

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner

v.

SONOS, INC.,

Patent Owner.

Case No. IPR2026-00131
U.S. Patent No. 10,966,025

**PETITIONER'S OPPOSITION TO
PATENT OWNER'S REQUEST FOR DISCRETIONARY DENIAL**

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I. Introduction

This Petition is an *early challenge* to a patent that *issued in 2021*, and it provides the Office with an opportunity to correct its material errors and assess stronger art, like Litbak.¹ The Office made several material errors throughout the examination of the '025 patent. Most notably, the Examiner's reasons for allowance rely on several phantom limitations that are *not recited in any claim* of the '025 patent, thus assessing the incorrect claim scope. The Examiner's notice of allowance also relies on several limitations that are only recited by dependent claims. Moreover, the Office overlooked that Seydoux-987 teaches the pairing determination limitation. During prosecution Sonos argued that this limitation was missing from the prior art, but Sonos's Request does not dispute this teaching in Seydoux-225, confirming that the Office erred by overlooking it. Req. 12-15. The Office should correct these material errors, and now is the time to do so given that the '025 patent issued only four years before this Petition.

Other discretionary considerations further support institution: 1) Sonos's Request continues to misstate Google's claim construction positions, 2) there is no trial date in the parallel litigation, and 3) the evidence suggests that any trial will occur after the Board's deadline to issue a FWD, or at most a couple of months beforehand. Sonos has made the parallel district court litigation increasingly more

¹ Emphases added unless otherwise stated.

complex by waiting to assert the '025 patent until five years after commencing the litigation. Accordingly, in addition to the meritorious challenge presented in the Petition, Google requests that the Director institute the Petition because discretionary considerations favor Google.²

II. Sonos Has No Settled Expectations in a Patent that Issued in 2021 and Was Four Years Old When this Petition Was Filed

This Petition is an early challenge. Sonos has no settled expectations in the '025 patent because it *issued in 2021* and thus was *only four years old* when Google filed this Petition. *See Geotab Inc. v. Fractus, S.A.*, IPR2025-01026, Paper 14, 2 (Director Oct. 17, 2025) (2021 patent in the early challenge window for being less than four years old); *Apple Inc. v. Apex Beam Techs. LLC*, IPR2025-00896, Paper 10, 3 (Director Sep. 3, 2025) (no strong settled expectations in four-year-old patent). The '025 patent is young and now is the time for the Office to correct its material errors made during prosecution.

² Petitioner reserves the right to challenge the March 26, 2025, Interim Processes for PTAB Workload Management, including that document's list of "relevant" factors, at least because that document is legally invalid as (1) exceeding the Director's authority, (2) arbitrary and capricious, and (3) adopted without notice-and-comment rulemaking.

Sonos is not entitled to any settled expectations in the '025 patent before it issued in 2021. Sonos's citation to *Murata Manufacturing Co. v. Georgia Tech Research Corp.* (Req. 16) is inapposite because "the challenged patent ha[d] been in force for more than 16 years." IPR2025-00383, Paper 14, 2-3 (Director July 29, 2025). While some reasons may entitle young patents to settled expectations, e.g., "an extraordinary amount of investment, time, and resources dedicated to research, development, trials, and regulatory approval," *Amgen Inc. v. Bristol-Myers Squibb Co.*, IPR2025-00601, Paper 9, 2 (Director July 24, 2025), Sonos has ***presented no evidence*** of any such reasons.

The material errors in examination, explained below, outweigh any interests Sonos has in the '025 patent because the Director routinely finds that material error outweighs other factors. *Microsoft Corp. v. ParTec Cluster Competence Ctr. GmbH*, IPR2025-00318, Paper 9, 3 (Director June 12, 2025); *Eunsung Glob. Corp. v. HydraFacial LLC*, IPR2025-00445, Paper 14, 2-3 (Director July 10, 2025); *Tesla, Inc. v. Charge Fusion Techs., LLC*, IPR2025-00152, Paper 11, 2-3 (Director June 12, 2025).

