

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RED HAT, INC.
Petitioner

v.

COMPETITIVE ACCESS SYSTEMS, INC.
Patent Owner

Case No. IPR2025-01373
U.S. Patent No. 7,606,156

PATENT OWNER PRELIMINARY RESPONSE

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EXHIBIT LIST

Exhibit No.	Description
2001	Complaint from <i>Competitive Access Systems, Inc. v. Oracle Corporation et al.</i> , No. 2:22-cv-00287 (E.D. Tex.)
2002	Red Hat Partnership webpage, https://www.oracle.com/cloud/red-hat/ (last accessed Sept. 30, 2025)
2003	Order transferring Oracle case the Western District of Texas
2004	Unified Patents member listing, https://www.unifiedpatents.com/members
2005	Red Hat's Complaint from <i>Red Hat, Inc. v. Competitive Access Systems, Inc.</i> , No. 5:24-CV-505-D (D.N.C.)
2006	Red Hat Joint Planning Report including Proposed Schedule
2007	Red Hat's Motion to Dismiss
2008	Red Hat Litigation Scheduling Order
2009	Complaint from <i>Competitive Access Systems, Inc. v. Apple Inc.</i> , No. 3:25-cv-04595 (N.D. Cal.)
2010	Complaint from <i>Competitive Access Systems, Inc. v. Samsung Elects. Co., Ltd., et al.</i> , No. 4:25-cv-00886 (E.D. Tex.)
2011	Complaint from <i>Competitive Access Systems, Inc. v. Motorola Mobility LLC</i> , No. 4-25-cv-00948 (N.D. Tex.)
2012	Apple, Inc.'s Motion to Dismiss
2013	Case Management Order in Apple, Inc. Litigation
2014	Oct. 2, 2023 Demand Letter
2015	Declaration of Dr. Stan McClellan
2016	CV of Dr. Stan McClellan

2017	Executive Summary
2018	Photograph
2019	Presentation slides
2020	Letter to McEntee
2021	April 2002 Draft Application
2022	Application Drawings
2023	Declaration of Eric M P. Delangis

Emphasis Added Throughout Unless Indicated Otherwise

I. INTRODUCTION

U.S. Patent No. 7,606,156 (the "'156 Patent") (EX1015) claims priority Provisional Application No. 60/418,521 (the "'521 Application") filed on October 15, 2002. In the field of multilink computer communications, the '156 Patent's priority is downright ancient.

Because of the '156 Patent's early priority, Petitioner Red Hat, Inc. ("Red Hat") clearly struggled to find prior art for its Petition, and was forced to settle on two alleged (pre-AIA) 35 U.S.C. § 102(e) secret art references as its lead references. Of Red Hat's two lead references, Challenger (EX1017) was filed on June 28, 2002, and Kotzin (EX1018) was filed on August 2, 2001. But the invention claimed in the '156 Patent dates back to January 2001, well before either Challenger or Kotzin's filing dates.

As explained below, the inventor of the '156 Patent—Eric Delangis—has commenced identifying and collecting evidence corroborating his earlier conception and reduction to practice. Without surprise, the evidence collected to date is by no means complete. Mr. Delangis continues to search decades-old files and hard drives, and Competitive Access Systems, Inc. ("CAS") continues to identify and locate third parties—including potential investors and long-since retired attorneys—whom are yet to be contacted to further corroborate the conception and reduction to practice.

Even without antedating Challenger and Kotzin, Red Hat's Petition fails to meet

its burden of establish its prima facie case of obviousness.

CAS respectfully submits that Red Hat's Petition should be denied either discretionarily as requested in CAS's October 6, 2025 Motion for Discretionary Denial or based on Red Hat's failure to demonstrate a reasonable likelihood that it will prevail on its unpatentability challenges.

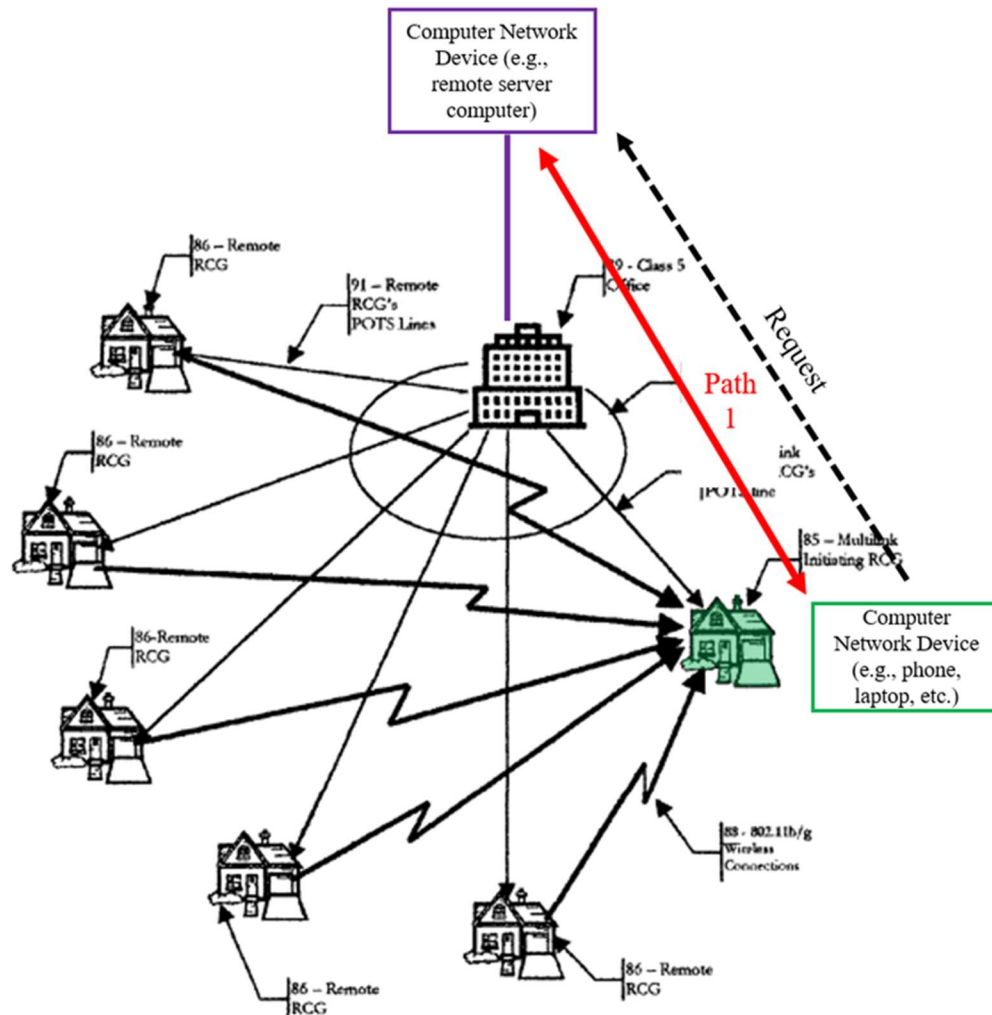
II. BACKGROUND

A. Background of the Invention

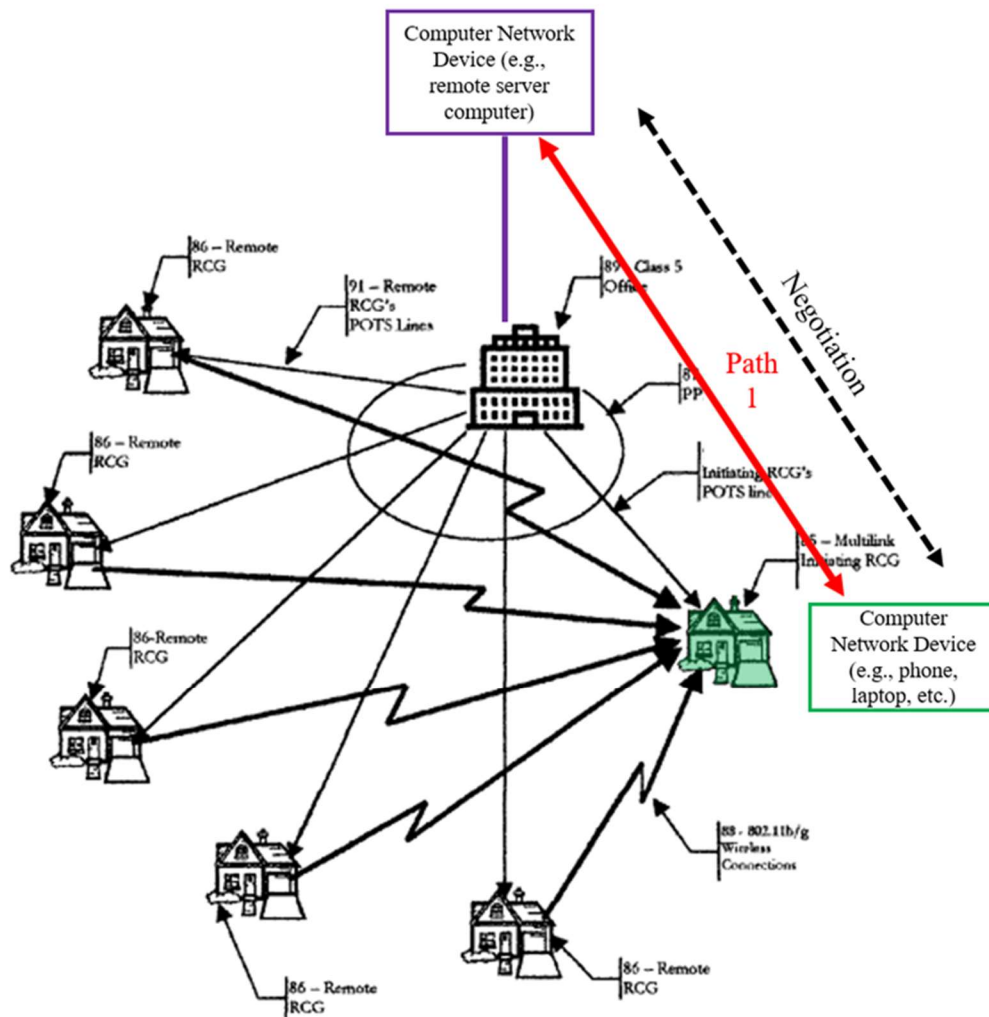
At its most basic level, the '156 Patent pertains to devices and methods to improve the effective bandwidth between a remote sending device (*e.g.*, a server) and a receiving device by leveraging the bandwidth of at least two separate communication paths to receive the data sent from a remote device. EX2015 ("McClellan Decl.") at ¶ 24. Without delving into any of the specific claims or claim limitations—which may be directed to only certain aspects of the configuration or to separate, but related embodiments—Figure 7 of the specification of the '156 Patent shows an example network configuration. EX2015 at ¶ 25.

