Ross. Addressing Ross's Figure 4, the Petition notes Ross's context manager “tests the utterance against these grammars (indicated by the contexts 70 in the context list 62) in priority order, and passes the commands on to the first application 26 that has a grammar that will accept the phrase.” Pet., 30 (citing Ross, 8:41-46). But even if Ross's order of grammars in the context stack had some bearing on the relevancy of each grammar, that order is not determined “for the natural language speech utterance” as claimed in element 5[c]. Rather, the order of Ross's stack simply relates to which grammar in the stack was last accessed based on a prior natural language speech utterance.

Petitioner's theory has at least one more shortcoming. In elements 5[c] and 5[d], two "scores" are needed. Element 5[d] recites the step of "determining by the parser, a domain for the user generated natural language utterance based on the recognized one or more words of the natural language utterance and the determined scores for each of the at least two possible contexts." Applying Petitioner's incorrect characterization of Ross would require selecting the most recent grammar in the stack every time because, according to Petitioner, the top entry is always the entry with the highest "score."⁷ This is not how Ross works.

Ross reorders the context list 62 "every time a recognition is directed to an application 26 other than the highest priority one, or whenever another application 26 gets windows focus (for example, because it was clicked on)" Ross, 8:46-50. "The result is that the system 20 is biased to send the commands to the most recently accessed application 26." Ross, 8:50-53. Accordingly, Ross's stack order is related to access based on prior utterances.

⁷ As noted above, Petitioner points to Ross's "recency of access characteristic" as the claimed "score" in element 5[c]. Pet., 56. So in Petitioner's view of Ross, the higher the entry in the stack, the higher the "score" for the current utterance. This is wrong because stack order in Ross relates to recency of access for prior utterances. Petitioner is completely off-point here.

While Ross does reorder the context stack such that the most recently accessed grammar and application for a prior utterance is positioned on the top of the stack, this order has no inherent bearing on the score of a context for a current speech utterance. Per Ross, “[t]he context manager 50 tests the utterance against these grammars (indicated by the contexts 70 in the context list 62) in priority order, and passes the commands *on to the first application 26 that has a grammar that will accept the phrase.*” Ross, 8:40-45 (emphasis added). In other words, if the third grammar in Ross’s stack is the first grammar that will accept a user’s current phrase, this means that Ross is bypassing two higher grammars with—according to Petitioner—higher relevance scores to reach the third grammar. And again, Ross is only accessing one grammar for a current utterance, namely the first grammar that can accept the phrase in question.

Ross orders its stack according to the most recently accessed grammar for a prior utterance, but whether the most recently accessed grammar can process a user’s current utterance—and would therefore be somehow relevant to the user’s utterance—is a separate question that is irrelevant to the characteristic of stack order. Ross plainly does not fit the claimed steps of claim 5. Ross does not disclose or suggest “determining, for the natural language speech utterance, a score for each of at least two possible contexts,” (element 5[c]), and does not disclose or suggest “determining by the parser, a domain for the user generated natural

language utterance *based on ... the determined scores for each of the at least two possible contexts.*” Element 5[d] (emphasis added).

As noted above, Grounds 1 and 2 rest solely on Petitioner's misinterpretation of Ross for elements 5[c] and 5[d]. Accordingly, Grounds 1 and 2 each fail for this additional reason.

V. CONCLUSION

For the reasons presented above, the Petition should be denied, and no *inter partes* review should be instituted.

Dated: November 19, 2025

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CERTIFICATE OF WORD COUNT

The undersigned certifies that the foregoing PATENT OWNER'S PRELIMINARY RESPONSE complies with the type-volume limitation in 37 C.F.R. § 42.24(b)(1). According to the word-processing system's word count, the brief contains 3,501 words, excluding the parts of the brief exempted by 37 C.F.R. § 42.24(a).

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CERTIFICATE OF SERVICE

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