III. The '025 Patent Only Exists Because of Material Examination Errors

The examination of the '025 patent contains multiple errors that resulted in the allowance of obvious claims. These material errors warrant the Office's attention to reassess this improperly granted patent, which outweighs other discretionary

factors. *Taiwan Semiconductor Mfg. Co. v. Marlin Semiconductor Ltd.*, IPR2025-00847, Paper 11, 3-4 (Director Sep. 3, 2025); *Microsoft*, IPR2025-00318, Paper 9, 3.

A. The Independent Claims Never Should Have Issued Based on the Examiner's Reasons for Allowance

1. The Examiner Imported Several Phantom Limitations and Dependent Claim Limitations

The Examiner's first material error was importing multiple phantom limitations that are *not recited in any claim* of the '025 patent. The Examiner doubled down on this material error by also importing numerous dependent claim limitations, which cannot serve as a basis for allowing the independent claims. The reasons for allowance are copied below, illustrating the phantom limitations (bold) and the limitations that are only recited by dependent claims (underlined)³:

The prior art does not reasonably teach selectively grouping a plurality of network connectable audio output devices comprising; **within a user interface operable for selecting each/any of the audio output devices to operate within a playback zone in a particular location, the zone** comprising a user directed grouping of named individual audio output devices configurable for synchronous playback of a selected media; activating the selected one or more individual audio output devices of the zone to perform synchronous delivery of the media; the media delivered by the one or more individual audio output devices derived from a first, second, etc. source based upon audio data

³ The Examiner did not use the claim language. To the extent any of these limitations are encompassed, they are not reasonably encompassed until the dependent claims.

and/or audio configuration data and wherein **the particular selection of a zone or group of zones** additionally maps channels of the audio data to particular audio output devices in a manner which directs playback of one or more channels of audio data **through particular instances of one or more zones** and where the mapped channel playback is configured based on the audio data and/or audio configuration data determined by the playback device configuration and additionally operable to select any of a plurality of playback device parameters including equalization curves, gain, etc. from each/any audio playback device(s) in the one or more zones.

EX1002, 57. *None of the '025 patent claims require* a “zone or group of zones” or “selecting” “within a user interface,” much less “selecting each/any of the audio output devices to operate within a playback zone in a particular location, the zone,” “selecti[ng] of a zone or group of zones,” or performing any operations “through particular instances of one or more zones.” *Compare id., with* EX1001, cls. 1-23. Likewise, *none of the claims* require deriving media from “a first, second, etc. source.” EX1002, 57. The claims only require a single source, “a network,” for audio data—“receive audio data over a network.” EX1001, cl. 1.

The claims do not require that the playback device “deliver[.]” “media” (i.e., transmit) (EX1002, 57) *until dependent claims 10-12*. E.g., EX1001, cl. 10 (“playback device is further configured to ... transmit audio data of at least one additional separate audio channel over the network.”). The independent claims only require that the claimed playback device “receive,” not transmit or deliver, “audio data” and “a signal.” EX1001, cl. 1.

The Examiner also considered elements such as “synchronous playback,” “synchronous delivery,” “map[ping] channels of audio data to particular audio output devices,” and “equalization curves” and “gain,” but none of these are required by the independent claims. EX1002, 57. **Only dependent claims 20 and 22** recite synchronization (*id.*)—“changing a synchronization type between paired devices” (EX1001, cls. 20, 22). **Only dependent claim 9** requires instructing the “playback device to play back a particular channel of the audio data,” (EX1001, cl. 9), to the extent that is within the scope of the “map[ping] channels of audio data to particular audio output devices” language that the Examiner considered (EX1002, 57). Finally, “parameters including equalization curves, gain, etc.” (EX-1002, 57), as considered by the Examiner, are not recited until **dependent claims 2, 17, 19-20, and 22**, which recite “pass-filter parameters,” “frequency response,” and “amplifier gain” (EX1001, cls. 2, 17, 19-20, 22).