In this configuration, a request is sent from a computer network device (*e.g.*, phone, laptop, server, etc.) over a first link to another computer network device, such as, for example, a remote server computer, for participation in a multilink session. EX2015 at ¶ 26. For example, as depicted in turn in the annotated images below, the specification states: "Referring to FIG. 7, an RCG-85 that decides to initiate a

multilink PPP session with a remote computer i.e. internet URL, requests a multilink PPP session with that URL resource via Link Control Protocol (LCP) session management[.]” EX1015 at 12:5–9; *see also* EX2015 at ¶ 26.

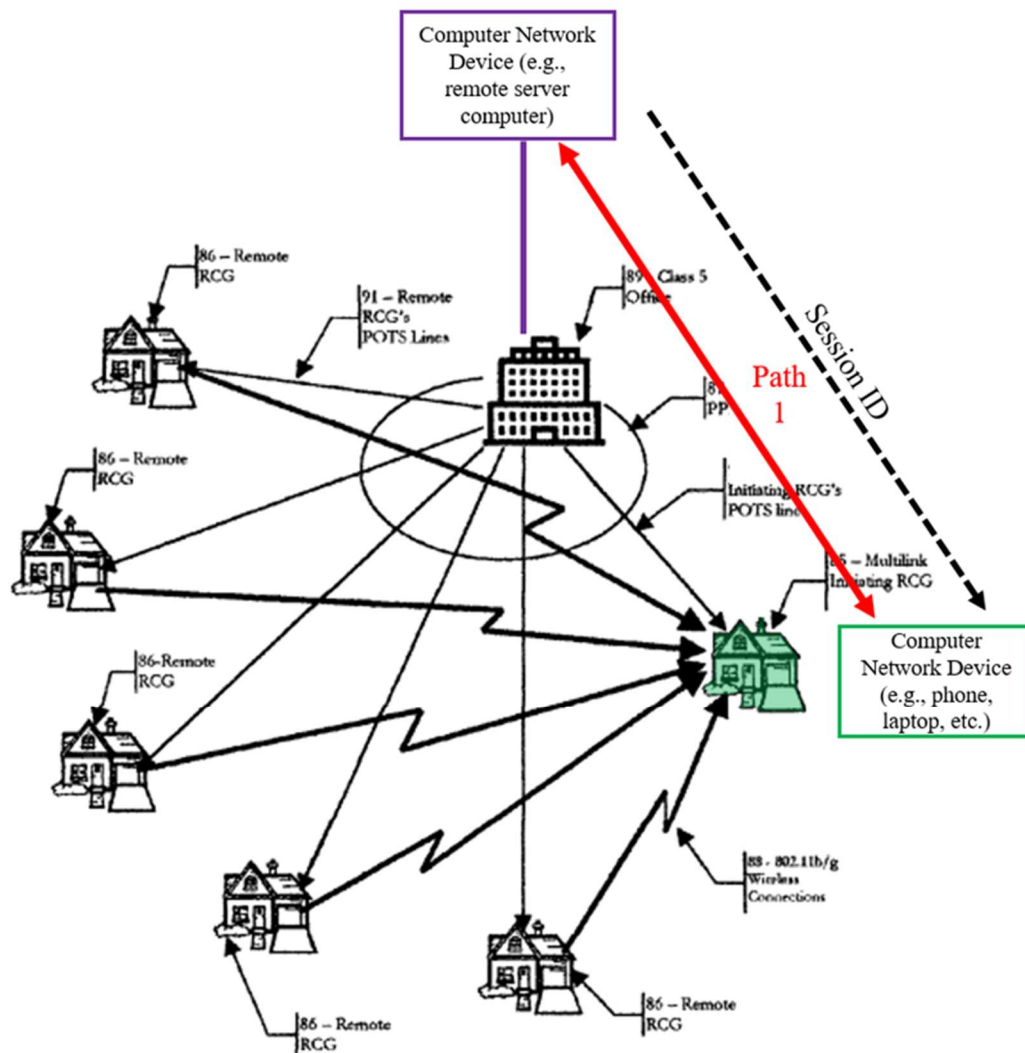


The two devices negotiate the pertinent multilink parameters. EX2015 at ¶ 27. For example, the specification states: "The initiating RCG-85 and the remote server computer (not shown) will negotiate the pertinent multilink parameters such as compression, packet size, sync/async, link quality monitoring, bit stuffing etc." EX1015 at 12:9–12; *see also* EX2015 at ¶ 27.



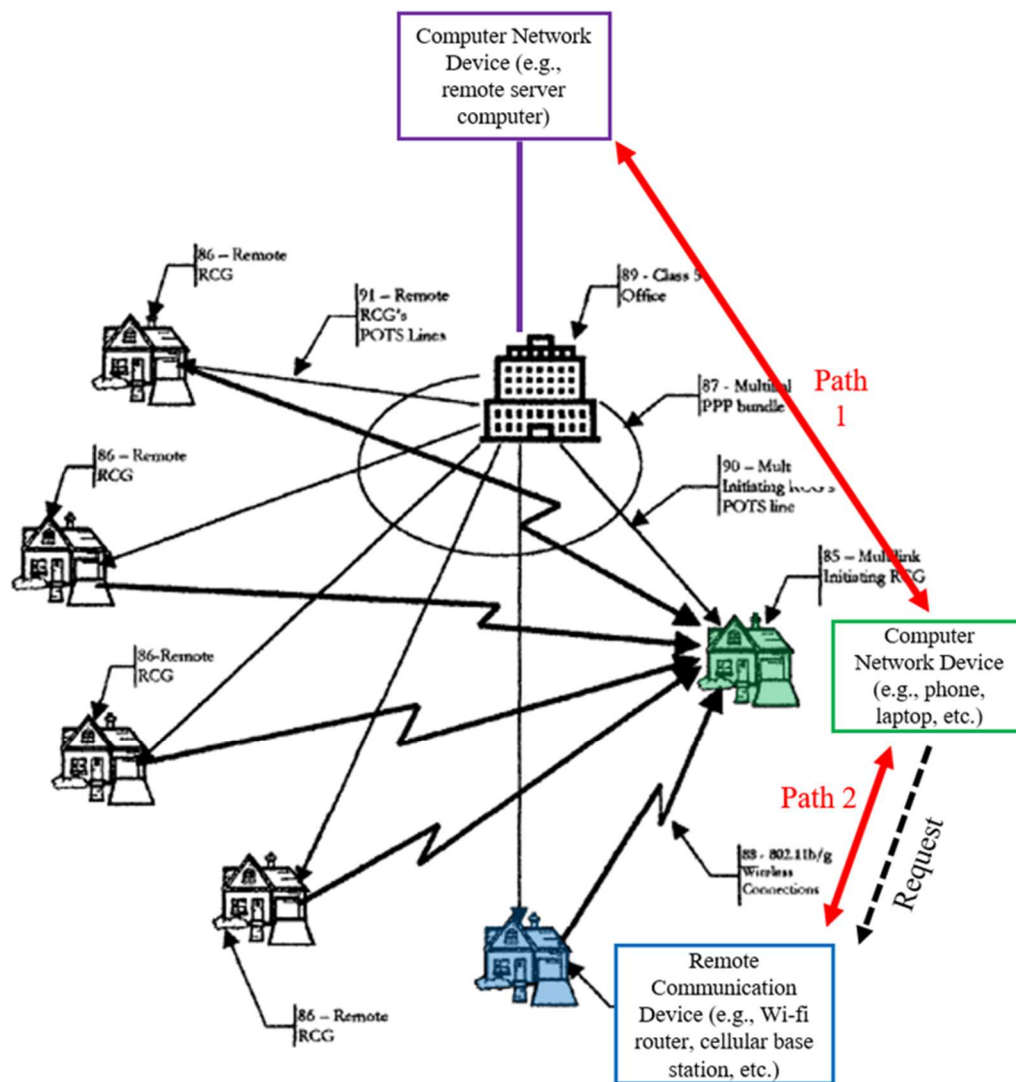
The multilink session setup is completed including that the remote server computer sends a multilink session ID to the computer network device (*e.g.*, phone, laptop, etc.), which is used to identify this particular multilink session and is also used for adding or removing links from the multilink session. EX2015 at ¶ 28. For example, the specification states: "As part of a successful multilink PPP session setup, the initiating RCG-85 receives a multilink PPP session ID, or "magic number", which is used to identify this particular multilink PPP session and is also

used for adding or removing links from the multilink bundle-87." EX1015 at 12:12–16, *see also* EX2015 at ¶ 28.



