

Filed: December 10, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

MYPORT TECHNOLOGIES, INC.,
Patent Owner.

IPR2025-01464
Patent 9,832,017

**PATENT OWNER'S PRELIMINARY RESPONSE
TO PETITION FOR *INTER PARTES* REVIEW**

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	LEVEL OF ORDINARY SKILL IN THE ART	2
III.	OVERVIEW OF THE '017 PATENT	2
IV.	THE CHALLENGED CLAIMS	5
V.	CLAIM CONSTRUCTION	6
VI.	RELATED PROCEEDINGS	6
	A. Related MyPort Patents and IPR Petitions.....	6
	B. Related Litigation.....	7
VII.	THE ASSERTED PRIOR ART REFERENCES	8
	A. Spatharis	8
	B. Manjunath.....	9
	C. Fuller.....	10
	D. Jain.....	11
VIII.	LEGAL STANDARD	11
	A. Standard for Granting an IPR.....	11
	B. Obvious Standard	12
IX.	PETITION FAILS TO DEMONSTRATE A REASONABLE LIKELIHOOD OF PREVAILING ON GROUND 1.....	13
	A. Independent Claim 6	13
	1. The Claimed “Media Data Converter” Performs Three Operations Including “Associating The Text And Image Recognition Context Tags With The Digital Image”	13

2.	The Petition Fails To Show That Spatharis Includes “A Media Data Converter” That Performs The Third Claimed “Associating” Function	14
B.	Independent Claim 13 And Dependent Claims 7–12, 14–17	17
X.	PETITION FAILS TO DEMONSTRATE A REASONABLE LIKELIHOOD OF PREVAILING ON GROUND 2.....	18
A.	Independent Claim 6: The Petition Fails To Show That Fuller Includes “A Media Data Converter” That Performs The Third Claimed “Associating” Function.....	18
B.	Independent Claim 13 and Dependent Claims 7–12, 14–17.....	20
XI.	CONCLUSION.....	20

TABLE OF AUTHORITIES

Cases

<i>Garmin Int’l, Inc. v. Patent of Cuozzo Speed Techs. LLC</i> , IPR2012-00001, Paper 15 (PTAB Jan. 9, 2013).....	12
<i>Graham v. John Deere Co.</i> , 383 U.S. 1 (1966)	12
<i>In re Kahn</i> , 441 F.3d 977 (Fed. Cir. 2006).....	13
<i>In re Magnum Oil Tools Int’l</i> , 829 F.3d 1364 (Fed. Cir. 2016).....	16
<i>In re Rijckaert</i> , 9 F.3d 1531 (Fed. Cir. 1993).....	12
<i>Intelligent Bio-Systems, Inc. v. Illumina Cambridge Ltd.</i> , 821 F.3d 1359 (Fed. Cir. 2016).....	16
<i>KSR Int’l Co. v. Teleflex Inc.</i> , 550 U.S. 398 (2007).....	12
<i>MModal LLC v. Nuance Commc’n, Inc.</i> , 846 Fed. Appx. 900 (Fed. Cir. 2021).....	15
<i>Netflix, Inc. v. DivX, LLC</i> , 84 F.4th 1371 (Fed. Cir. 2023)	16

Statutes

35 U.S.C. § 103(a)	12
35 U.S.C. § 312(a)(3).....	15, 16
35 U.S.C. § 314(a)	11

Regulations

37 C.F.R. § 42.100(b)	6
-----------------------------	---

37 C.F.R. § 42.108(c).....11

37 C.F.R. § 42.22(a)(2).....11

Other Authorities

Office Patent Trial Practice Guide

77 FED. REG. 48,756 (Aug. 14, 2012).....11

EXHIBIT LIST

Exhibit No.	Description
2001	October 13, 2020, letter from Patent Owner to Petitioner
2002	Three subsequent letters dated January 12, 2021, March 19, 2021, and April 19, 2021, exchanged between Patent Owner and Petitioner
2003	Parallel Litigation at ECF Nos. 37 and 38
2004	Patent Owner's original complaint filed against Petitioner dated December 6, 2024, in Parallel Litigation

Pursuant to 35 U.S.C. § 313 and 37 C.F.R. § 42.107, Patent Owner MyPort Technologies, Inc. (“MyPort” or “Patent Owner”) hereby provides a preliminary response to the petition for *inter partes* review (“IPR”) (Paper 2, herein “Petition” or “Pet.”).