The Examiner improperly examined the claims under a narrow interpretation. This is a material error because the Examiner failed to examine the actual independent claims and apply the broadest reasonable interpretation. *See SRAM Corp. v. AD-II Eng’g, Inc.*, 465 F.3d 1351, 1359 (Fed. Cir. 2006) (“While the Patent and Trademark Office (the ‘PTO’) generally gives claims their broadest reasonable interpretation consistent with the specification, paradoxically in this case, the PTO construed the claim narrowly, rather than broadly, by reading in the same limitation

as did the district court. In doing so, the PTO erred for the same reasons as did the district court. The Patent Examiner's actions thus provide no support for SRAM's argument." (citations omitted)). This Petition warrants the Office's resources to evaluate the claims with respect to the prior art under the proper claim scope.

2. The Examiner's Combination Expressly Teaches Any Remaining Limitations

Setting aside the phantom limitations and the dependent claim limitations, the only limitations that remain in the Examiner's reasons for allowance are "selectively grouping a plurality of network connectable audio output devices" and "a user directed grouping of named individual audio output devices." EX1002, 57.

This limitation is not expressly recited in the independent claim, but to the extent that claim 1 encompasses it, Applicant did not dispute the Examiner's assertion that McCarty teaches "wireless communication between ... wirelessly implemented speakers" (network connectable). *Id.*, 1700. Applicant also agreed that the Examiner's presented combination teaches "[u]sing the DME Designer application, '[m]ultiple zones can be created for an area, multiple device groups can be created for a zone, and multiple configurations can be created for a device group.'" *Id.*, 1658 (alteration in original). This discloses a designer application for creating and configuring groups of audio devices, i.e., "selectively grouping ...

audio output devices” / “a user directed grouping of named individual audio output devices.” *Id.*, 57.

B. Seydoux-987, Cited on the Face of the '025 Patent, Teaches the Purportedly Novel Claim Element.

Seydoux-987 is cited on the face of the '025 Patent. EX-1001, References Cited. U.S. Patent 8,054,987 (Seydoux-987) matured from the application that published as U.S. Patent App. Pub. 2007/0160225 (Seydoux-225). EX1026, Cover. Seydoux-987 and Seydoux-225 thus include the same disclosure. Here, Sonos *does not dispute* that Seydoux-225 discloses the pairing determination element. Req. 12-15. Given that it is undisputed that Seydoux discloses the pairing determination element, the Office erred by not applying Seydoux during prosecution. The un rebutted record counsels for institution to correct the Office's errors.

During prosecution, Applicant argued that the prior art did not disclose a playback device determining that it is “either (a) ... not paired with the one or more other playback devices or (b) ... is paired with the one or more other playback devices such that the playback device and the one or more other playback devices have different playback roles.” EX1002, 1655-59 (further arguing that because the pairing determination is missing, the elements that flow from it (changing configuration) are also missing). But Sonos's Request *does not dispute* that Seydoux-225 discloses this element. Req. 12-15. Now that the Petition relies on

Seydoux-225's teachings, Sonos cannot maintain its original prosecution argument that the prior art does not disclose a pairing determination. Although the Examiner's reasons for allowance do not adopt Applicant's arguments, if the Examiner did consider this Applicant argument, then it was a material error to overlook the same disclosure in Seydoux-987.

As explained in the Petition, Seydoux-225 teaches "each loudspeaker draws up a 'proximity table'" and "for each of the loudspeakers found, the table comprises ... its 'differentiation' ..., i.e. the definition of its specific role (left front, right front, woofer, etc.)." Pet. 50-53; Seydoux-225, [0077]-[0079], [0091]-[0092]; Seydoux-987, 7:63-8:22, 8:57-9:7. Seydoux-225's loudspeaker performing "mutual authentication" with another loudspeaker to create a "proximity table" identifying the other loudspeaker's "specific role" discloses determining (i.e., by generating the table) that it is paired with the other loudspeaker such that they have different playback roles (i.e., left, right, woofer). *Id.* Similarly, when the other loudspeaker does not appear in the first loudspeaker's "proximity table," the first loudspeaker determines that it is not paired. *Id.*

Overlooking and failing to issue a rejection based on Seydoux-987 was material error because the Examiner failed to apply Seydoux-987's disclosure of the pairing determination limitation. Moreover, Applicant agreed that the other prior art of record teaches that the "zones, areas, and device groups of DME units can be

configured to play mono and stereo content.” EX1002, 1658. Applicant contended, however, that “each DME Unit simply executes configuration instructions provided by the DME Designer without any knowledge of its playback role.” *Id.* The Examiner should have evaluated how it would have been obvious to merely automate DME’s manually set configurations in view of Seydoux-987’s pairing determination. It is an appropriate use of Board resources to evaluate teachings that the Examiner missed.