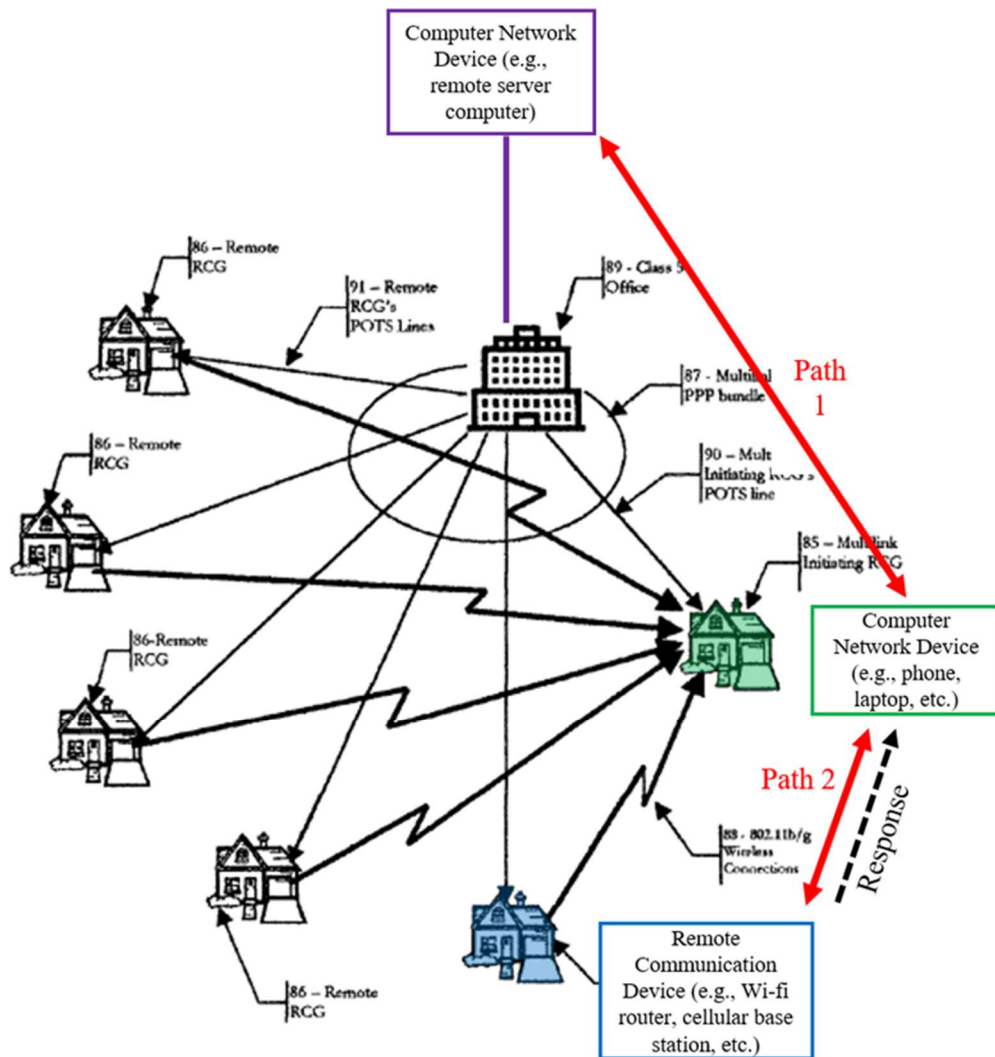
The computer network device (e.g., phone, laptop, server etc.) then sends a multilink request to one or more remote communications devices such as, for example, a router or base station to participate in the multilink session. EX2015 at ¶ 29. For example, the specification states: "The initiating RCG-85 then looks up the addresses of up to 31 (in this embodiment) other RCGs in its router tables to use for

the multilink PPP transfer. (If a Neighborhood Access Point is available the RCG could request service through it instead of setting up a Multilink PPP connection—see FIG. 8.) The initiating RCG-85 determines the number of remote RCGs-86 that it wants to use to get the desired bandwidth for the transfer and sends multilink PPP service requests via the 802.11b/g wireless connections-88 to the selected remote RCGs-86." EX1015 at 12:19–28; *see also* EX2015 at ¶ 29.



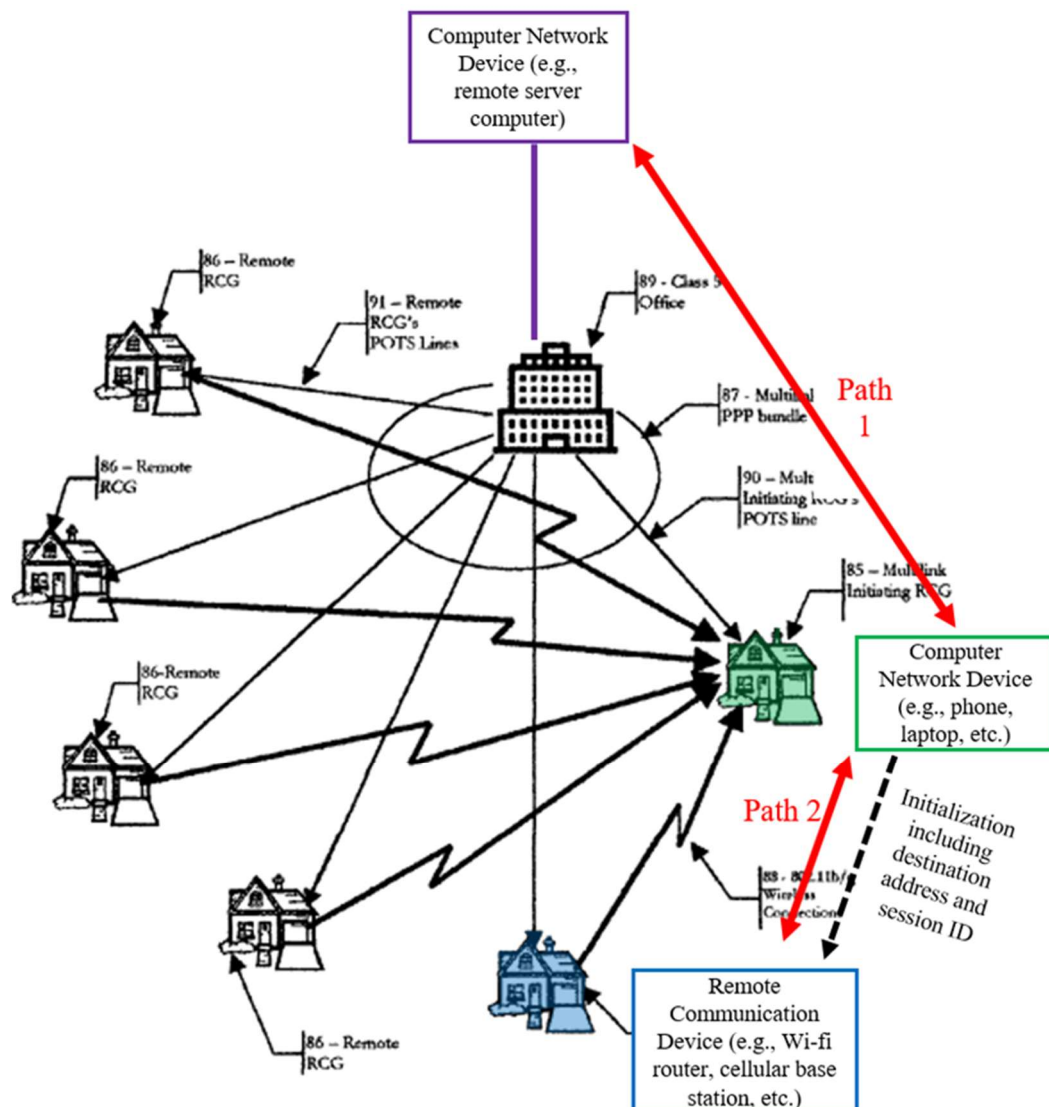
The remote communications devices respond back to the computer network

device (*e.g.*, phone, laptop, etc.) with acceptance or denial. EX2015 at ¶ 30. For example, the specification states: "The selected remote RCGs-86 respond back to the initiating RCG with either an acceptance or denial of multilink PPP service request. This decision is made based upon the remote RCG's currently available POTS bandwidth and the current local demands for that bandwidth. The remote RCG-86 makes a decision to participate in a multilink PPP service for an initiating RCG If the remote RCG-86 accepts the multilink PPP service request from the initiating RCG-85 it also sends its currently available bandwidth on its POTS line-91 that the initiating RCG-85 will have available to it for the multilink PPP transfers." EX1015 at 12:28 –34; 12:48–52; *see also* EX2015 at ¶ 30.