I. INTRODUCTION

The Petition requests cancellation of claims 6–17 of U.S. Patent No. 9,832,017 (the “’017 Patent” herein, EX-1001). The Petition raises two grounds, one requiring a combination of Spatharis and Manjunath, and the other requiring a combination of Fuller and Jain. The Petition should be denied because it fails to show a sufficient likelihood that Petitioner will prevail as to any claim.

Critically, each claim requires either a “media data converter” (for claim 6) or a “second data converter” (for claim 13) to perform *three* functions, including “associating the text and image recognition context tags with the digital image.” The Petition, however, never identifies where the primary references—Spatharis and Fuller—disclose a media data converter that performs all three claimed functions. That omission is telling. The prior art simply does not disclose a single data converter that performs all three of the claimed functions. Thus, the Petition fails to make a *prima facie* case of obviousness for the challenged claims.

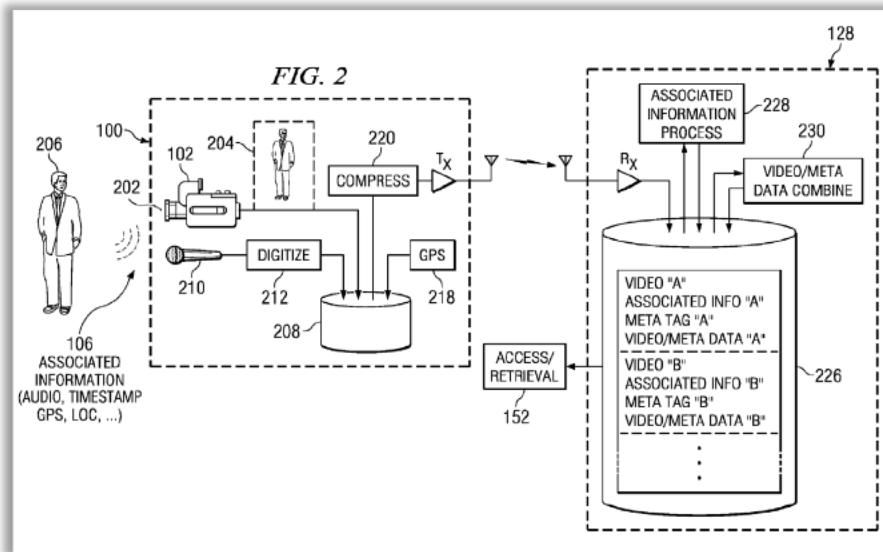
For at least the reasons provided herein, MyPort respectfully requests that the Board deny the petition and not institute trial.

II. LEVEL OF ORDINARY SKILL IN THE ART

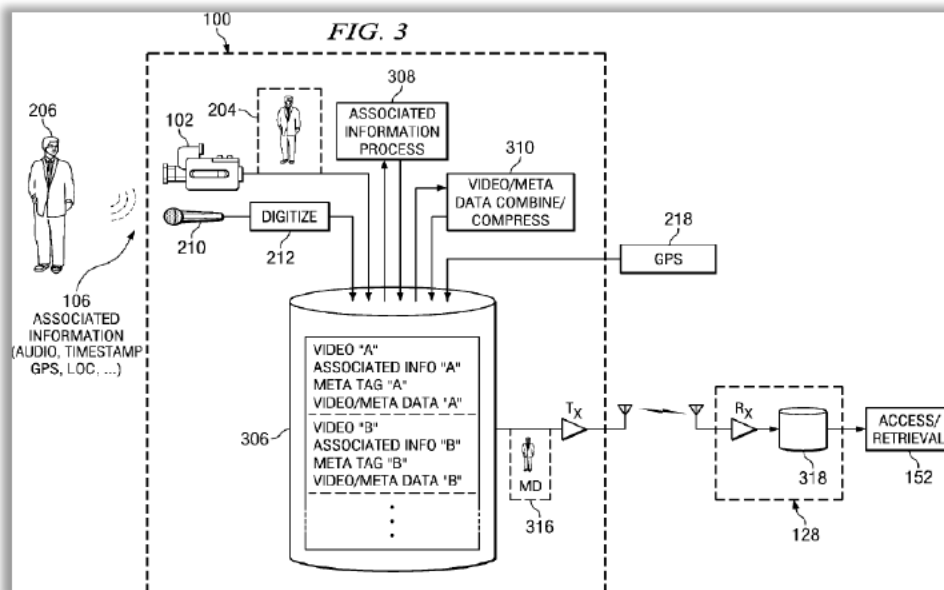
For deciding institution only, Patent Owner does not contest Petitioner's proffered definition of the level of a person of ordinary skill in the art ("POSITA"). Patent Owner, however, reserves the right to do so in subsequent filings, if necessary.