C. Litbak Is New, Noncumulative Art, that Should Be Considered Under *Oticon*.

Under *Oticon Medical AB v. Cochlear Ltd.*, IPR2019-00975, Paper 15, 19-20 (PTAB Oct. 16, 2019) (precedential), the Director should not exercise discretion under § 325(d) to deny petitions that present new, noncumulative art to the Office. The Office’s interest in considering new and noncumulative art during IPR should also weigh against discretionary denial under § 314(a).

Litbak was not previously presented to the Office during examination of the ’025 patent. Litbak is new and noncumulative art because it teaches the pairing determination and changing configuration from a “first processing” to a “second processing” limitation which the Applicant asserted were not in the prior art. EX1002, 1655-59. And a POSITA would have considered Litbak relevant because it relates to the same channel output switching as the ’025 patent.

As explained in the Petition, Litbak teaches that its “processor 28 derives ... an indication of a currently required state of the electronic switch, preferably positively designating either the straight-through or diverted switching state” (determine that either (a) the playback device is not paired ... or (b) that the playback device is paired). Pet. 49-50; Litbak, [0019]-[0020], [0024]-[0025], [0047]-[0053], [0061], FIG. 1A. After this not paired determination, Litbak’s playback device outputs “stereo audio” in the “straight through state” (configure the playback device to perform a first processing of the audio data so as to output two-channel audio). Pet. 53-56; Litbak, [0023]-[0026], [0033], [0047], [0061], FIG. 1A. Likewise, after the “arrangement” confirms it is paired with the “puppet,” Litbak’s playback device changes configuration to output “split mono” audio in the “diverted state” (change the configuration of the playback device by configuring the playback device to perform a second processing of the audio data so as to output one-channel audio). Pet. 56-59; Litbak, [0023]-[0026], [0033], [0039], [0047], [0049]-[0053], [0061], FIG. 1B.

This new, noncumulative art weighs against discretionary denial and is worth the Office’s resources because the art at least teaches the element that Sonos argued was not in the prior art. Moreover, reviewing the merits of the new art is worth the Office’s resources because it promotes the Office’s goals of issuing strong patents, upholding innovation, and preventing gamesmanship.

IV. Sonos Continues to Misrepresent Google's Constructions

Sonos once again alleges that “Google raises ten separate indefiniteness grounds for the ’025 Patent claims.” Req. 16-17. Sonos knows this is false. Before this Petition was filed, Sonos stated that “*Sonos understands* that Google *will not be making additional indefiniteness arguments*” except for claim 30 of the ’001 Patent. EX1037, 2 (October 3, 2025 email). Google also informed Sonos of its incorrect statement that Google was advancing indefiniteness positions, despite them being dropped from the district court proceeding, in its discretionary denial briefing for the ’014, ’715, and ’001 patents. *See, e.g., Google LLC v. Sonos, Inc.*, IPR2025-01590, Paper 8, 10-11 (PTAB Jan. 21, 2026).

The claim construction briefing is complete and no terms of the ’025 patent will be construed by the district court, other than the agreed terms identified in Google’s Petition. EX1030; EX1031. Thus, Google is not advancing any indefiniteness positions for the ’025 patent. *Id.* Sonos cites a reservation of rights in Google’s April 28, 2025, invalidity contentions, but that predates and is superseded by the parties’ agreement memorialized in the October 3, 2025, email. Req. 16-17; EX1037, 2. Sonos’s claim that Google advances inconsistent claim constructions is disingenuous and contradicts the knowledge and evidence Sonos had before filing its Request. There is no risk of competing constructions.