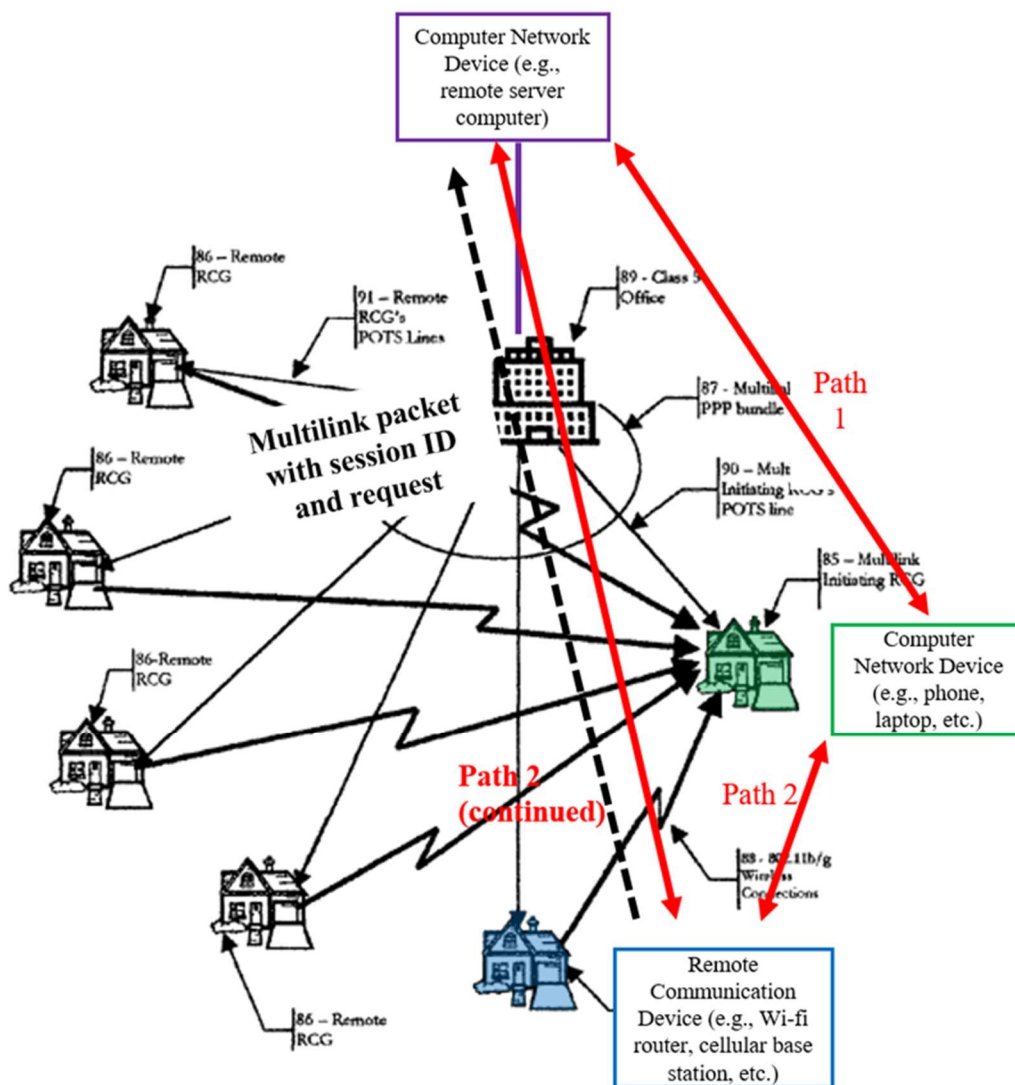
The computer network device (*e.g.*, phone, laptop, server, etc.) sends a multilink initialization packet containing the address of the destination as well as the multilink session ID (magic number) and any other pertinent information required for the remote communications device to join in the existing multilink session. EX2015 at ¶ 31. For example, the specification states: "The initiating RCG then selects which of the responding remote RCGs-86 it will use for the multilink PPP bundle-87 and sends them a multilink initialization packet containing the URL of

the destination as well as the multilink PPP session ID (magic number) and any other pertinent information required for the remote RCG to join in the existing multilink PPP bundle-87. Each remote RCG POTS interface-91 participating in a multilink PPP bundle, represents a logical "link" in the initiating RCG's multilink PPP bundle-87." EX1015 at 12:52–60; *see also* EX2015 at ¶ 31.



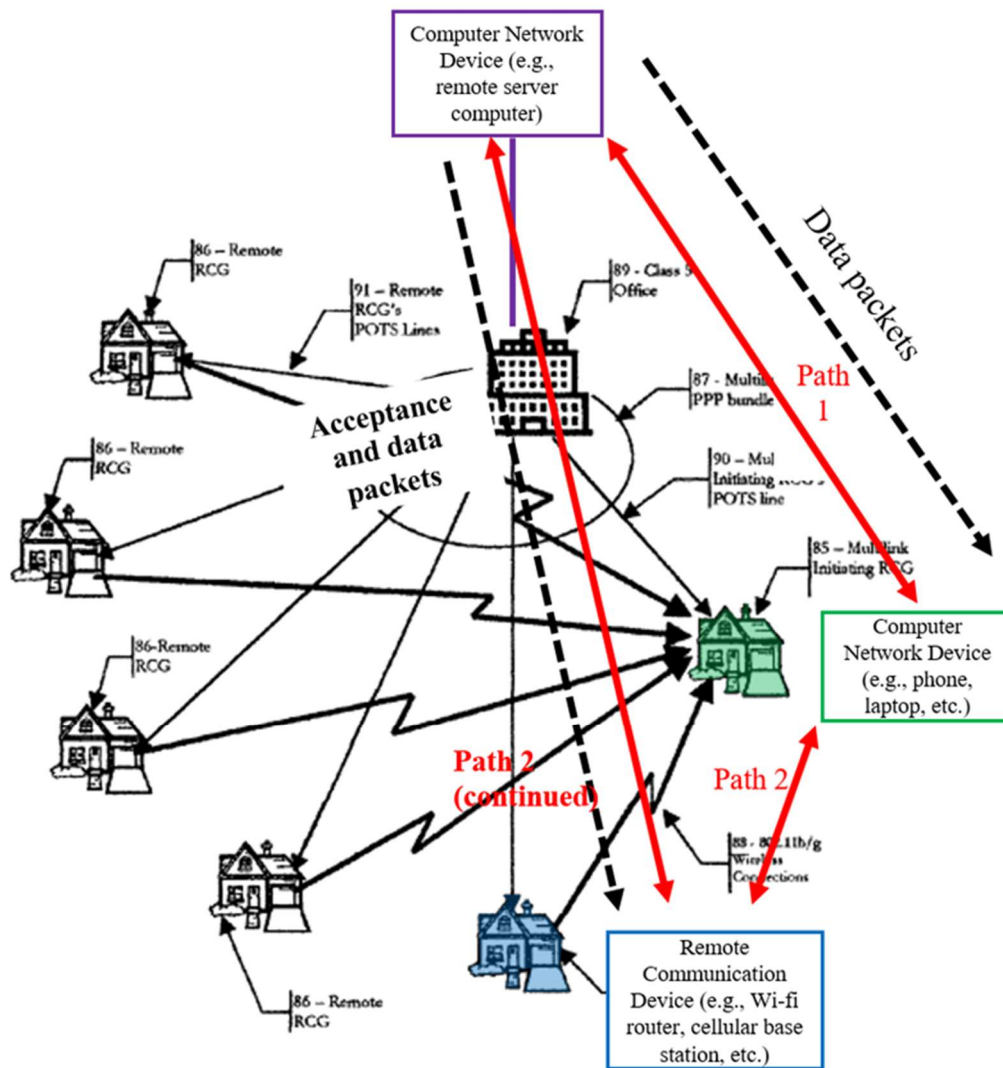
Each of the participating remote communications devices sends a multilink packet to the remote server computer with the multilink session ID and requests to

be added to the multilink session. EX2015 at ¶ 32. For example, the specification states: "The remote RCGs-86 then send a multilink PPP packet (over their respective POTS lines-91) to the destination URL with the multilink PPP session ID and request to be added to that multilink PPP bundle-87." EX1015 at 12:61–64; *see also* EX2015 at ¶ 32.



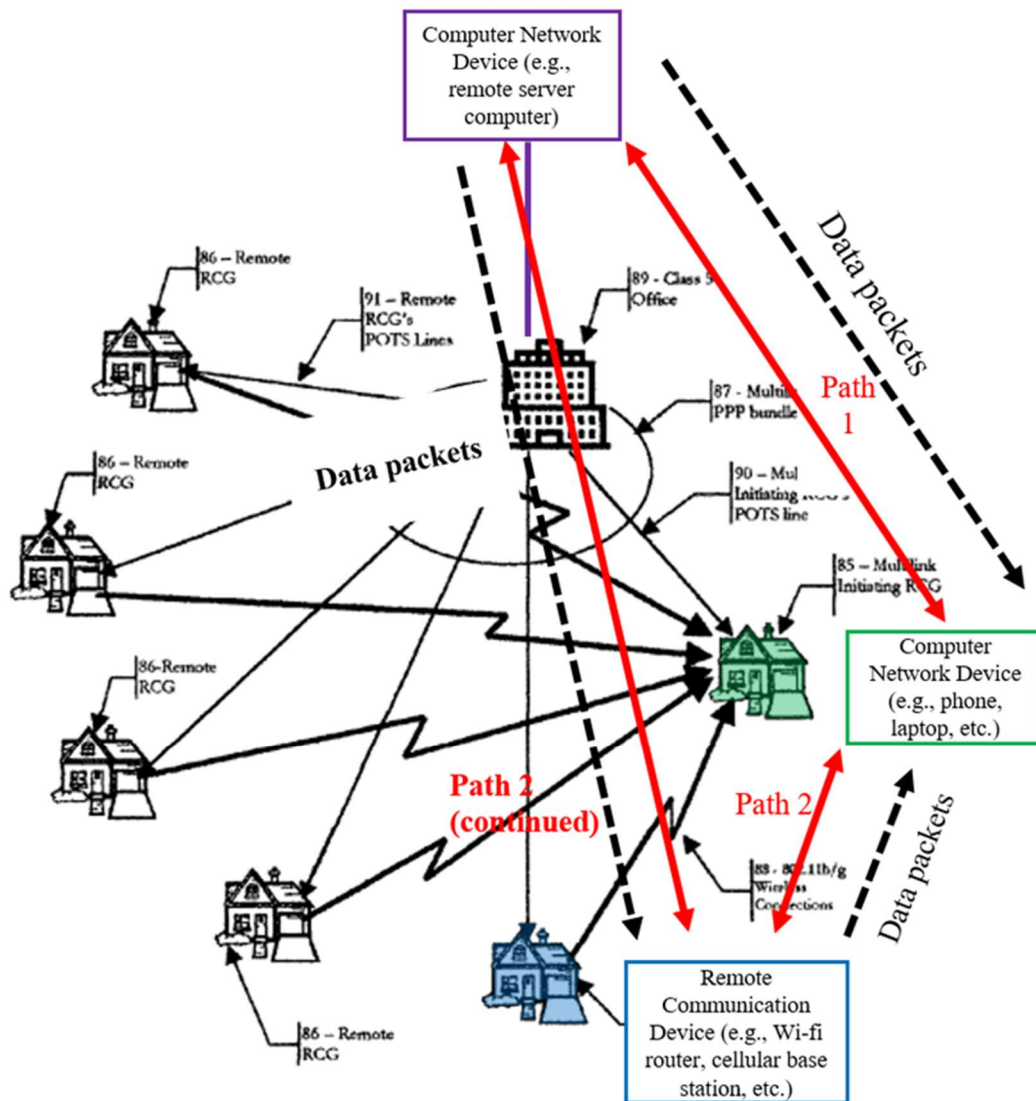
The remote server computer accepts the request and begins sending data

packets to each of the remote communications devices over their respective paths or links. EX2015 at ¶ 33. For example, the specification states: "The destination URL accepts the request of each of the remote RCGs-86 and begins sending data packets to each over their respective POTS lines-91." EX1015 at 12:64–66; *see also* EX2015 at ¶ 33.