III. OVERVIEW OF THE '017 PATENT

The '017 Patent describes and claims a system for capturing images and creating searchable "context tags" related to the images. The images and their context tags may be stored in association with each other on an image capture device or on a separate network computer, such as in a database. The context tags enhance search and retrieval of the images. Figure 2 illustrates an embodiment in which the images and associated context tags are stored in a database 226 on a storage facility 128, whereas Figure 3 illustrates an embodiment in which the images and associated context tags are stored in a database 306 on a capture device 100.



EX-1001, Fig. 2.



Id., Fig. 3.

According to the '017 Patent, “audio describing the image” may be captured for “context”:

[A]t the time of information capture, the capture device may gather additional information from the operator by means of a secondary data

converter 108 that relates to defining the context of the data element. For example, after a camera/video recorder takes a picture/video, a microphone [210 in Figures 2-3] (the secondary data converter) might capture the audio describing the image or the audio from the video just captured. This “context description element” 110 is stored along with the data element and the meta data.

EX-1001, 4:24–32.

The ’017 Patent continues to describe how the image (“data element” 204 in Figs. 2–3), the context description elements, and optionally meta data (*e.g.*, time, date, location, operator identification) can be combined into “a composite data set”:

At this point, the capture device 100 has in its internal temporary storage the data element, the meta data and optionally the context description element. It now creates a composite data set using one of a number of well-known algorithms for combining multiple data sets into a single data set.

Id., 4:33–38. Optionally, the data may also be encrypted. *Id.*, 4:45–59.

Next, the “context tags” are created and added:

Context tags 146 are searchable elements derived from either the data element 104 [204 in Figures 2-3] itself or from the context description element 110. For example, if the data element 104 is a still photograph or video, the storage facility may create context tags that describe elements of the scene or image(s), such as “animal,” or “dog,” or “Spot,” depending on the mechanism that converts the information in the data element or the context description element into a tag.

[E]quipment analyze[s] the data elements (photograph, movie, audio recording, etc.) and create[s] 148 a set of appropriate tags. For audio files, this may include a speech-to-text algorithm; for still or moving images, it may include image recognition and identification.

Whatever the method used, at the end of the process the set of data to store includes the data element 102 [sic, 104], the context element 110, and meta data 106 that now includes a set of searchable tags specific to that image, video, audio or other media. 146, presumed that, as image and voice recognition improve; this task can be fully automated. Therefore, the preferred embodiment of this invention is to have the task automated.

Id., 5:39–58.

As noted above, two examples of “context tags” are generated from “a speech-to-text” algorithm of the context description element 110 in the form of “audio describing the image” or “image recognition and identification.” *Id.*, 4:29–30, 5:60–62. Both types of context tags are searchable. *Id.*, 5:39–41 (“Context tags 146 are searchable elements derived from either the data element 104 itself or from the context description element 110.”).

IV. THE CHALLENGED CLAIMS

Petitioner challenges independent claims 6 and 13 and dependent claims 7–12 and 14–17 of the ’017 Patent in Ground 1 as being obvious over Spatharis in view of Manjunath; and Ground 2 as being obvious over Fuller in view of Jain.

V. CLAIM CONSTRUCTION

The '017 Patent's challenged claims are to be construed "using the same claim construction standard that would be used to construe the claim in a civil action under 35 U.S.C. § 282(b)." 37 C.F.R. § 42.100(b) (Nov. 13, 2018). The Petition does not seek construction of any terms in the '017 Patent. For this filing, Patent Owner does not propose that the Board expressly construe any claims, but reserves the right to do so in subsequent filings, if necessary.

VI. RELATED PROCEEDINGS

A. Related MyPort Patents and IPR Petitions

The '017 Patent is one of a family of patents, three of which MyPort has asserted against the Petitioner in the related litigation. The two other asserted patents (U.S. Patent Nos. 10,237,067 (the "'067 Patent") and 10,721,066 (the "'066 Patent")) are child and grandchild continuations of the '017 Patent. The Petitioner simultaneously filed four IPR petitions against each of the asserted patents.¹ The other three IPRs are IPR2025-01465 (against the '067 Patent),

¹ MyPort's original complaint included assertion of a fourth patent—U.S. Patent No. 11,188,998 (the "'998 Patent"). MyPort, however, has removed this patent from its proposed amended complaint and is no longer asserting infringement by Apple for this patent.

IPR2025-01466 (against the '066 Patent), and IPR2025-01467 (against the '998 Patent).

The '017, '066, and '067 Patents have similar claim sets (17 claims with claims 6 and 13 in independent form). The '067 Patent claims differ from the '017 Patent claims in that the '067 Patent additionally recite, for example, encryption and decryption or capturing location and time information for images. The '066 Patent claims differ from the other three patents in that its claims are in method form. The '998 Patent claims differ from the claims involved in the other three asserted patent IPRs.

B. Related Litigation

Patent Owner filed suit in the United States District Court for the District of Delaware against Petitioner asserting infringement of four patents on December 6, 2024. *See* EX-1010. Petitioner filed a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) on March 21, 2025. In the motion, Petitioner argued that all asserted claims are directed to ineligible subject matter under 35 U.S.C. § 101. On September 23, 2025, the court granted Petitioner's motion to dismiss and further ordered that Patent Owner may file a motion for leave to file an amended complaint. Patent Owner has since filed its motion for leave and filed its amended complaint on October 30, 2025. The amended complaint no longer asserts the '998

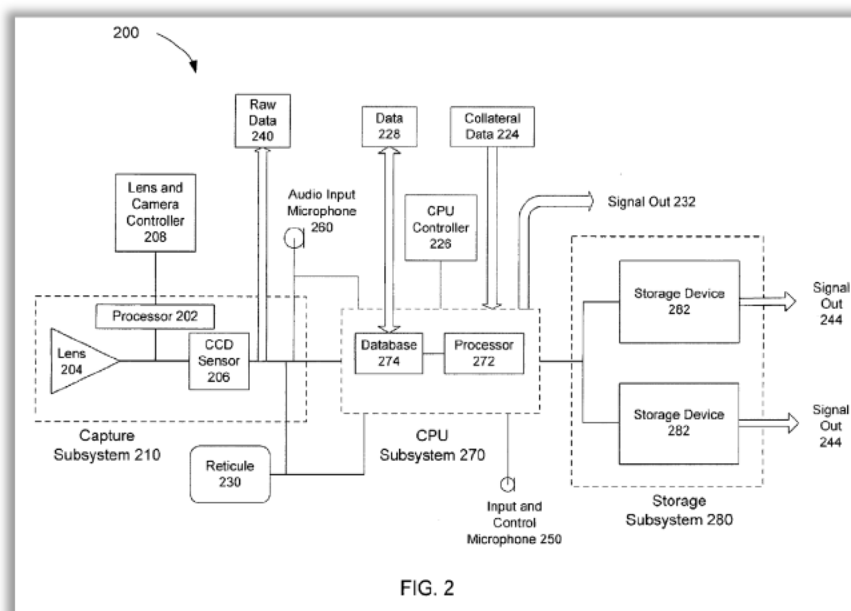
Patent against Petitioner and includes additional facts to address the patent eligibility issues raised by Petitioner.

VII. THE ASSERTED PRIOR ART REFERENCES

A. Spatharis

Spatharis generally relates to a camera system for extracting, processing, and sending metadata associated with audio and/or video data. EX-1009, Abstract, ¶ 6.

The camera system relied upon in the Petition is shown in Figure 2 (below).



Id., Fig. 2.

As shown in Figure 2, the camera system includes capture subsystem 210 for capturing image data, audio input microphone 260 for capturing audio data, and a block for collateral data 224, which is configured to capture other collateral data.

Id., Fig. 2, ¶¶ 31–33. Examples of collateral data include additional markings and

annotating data that can be used by the system to process image and/or sound data. *Id.*, ¶ 33.

The data obtained from capture subsystem 210, audio input microphone 260, and collateral data 224 are all input to a central CPU subsystem 270. *Id.*, Fig. 2. CPU subsystem 270 includes a processor 272 and a database 274. *Id.*, Fig. 2, ¶ 29.