The remote communications device relays the data packets to the computer

network device (e.g., phone, laptop, etc.). EX2015 at ¶ 34. For example, the specification states: "When the remote RCGs-86 receive data packets sent over their respective POTS lines-91, that are destined for the multilink PPP bundle-87, they simply relay the data packets over their 802.11b/g interface-88 to the initiating RCG-85." EX1015 at 12:67–13:3; *see also* EX2015 at ¶ 34.



The use of the additional links thus results in increased bandwidth, data throughput, quality of service, and/or connection reliability. *See, e.g.,* EX1015 at

11:50–59 ("An RCG that is transferring a very large file can request the services of 31 (in this embodiment) other RCGs to assist in the file transfer using their respective POTS lines. A single RCG can therefore gain the combined bandwidth of up to 32 POTS lines transferring data at as much as 56 Kbps each to transfer information. This is roughly equivalent to a transfer rate of 1.79 Mbps in the inbound direction (towards the RCG) and approximately 1.075 Mbps in the outbound direction (towards the PSTN)."); *see also* EX2015 at ¶ 35.

The inventions recited in the claims of the '156 Patent and its family members improve upon the prior art. EX2015 at ¶ 39. Exemplary prior art configurations and operations of computer network devices involved in the exchange of data included the following: a Plain Old Telephone Service ("POTS") lines, cable lines, or DSL lines to connect two computer network devices. EX2015 at ¶ 39.

Problems with prior art configurations and methods included low bandwidth, data throughput, quality of service, and reliability and substantial costs. EX2015 at ¶ 40. For example, DSL and cable lines require tremendous infrastructure costs, suffer from high costs associated with purchase, installation, and maintenance, required expensive modems at the customer's end, were difficult to deploy, were too complicated for the average user, and were not available to many customers. For example, POTS lines had very limited bandwidth. EX1015 at 10:61–11:22 ("... standard POTS lines can only guarantee a maximum of 56 Kbps transfer rate under

the best conditions ... DSL, however, suffers from the very high costs associated with the purchase, installation, maintenance, floor lease costs, etc. ..."); *see also* EX2015 at ¶¶ 41–42. Similarly, DSL and cable lines required tremendous infrastructure costs, suffered from high costs associated with purchase, installation, and maintenance, and required expensive modems at the customer's end, are difficult to deploy, are too complicated for the average user, and are not available to many customers. EX1015 at 2:11–18 ("DSL or Cable services [] require tremendous infrastructure costs on behalf of the CLEC."); *id.* at 2:26–50 ("The high-speed services require expensive infrastructure enhancements to the local telephone companies' facilities and cable plants, as well as expensive modems at the customer's end ..."); *see also* EX2015 at ¶ 41. Prior art configurations and methods also suffered from poor quality of service. EX1015 at 2:33–37 ("Internet based VoIP services suffer from Internet delays caused by a lack of true Quality of Service (QOS) capabilities across the Internet."); *see also* EX2015 at ¶ 43.

B. The Claimed Invention

The claims of the '156 Patent are limited to particular configuration and/or operation of computer network devices involved in an exchange of data designed to enable technological improvements such as increasing bandwidth, data throughput, quality of service, and/or connection reliability. EX2015 at ¶ 36.

Claim 1 of the '156 Patent recites the following:

1. A method for aggregating, sharing and dynamically routing and allocating bandwidth from a plurality of wired and wireless networks that are geographically disbursed over a wide area, and providing some or all of the aggregated bandwidth to any user on an on-demand basis, the method comprising the steps of:

developing and updating a network table that comprises a list of nearby RCGs, their bandwidth capabilities over local, remote and wireless connections, and their location with respect to a requesting RCG;

determining an optimum amount of bandwidth needed for an immediate data transfer needs of the requesting RCG;

determining which of the nearby RCGs should be contacted for access to unused bandwidth to support a transfer of the requesting RCG, based upon their unused local bandwidth capacity, and a distance and a number of hops between the RCGs and the requesting RCG;

sending a request to the supporting RCGs asking for use of a portion of the unused bandwidth;

receiving responses from the supporting RCGs with information about how much bandwidth each selected RCG can share;

selecting which of the supporting RCGs to use for optimal use of needed bandwidth;

contacting the selected RCGs with control information for sending data to the requesting RCG;

sending packets of the data from the selected RCGs to the requesting RCG;

reassembling the packets of the data at the requesting RCG; and

relinquishing the bandwidth of each of the selected RCGs.

EX1015 at 16:51–17:16.

Using Figure 7 as an exemplary, non-exclusive example, this claimed configuration can be depicted as shown below:

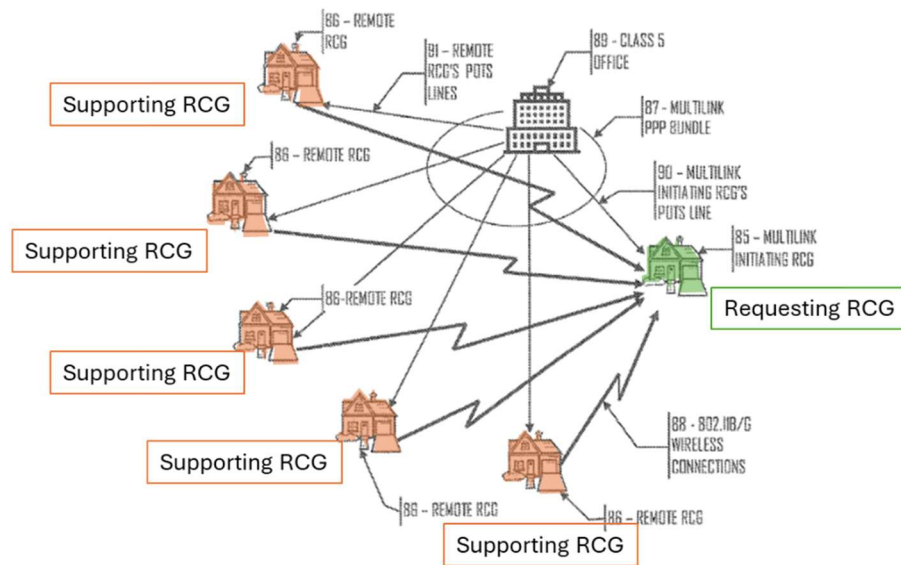


FIG. 7

EX2015 at ¶ 38.

III. ASSERTED PRIOR ART REFERENCES

A. Challenger

U.S. Patent Application Publication No. 2004/0001512 A1 ("Challenger") (EX1017) discloses a method and apparatus for sharing bandwidth among a plurality of end users to increase the bandwidth available to each user as depicted in its Figure 2. EX2015 at ¶ 44.