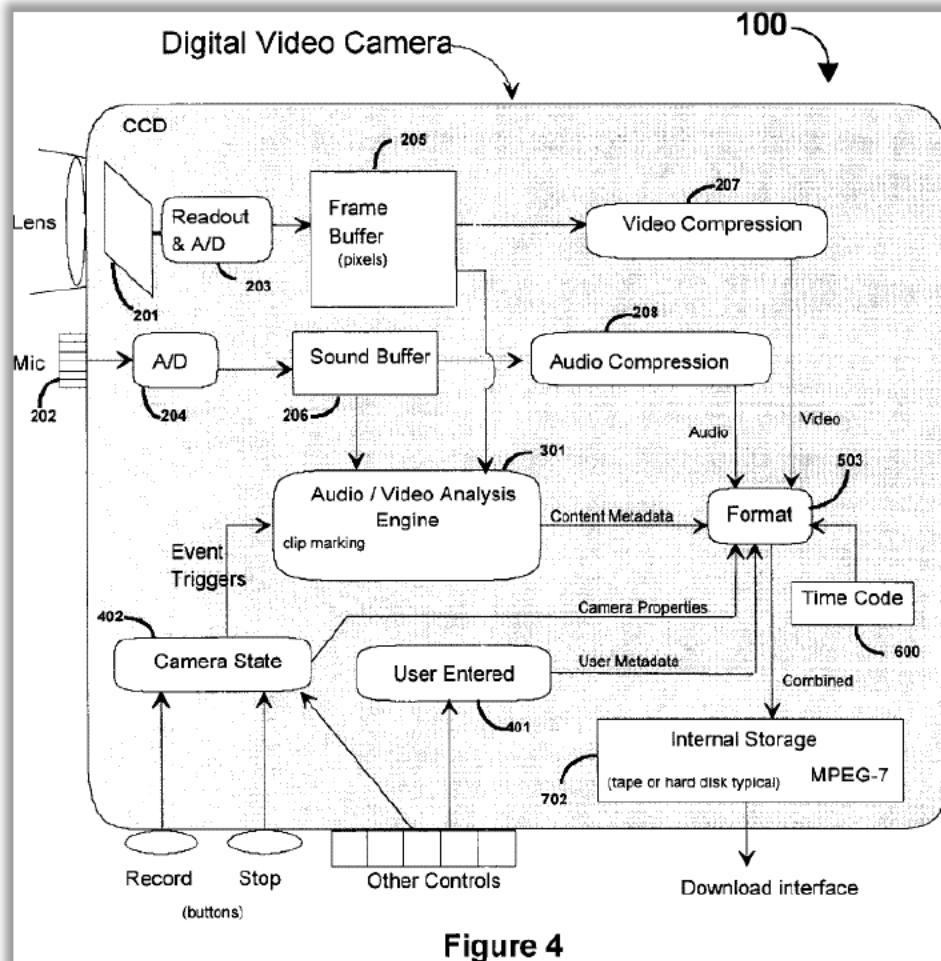
Once the input data is processed by CPU subsystem 270, it can be output from the camera system via output signal 232. *Id.*, Fig. 2. Output signal 232 can be a processed signal that contains audio and/or video with associated metadata (*i.e.*, enriched data). *Id.*, ¶ 34. Processed data can also separately be sent to storage subsystem 280, which includes multiple storage devices 282. *Id.*, Fig. 2. Output signals 244 from those storage devices 282 facilitate downloading of the stored content and/or associated metadata into asset-management, archiving, or library systems. *Id.*, ¶ 34.

B. Manjunath

Manjunath is a book entitled “Introduction to MPEG-7.” Manjunath provides a general overview of the MPEG-7 standard, “as well as insights, into the critical elements of the standard and information that is pertinent to understanding MPEG-7 and its practical use.” EX-1010, 30.

C. Fuller

Fuller discloses a digital capture system 100. Fuller's Figure 4, reproduced below, illustrates an example of the path of audio and video data and the generation of metadata. EX-1005, 4:66–5:3.



Id., Fig. 4.

Video data and audio data are digitized and stored in respective buffers 205 and 206. That data is then split into two paths where (1) the analysis engine 301 accesses the buffers 205 and 206 to perform metadata extraction and (2) video and

audio may be compressed by respective compression 207 and 208. *See id.*, 5:43–45, 7:43–46, 7:51–53. The formatting unit 503 packages the audio, video, and metadata. *Id.*, 8:5–8. The resulting MPEG-7 data may be stored in a storage unit 702. *Id.*, 8:8–10.

D. Jain

Jain is a patent directed to a system and method for video cataloging. EX-1006, Abstract. In Jain, videos are cataloged according to predefined or user definable metadata. *Id.* The metadata is used to index and then retrieve encoded video. *Id.*

VIII. LEGAL STANDARD

A. Standard for Granting an IPR

The Board may only authorize an IPR be instituted where “the information presented in the petition ... shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” 35 U.S.C. § 314(a); 37 C.F.R. § 42.108(c). The Petitioner bears the burden of showing that the statutory threshold is met. Office Patent Trial Practice Guide, 77 FED. REG. 48,756 (Aug. 14, 2012). A Petition must provide “[a] full statement of the reasons for the relief requested, including a detailed explanation of the significance of the evidence including material facts, and the governing law, rules, and precedent.” 37 C.F.R. § 42.22(a)(2).