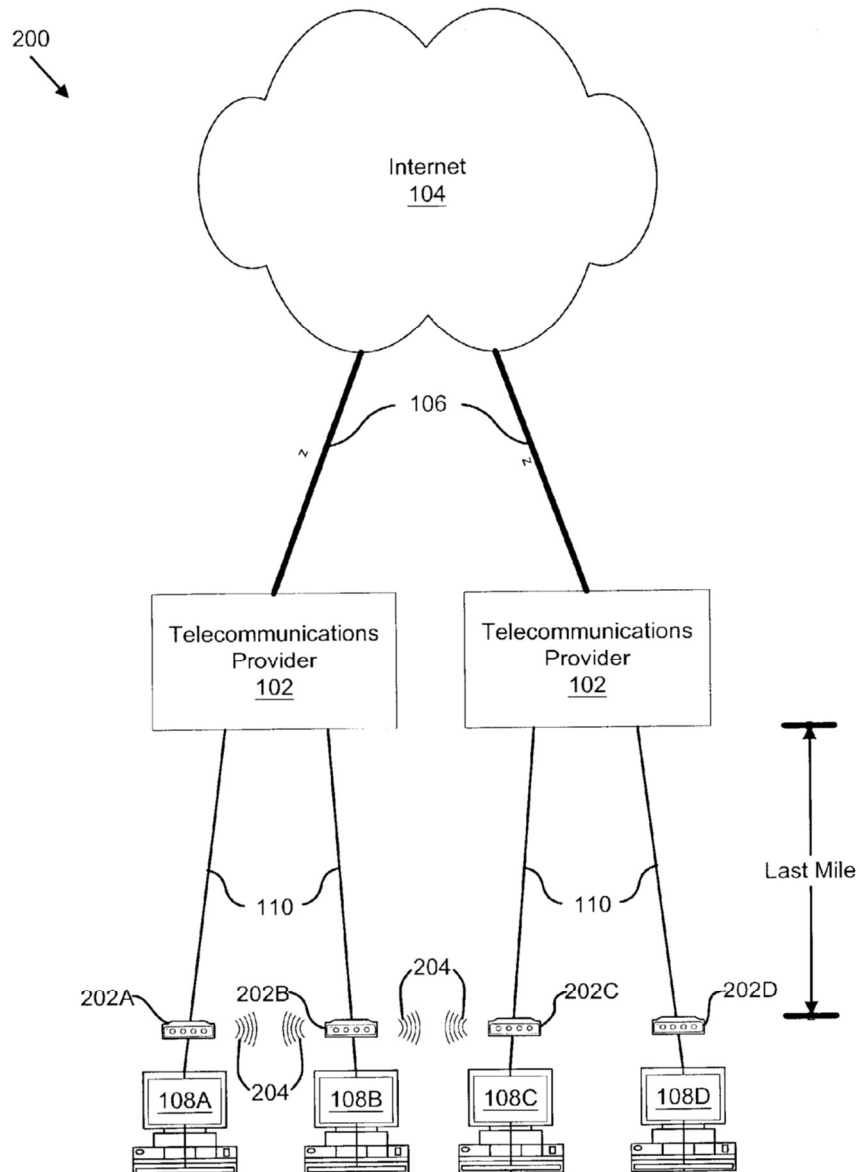


Fig. 2

Challenger also discloses the following sequence by which data is sent from a remote site through at least two bandwidth sharing devices (one device acting as a master device and the other acting as slave device) in its Figure 7. EX2015 at ¶ 45.

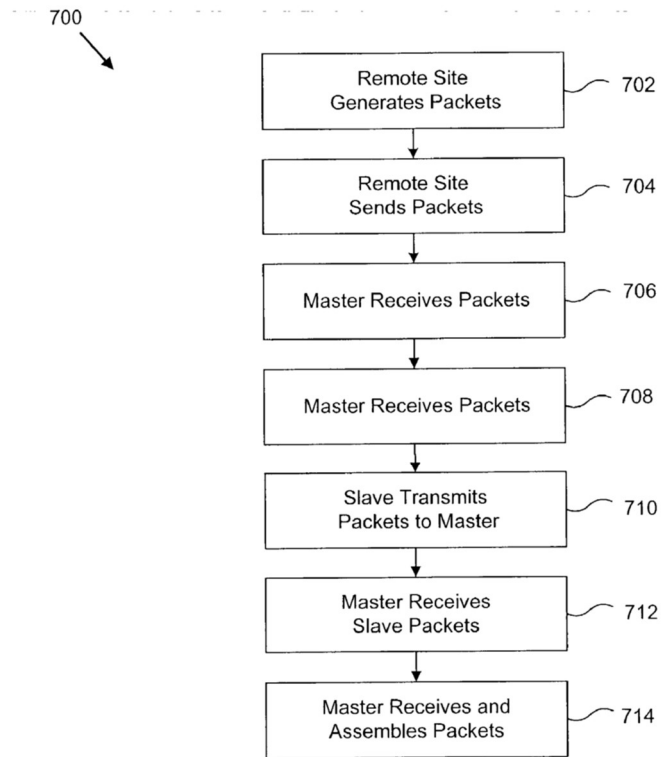
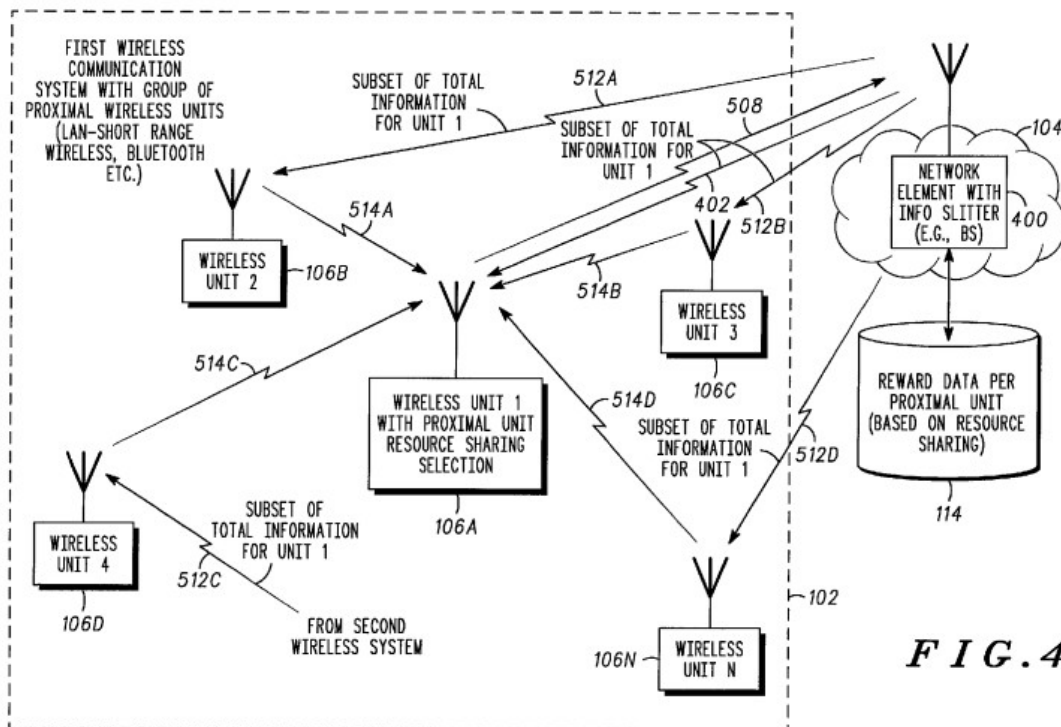


Fig. 7

B. Kotzin

U.S. Patent Application Publication No. 2003/0026221 ("Kotzin") (EX1018) discloses "[a] method and apparatus splits information into subsets of information to be communicated for a wireless apparatus." EX1018 at Abstract; *see also* EX2015 at ¶ 46.



EX1018 at FIG. 4.

Kotzin also discloses in its Figure 5 the following sequence by which participation of wireless units are requested and the data is sent from the network communication system through the multiple wireless units to the recipient wireless unit. EX2015 at ¶ 47.

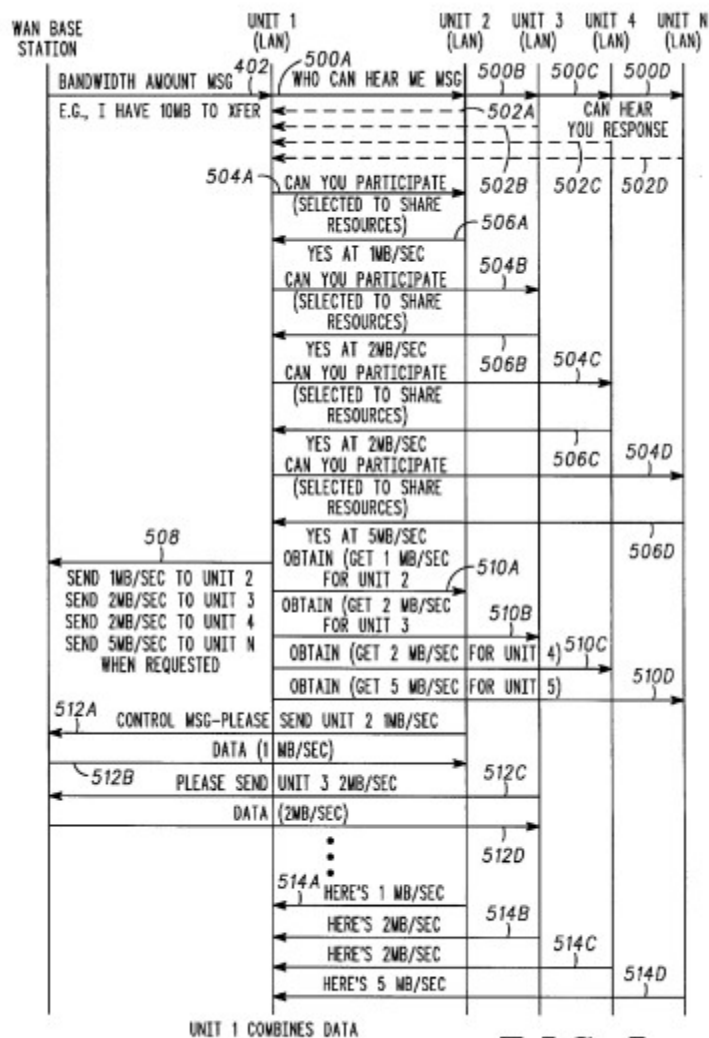


FIG. 5

EX1018 at FIG. 5.

IV. PRIORITY

A reference is prior art under Section 102(e) only if filed before the date of "the invention by the [Patent Owner]." 35 U.S.C. § 102(e) (Pre-AIA); *see, e.g., Sequenom v. Leland Stanford Junior Univ.*, No. IPR2013-00390, Paper 45 at 8 (PTAB Nov. 25, 2014); *Dynamic Drinkware LLC v. Nat'l Graphics, Inc.*, No. IPR2013-00131, Paper 42 at 7 (PTAB Sept. 12, 2014), *aff'd* 800 F.3d 1375 (Fed.

Cir. 2015). As such, CAS may antedate and thereby remove both Challener and Kotzin as prior art.

CAS may antedate Kotzin and/or Challener by showing that Mr. Delangis either: (1) reduced the claimed invention before the prior art references' 35 U.S.C. 102(e) priority dates or (2) conceived the claimed invention prior to the references' respective 35 U.S.C. § 102(e) priority dates "followed by a diligent reduction to practice." *Purdue Pharma LP v. Boehringer Ingelheim GmbH*, 237 F.3d 1359, 1365 (Fed. Cir. 2001).

Conception—the "touchstone of inventorship"—occurs when the inventor formed in his mind "a definite and permanent idea of the complete and operative invention" such that "the idea is so clearly defined in the inventor's mind that only ordinary skill would be necessary to reduce the invention to practice, without extensive research or experimentation." *Burroughs Wellcome Co. v. Barr Labs., Inc.*, 40 F.3d 1223, 1228 (Fed. Cir. 1994) (internal quotation marks omitted). "Where a party seeks to show conception through oral testimony of an inventor, it must produce independent evidence corroborating that testimony," and "[s]uch evidence is to be evaluated under a rule of reason." *Purdue Pharma*, 237 F. 3d at 1365 (internal citations omitted).

Reduction to practice may be actual reduction to practice (*i.e.*, actually performing the claimed invention) or constructive reduction to practice (*i.e.*, filing a

patent application). *Goeddel v. Sugano*, 617 F.3d 1350, 1353 (Fed. Cir. 2010). Like conception, to establish an actual reduction to practice, "an inventor's testimony must be corroborated by independent evidence," with the evidence evaluated under a "rule of reason." *Cooper v. Goldfarb*, 154 F.3d 1321, 1330 (Fed. Cir. 1998) (internal citation omitted).

"A patent owner need not prove the inventor *continuously* exercised reasonable diligence throughout the critical period; it must show there was *reasonably continuous* diligence." *Perfect Surgical Techniques, Inc. v. Olympus Am., Inc.*, 841 F.3d 1004, 1009 (Fed. Cir. 2016) (emphasis in original). An inventor need "not record [his] progress on a daily, weekly, or even monthly basis" to demonstrate he did not abandon or unreasonably delayed his invention." *Id.* "The same logic applies to the preparation of a patent application: the absence of evidence that an inventor and his attorney revised or discussed the application on a daily basis, standing alone is insufficient to determine that the invention was abandoned or unreasonably delayed." *Id.* Instead, [o]ne must weigh the collection of evidence over the entire critical period to make such a determination." *Id.*

As described in Eric Delangis's declaration, he began developing an all-in-one communications device that would provide voice and data services in the late 1990s that CAS labeled the CopperJet™ systems. EX2023 at ¶¶ 5–19. Mr. Delangis conceived the idea which ultimately led to the invention claimed in the '156 Patent

in January 2001, when he came to the realization that while each of his neighbors had their own dial-up internet connection, that he could speed up his internet connection if he could wirelessly connect to and simultaneously use his neighbor's dial-up internet connections. EX2023 at ¶ 12.

Upon conceiving of the idea of a remote communications gateway that sent broadband data using simultaneous multiple connections (e.g., POTS and Wi-Fi) to increase bandwidth, he set about developing the protocols, software, and hardware to implement his idea, as well as attempting to raise capital for CAS to develop his concept into a commercial product. EX2023 at ¶ 13; EX2017 (Executive Summary corroborating some of the features of the invention that he conceived and his attempts to raise funding). Ultimately, he created a demo system. EX2023 at ¶¶ 16–31; EX2018 (photograph of the demo). By approximately January 2022, Mr. Delangis had completed the initial programming of the code for the demo to support the invention. EX2023 at ¶¶ 19–21.

Further, on April 23, 2002, Mr. Delangis transmitted a draft patent application and precursor to the provisional application that was ultimately filed to a patent attorney seeking assistance to file a patent application. EX2023 at ¶ 32. Within this draft are references to Broadband-Over-POTS. The draft further included a number of drawings that ultimately became figures in the '156 Patent which are reproduced below:

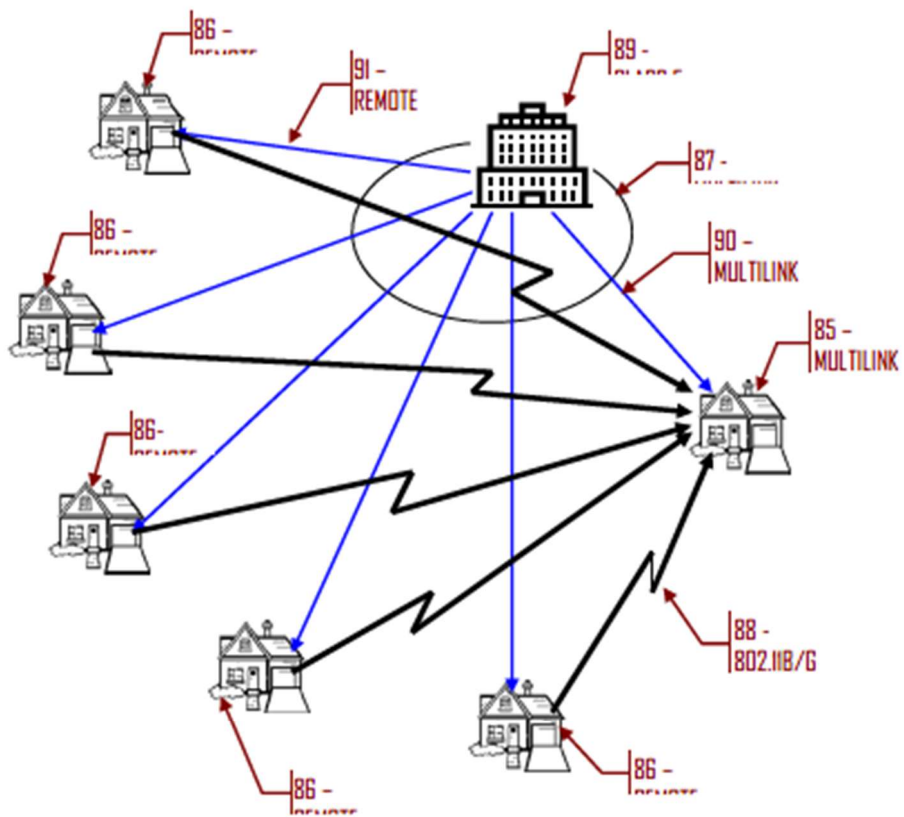


Figure 7 – Ad-hoc wireless LAN with broadband over POTS using 802.11b/g 11/54 Mbps wireless connections

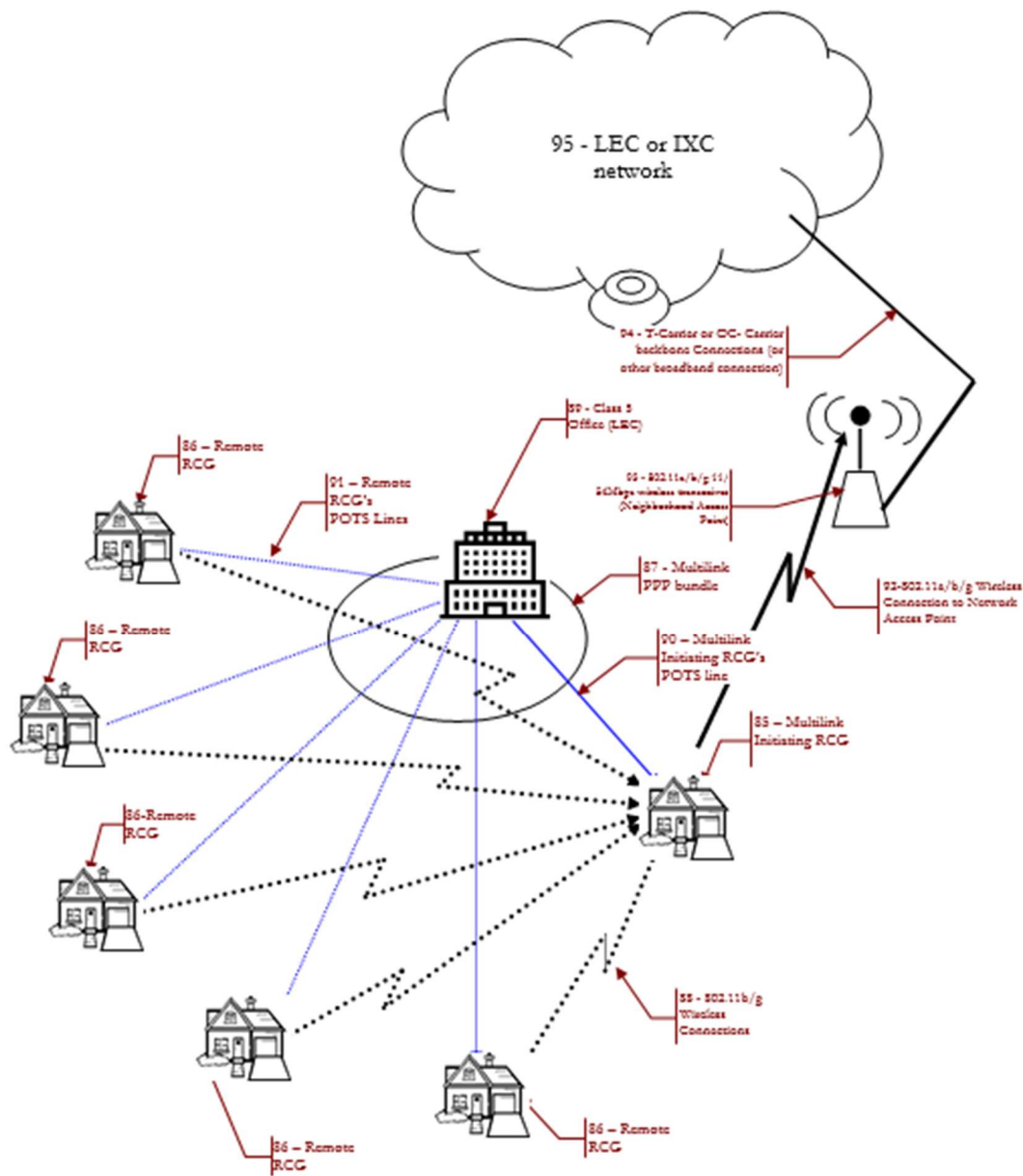


Figure 8 - Broadband over POTS w/ 802.11a/b/g 11/54Mbps wireless connections w/ broadband backbone connection to LEC or IXC

EX2023 at ¶¶ 33–34.