B. Obvious Standard

“A patent may not be obtained ... if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.” 35 U.S.C. § 103(a). The obviousness analysis requires several threshold inquiries.

If a single element of the claim is absent from the prior art, the claim cannot be considered obvious. *In re Rijckaert*, 9 F.3d 1531, 1534 (Fed. Cir. 1993) (reversing obviousness rejection where prior art did not teach or suggest all claim limitations); *Garmin Int’l, Inc. v. Patent of Cuozzo Speed Techs. LLC*, IPR2012-00001, Paper 15, 15 (PTAB Jan. 9, 2013) (denying institution under § 103 where the prior art did not disclose all claim limitations).

Obviousness is resolved based on factual determinations including (1) the scope and content of the prior art, (2) any differences between the claimed subject matter and the prior art, and (3) the level of ordinary skill in the art. *Graham v. John Deere Co.*, 383 U.S. 1, 17–18 (1966).

The conclusion of obviousness based on a combination of references must be supported with an explicit analysis of a reason to combine those references. *KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 418 (2007). Such reasons must be more than “mere conclusory statements; instead, there must be some articulated

reasoning with some rational underpinning to support the legal conclusion of obviousness.” *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006).

IX. PETITION FAILS TO DEMONSTRATE A REASONABLE LIKELIHOOD OF PREVAILING ON GROUND 1

A. Independent Claim 6

1. The Claimed “Media Data Converter” Performs Three Operations Including “Associating The Text And Image Recognition Context Tags With The Digital Image”

Claim 6 is a system claim comprising “a capture device” including multiple components. Those components include “a microphone,” “a first data converter,” “internal storage,” “a camera,” “a combiner,” and “a media data converter.” Claim 6 recites further details regarding functions performed by those components.

Of relevance here, claim 6 expressly requires the “media data converter” to perform *three* functions (highlighted in green below).

a media data converter for converting the received set 25
of captured information to convert the received digital
audio to a text based searchable file as a text
context tag and creating an image recognition
searchable context tag with image recognition of at
least a portion of the digital image and associating 30
the text and image recognition context tags with the
digital image, and

EX-1001, 11:25–32.

First, the “media data converter” is used for “converting the received set of captured information to convert the received digital audio to a text based searchable file as a text context tag.” Second, the “media data converter” is used for “creating an image recognition searchable context tag with image recognition of at least a portion of the digital image.” Third, the “media data converter” is used for “associating the text and image recognition context tags with the digital image.”

To prevail in this proceeding, the Petition was required to demonstrate that a “media data converter”—*and not some other device or combination of devices*—performs *all three* claimed functions. The Petition, however, fails to do so, which is fatal to this IPR.

2. The Petition Fails To Show That Spatharis Includes “A Media Data Converter” That Performs The Third Claimed “Associating” Function

The Petition asserts that Spatharis discloses Limitation 6.11 because it describes a device in which generated metadata tags are associated with captured content. Pet., 35–36. But the Petition’s analysis of Limitation 6.11—in the context of claim 6 *as a whole*—is fundamentally deficient.

The Petition dissects the claim language into isolated fragments and analyzes those fragments such that the claimed functions can be performed by *any* component. But that is not how claim 6 is written. Claim 6 is a system claim that

expressly ties the claimed functions to specific components. The relationships between the functions and components are central to the claim and cannot be disregarded. The Petition either ignores or attempts to obscure these critical relationships.

Significantly, the Petition fails to identify where Spatharis discloses “a media data converter” that “associat[es] the text and image recognition context tags with the digital image.” The Petition’s failure to address this express requirement is fatal, and institution should be denied for this reason alone. 35 U.S.C. § 312(a)(3); *MModal LLC v. Nuance Commc’n, Inc.*, 846 Fed. Appx. 900, 906 (Fed. Cir. 2021) (“A petitioner generally must provide in the petition an understandable explanation of the element-by-element specifics of the unpatentability challenges, including the particular portions of prior art supporting those challenges.”).

At best, the Petition’s analysis of Limitation 6.11 (including the referenced expert testimony) merely notes that metadata tags are generated by the Spatharis device and that those tags are permanently associated with captured content. Pet., 36. But that cursory discussion falls far short of explaining—much less demonstrating with particularity—how any purported “media data converter” in Spatharis performs the required “associating” function of Limitation 6.11. And the Board cannot be expected to fill this critical gap in the Petition’s showing, and it would be improper for it to do so. *In re Magnum Oil Tools Int’l*, 829 F.3d 1364,

1381 (Fed. Cir. 2016) (“[W]e find no support for the PTO’s position that the Board is free to adopt arguments on behalf of petitioners that could have been, but were not, raised by the petitioner during an IPR. Instead, the Board must base its decision on arguments that were advanced by a party”); *see also Netflix, Inc. v. DivX, LLC*, 84 F.4th 1371, 1377 (Fed. Cir. 2023) (holding that “the Board should not have to decode a petition to locate additional arguments beyond the ones clearly made” and “[u]ltimately, it is the petitioner’s burden to present a clear argument”); *Intelligent Bio-Systems, Inc. v. Illumina Cambridge Ltd.*, 821 F.3d 1359, 1369 (Fed. Cir. 2016) (“It is of the utmost importance that petitioners in the IPR proceedings adhere to the requirement that the initial petition identify ‘with particularity’ the ‘evidence that supports the grounds for the challenge to each claim.’”) (quoting 35 U.S.C. § 312(a)(3)).

Further, the Petition expressly maps claim 6’s “media data converter” limitation to Spatharis’ metadata extraction engine 400. Pet., 32. Metadata extraction engine 400, however, simply extracts (*i.e.*, obtains) information about content and then provides data streams containing that information to other components. EX-1009, ¶ 42. Significantly, nowhere in Spatharis is it disclosed that metadata extraction engine 400 performs any “associating” function. The Petition lacks any obviousness arguments to fill in this gap in the analysis. Thus, the Petition fails to articulate any viable theory showing how Spatharis’ alleged

“media data converter” (*i.e.*, metadata extraction engine 400) performs the function of “associating the text and image recognition context tags with the digital image” as claim 6 expressly requires.

For at least these reasons, the Petition fails to make a *prima facie* case of obviousness for claim 6 of the '017 patent for Ground 1.

B. Independent Claim 13 And Dependent Claims 7–12, 14–17

As discussed above, claim 6 recites “a media data converter” that performs three operations including “associating the text and image recognition context tags with the digital image.” In claim 13, the media data converter is replaced with “a second data converter.” Pet., 44 (Limitation 13.7). The issues raised above for the “media data converter” apply equally for the “second data converter.” *Id.* (simply incorporating by reference arguments for claim 6 for claim 13). Thus, Petitioner has failed to make a *prima facie* case of obviousness for independent claim 13 for the same reasons discussed above and incorporated by reference for claim 6.

Further, Petitioner’s analysis for dependent claims 7–12 and 14–17 fail to cure the deficiencies for independent claim 6. Thus, for the same reasons stated above for independent claim 6, Petitioner fails to make a *prima facie* case of obviousness for dependent claims 7–12 and 14–17.

**X. PETITION FAILS TO DEMONSTRATE A REASONABLE
LIKELIHOOD OF PREVAILING ON GROUND 2**

**A. Independent Claim 6: The Petition Fails To Show That Fuller
Includes “A Media Data Converter” That Performs The Third
Claimed “Associating” Function**

The Petition relies on Fuller to meet Limitation 6.11. Pet., 68–70. But the analysis for Fuller includes the same types of flaws as described above for Spatharis in Ground 1.

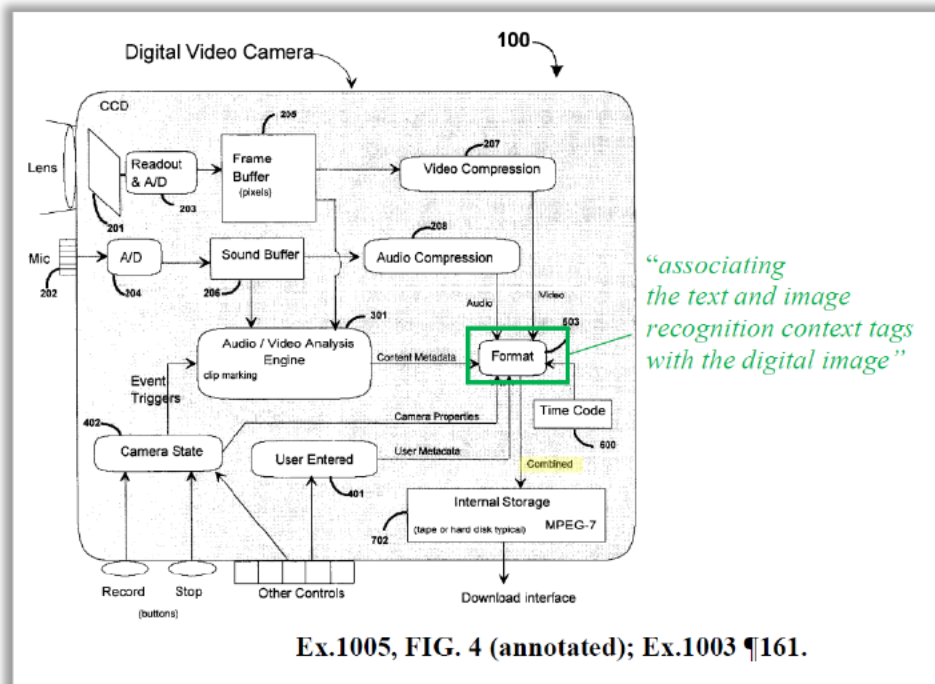
Specifically, the Petition asserts that the claimed “media data converter” limitation is satisfied by audio/video analysis engine 301.