Unfortunately, the actual filing of the application was complicated in that the attorney he reached out to was winding down his practice and failed to respond. EX2023 at ¶ 35. But upon learning of this complication, Mr. Delangis proceeded to

complete his draft application and filed it as a provisional application on October 15, 2002. EX2023 at ¶ 36.

Accordingly, there is evidence corroborating conception as of at least April 23, 2002, and diligent reduction to practice. Notably, Mr. Delangis continues to search decades-old files and hard drives, and Competitive Access Systems, Inc. ("CAS") continues to identify and locate third parties looking for additional corroborating evidence.

V. RED HAT HAS FAILED TO CARRY ITS BURDEN TO PROVE THAT CLAIMS 1-5 OF THE '156 PATENT ARE INVALID

A. Red Hat's Argument Under Ground 1 Fails to Demonstrate Each Claim Limitation of Claim 1 is Disclosed or Rendered Obvious by Challenger in View of Ades

[1.3] "determining which of the nearby RCGs should be contacted for access to unused bandwidth to support a transfer of the requesting RCG, based upon their unused local bandwidth capacity, and a distance and a number of hops between the RCGs and the requesting RCG"

While Red Hat asserts that Challenger teaches "to support a transfer of the requesting RCG, based upon their unused local bandwidth capacity, and a distance and a number of hops between the RCGs and the requesting RCG" in conclusory fashion, Red Hat provides no support for this assertion under Ground 1. To the contrary, Challenger discusses "detecting the availability of *any and all* other last mile telecommunications lines 110 that are connected to operational bandwidth sharing

devices" and does not discuss considering distance or number of hops when determining bandwidth sharing. EX1017 at [0047]; *see also* EX2015 at ¶ 48.

Further, the POSITA would recognize that Challener's system would not have based the determination of RCGs to contact for access based distance and the number of hops between the RCGs and the requesting RCG. EX2015 at ¶ 49. Challener's system consisted of wireless communications between devices that are "immediately adjacent" and which communicate on a single wireless domain. Nor is Challener is concerned with the number of "network hops" between devices, because all devices are separated by "one hop" or one network link. EX2015 at ¶ 49.

To the contrary, Challener repeatedly indicates that the connections between the master and slave BSDs are "direct." Examples of passages from Challener include:

- "master bandwidth sharing device wirelessly communicates with slave bandwidth sharing devices" EX1017 at Abstract
- "Through wireless communications, the master device detects other bandwidth sharing devices" EX1017 at [0020]
- "bandwidth sharing performs all functions necessary ... using wireless transmission techniques" EX1017 at [0021]
- "releases the wireless connection between the master and slave devices" EX1017 at [0022]

See also EX1017 at [0012], [0014], [0038], [0039], [0042], [0044], [0052], [0053], [0056], [0061], [0063], [0066], Fig. 2 and 5, Claims: 1, 3, 11, 12, 20, 21, 22, 23; *see also* EX2015 at ¶ 50.

Accordingly, Red Hat has failed to meet its burden to demonstrate a prima facie case obviousness case with respect to this claim limitation. EX2015 at ¶ 51.

[1.7] "contacting the selected RCGs with control information for sending data to the requesting RCG"

Red Hat argues that this limitation is met in that Challenger discloses that "[t]he operations of the slave devices are determined by the commands from the master device" and "the logic unit [is] capable of controlling a sharing of available bandwidth." EX1017 at ¶[0017] and Claim 21; *see also* EX2015 at ¶ 52.

In Challenger, each slave device is simply a "relay" between the master and a remote node. EX2015 at ¶ 53. This is described concisely by Fig. 6 and Fig. 7 where the slave devices "receive" (606, 708 [sic]) and "send" (608, 710) packets. EX2015 at ¶ 53. As a result, the master doesn't need to distribute "control information" to the slave devices because the slave devices already know to whom they have offered their spare bandwidth (*i.e.*, the master device who is making the request). EX2015 at ¶ 53–54.

B. Red Hat's Argument Under Ground 2 Fails to Demonstrate each Claim Limitation of Claim 1 is Disclosed or Rendered Obvious by Kotzin Alone or in Combination with Ades

[1.3] "determining which of the nearby RCGs should be contacted for access to unused bandwidth to support a transfer of the requesting RCG, based upon their unused local bandwidth capacity, and a distance and a number of hops between the RCGs and the requesting RCG"

Red Hat relies on that Kotzin discloses the use of query messages to determine which of the wireless apparatuses are within range to meet this claim limitation. EX2015 at ¶ 55. Contrary to Red Hat's argument, Kotzin does not specifically discuss considering the number of hops when determining bandwidth sharing as required by the claim limitation. EX2015 at ¶¶ 56–57.

[1.10] "relinquishing the bandwidth of each of the selected RCGs"

Red Hat acknowledges that Kotzin does not discuss relinquishing the bandwidth of each of the selected of the wireless units (Units 2-N in Figure 5). EX2015 at ¶ 58. Red Hat nevertheless argues that given that Kotzin limits the resource sharing to "a given communication session including a data transmission session, voice or audio transmission session" that relinquishment of bandwidth is an outcome of its session-based, on-demand aggregation method. EX2015 at ¶ 58.

To the contrary, Kotzin's entire process is open-loop and participatory. EX2015 at ¶ 59. The "recruitment" of Units 2-N is voluntary, and Unit 1 does a double-sided "confirmation" to the WAN (508) and to the participants (510). EX2015 at ¶ 59; *see also* EX1018 at Claims 3, 6 ("notifying the wide area network" for "facilitating communication" and "sending to each participating wireless unit"). The actual data transmission process is set up by the participants independently confirming directly to the WAN (512) their participation. EX2015 at ¶ 60. Even if they are contained in the other messages (e.g. 508, 510) they aren't required to

transmit the final confirmation (e.g. 512A which results in the actual transfer (e.g. 512B). EX2015 at ¶ 60. The subsequent round (e.g. 514) likewise would be understood to continue to use the established connections between Units 2-N and the WAN system. EX2015 at ¶ 60. Notably, Kotzin never discusses managing or monitoring the status or quality of the communications between the WAN and the participating units. EX2015 at ¶ 61.

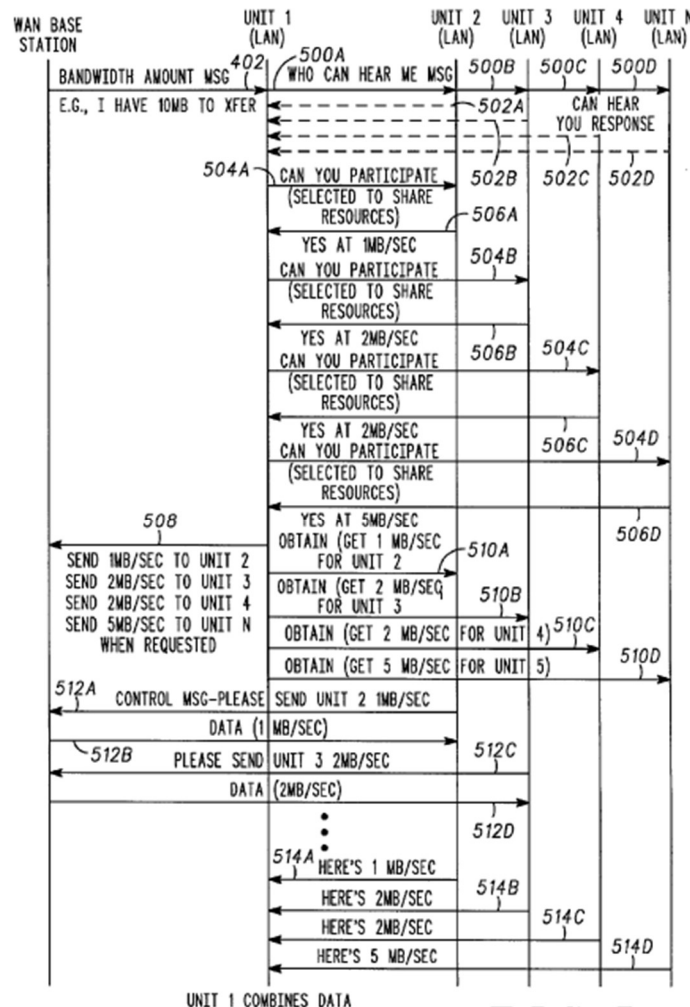


FIG. 5

Kotzin doesn't disclose a "relinquishment" process. EX2015 at ¶¶ 62–63.

VI. CONCLUSION

For the reasons stated above and in CAS's Motion for Discretionary Denial, Red Hat's Petition for *Inter Partes* Review should be denied.

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Respectfully submitted,

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CERTIFICATE OF SERVICE

Under 37 C.F.R. § 42.6(e), the undersigned certifies that on November 6, 2025, a copy of the foregoing PATENT OWNER'S PRELIMINARY RESPONSE, along with Exhibits 2016–2023, were served via email on the following:

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**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME
REQUIREMENTS UNDER 37 C.F.R. § 42.24**

Under 37 C.F.R. § 42.24(d), the undersigned certifies that this Patent Owner's Preliminary Response complies with the type-volume limitation of § 42.24(b)(1) because it contains 4,164 words, excluding the parts exempted by § 42.24(a).

This paper also complies with the typeface requirements of 37 C.F.R. § 42.6(a)(2)(ii) and the type style requirements of 37 C.F.R. § 42.6(a)(2)(iii) and (iv).

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