[6.9] a media data converter for converting the received set of captured information to convert the received digital audio to a text based searchable file as a text context tag and

First, Fuller’s digital video camera 100 includes an audio/video analysis engine 301 (“a media data converter for converting the received set of captured

Pet., 61.

The Petition then takes the position that the “associating” limitation is satisfied *by format unit 503*.



Pet., 70.

Taken together, the Petition does not rely on the purported “media data converter” (*i.e.*, audio/video analysis engine 301) to perform the claimed “associating” function. Instead, it shifts that function to a separate component—format unit 503. But as explained above, claim 6 expressly requires that the “media data converter” (*i.e.*, the audio/video analysis engine 301 under Petitioner’s theory)—and not another component—perform the “associating” function recited in Limitation 6.11. The Petition’s theory is therefore fundamentally at odds with claim 6’s express requirements.

For at least these reasons, the Petition fails to make a *prima facie* case of obviousness for claim 6 of the ’017 Patent for Ground 2.

B. Independent Claim 13 and Dependent Claims 7–12, 14–17

The issues raised above for the “media data converter” in claim 6 apply equally for the “second data converter” in claim 13. Thus, Petitioner has failed to make a *prima facie* case of obviousness for independent claim 13 for the same reasons discussed above and incorporated by reference for claim 6. Further, Petitioner’s analysis for dependent claims 7–12 and 14–17 fail to cure the deficiencies for independent claim 6. Thus, for the same reasons stated above for independent claim 6, Petitioner fails to make a *prima facie* case of obviousness for dependent claims 7–12 and 14–17.

XI. CONCLUSION

For at least the foregoing reasons, Patent Owner respectfully requests that the Board deny Petitioner’s request for *inter partes* review of the ’017 Patent.

Dated: December 10, 2025

Respectfully Submitted,

/Rex Hwang/

Rex Hwang (Reg. No. 56,206)

SKIERMONT DERBY LLP

633 West 5th Street, Suite 5800

Los Angeles, CA 90071

P: 213-788-4500 / F: 213-788-4545

MyPort_IPR_SDTeam@skiermontderby.com

Lead Counsel for Patent Owner

CERTIFICATE OF WORD COUNT

Pursuant to 37 C.F.R. § 42.24(b), the undersigned hereby certifies that the word-process Microsoft Office word count for the foregoing **PATENT OWNER'S PRELIMINARY RESPONSE TO PETITION FOR *INTER PARTES* REVIEW**, excluding the table of contents, table of authorities, claim listing, certificate of word count, and certificate of service, totals 3,575 words, which is less than the 14,000 words allowed under 37 C.F.R. § 42.24(b)(1).

Dated: December 10, 2025

Respectfully Submitted,

/Rex Hwang/

Rex Hwang (Reg. No. 56,206)
Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on December 10, 2025,
a true and correct copy of the foregoing **PATENT OWNER'S PRELIMINARY
RESPONSE TO PETITION FOR *INTER PARTES* REVIEW** was served via
electronic mail upon the attorneys of record for Petitioner at the following
addresses:

Scott T. Jarratt
scott.jarratt.ipr@haynesboone.com
Calmann J. Clements
calmann.clements.ipr@haynesboone.com
Dan Smith
dan.smith.ipr@haynesboone.com
Dirk Bernhardt
dirk.bernhardt.ipr@haynesboone.com

Dated: December 10, 2025

Respectfully Submitted,

/Rex Hwang/

Rex Hwang (Reg. No. 56,206)
Counsel for Patent Owner