V. *Fintiv* Favors Institution

A. Factor 1 Favors Institution or Is at Most Neutral

After the district court’s almost five-year stay, Sonos expanded the scope of the district court litigation by adding the ’025 patent and four other patents. Despite Sonos’s claims otherwise (Req. 3-4), evidence suggests that the assigned judge—Judge Kronstadt—would more likely than not stay the district court litigation to allow the PTAB to decide the patentability of the ’025 patent. EX1034.

Judge Kronstadt’s stay statistics reveal that he is willing to defer to the PTAB to resolve issues of patentability. Judge Kronstadt grants general stays 89% of the time. *Id.* And, when the request to stay is related to a pending PTAB decision, he grants the stay 77% of the time. *Id.* Judge Kronstadt’s grant rate is almost 10% higher than the national average for pending PTAB decisions. *Id.*

Sonos’s arguments do not reflect actual evidence that suggests a stay would be granted. Sonos contends that judges in the CDCA “routinely den[y] stays under similar circumstances,” but the cases Sonos relies on are authored by other judges and not Judge Kronstadt. Req. 3-4.

B. Factor 2 Favors Institution

No trial date has been set. And one month after this IPR was filed, Sonos agreed to push the district court schedule back by over two months. EX2103, 2-3. Sonos presents a conveniently sliced view of generic CDCA’s time-to-trial statistics.

Req. 4-5. But a fuller view reveals that trial is more likely than not going to occur after the Board issues its FWD because Judge Kronstadt's typical time to trial is significantly longer than what Sonos reports.

Sonos's time-to-trial statistics do not fully reflect the district court's estimated time-to-trial statistics. Sonos's brief only references that the median time to trial is 20 months. *Id.*; EX2104. But Sonos's own exhibit reveals that the average time to trial is 28 months, putting the trial date in April 2027—between one and two months before the projected FWD date of June 3, 2027. *See* EX2104. This small gap is outweighed by the Office's material error, especially here for a patent issued in 2021, only four years before this Petition. *Microsoft*, IPR2025-00318, Paper 9, 3. Moreover, applying medians instead of averages, the median time-to-trial date for Judge Kronstadt's *patent cases* is 1,292 days, which is over 41 months. EX1035, 2. This would put trial around May 2028—nearly a year after a FWD.

The district court's standard practice may be “to set [the] trial date at the final pretrial conference, which is typically held only weeks before trial,” but that does not change the outcome. Req. 4 n.1; EX2111, 2. The district court has not set a pretrial schedule or set a date for a final pretrial conference as of the date of this Opposition, which further proves that the time-to-trial date is purely speculative.

The complexity of the parallel litigation outweighs any potential for an earlier trial date. *See Tesla, Inc. v. United States of Am. as represented by the Sec'y of the*

Navy, IPR2025-00341, Paper 12, 2-3 (Director June 13, 2025). Sonos admitted that the litigation is complex, stating: “The California Litigation involves not only the ’025 Patent but also nine other Sonos patents and two Google patents.” Req. 3. These six distinct patent families create a labyrinth the Board’s review would simplify.

C. Factor 3 Favors Institution or Is at Most Neutral

Sonos’s gamesmanship has increased the complexity of the district court litigation, effectively restarting the CDCA case from the beginning. The district court litigation involves twelve patents (ten from Sonos and two from Google). Sonos’s decision to add five patents after the five original patents were litigated at the ITC has forced the parties to restart the litigation. Since Sonos’s assertion of the ’025 patent and four other patents, minimal investment has been made in the litigation as evidenced by the ever-changing district court schedule. EX2103, 2-3.

The district court schedule is far from fast moving. And the parties recently agreed to postpone most of the deadlines by over two months. *Id.* The institution decision deadline for this case is about one week after final invalidity contentions are due. *Id.*, 2. Institution of this IPR would substantially minimize the investment in the case, as Google’s stipulation would refine positions that Google could bring.

Sonos also overstates the parties’ agreement to reuse discovery from the ITC, ignoring that the ITC did not litigate the ’025 patent. Req. 6-7. The parties are seeking additional discovery—indeed, Sonos recently asked the parties to increase

all discovery limits—and does not “preclude any Party from challenging the admissibility, relevance, and responsiveness of the re-used document or information.” EX2105, 11. Moreover, even for the five ITC patents, the parties submitted new invalidity and noninfringement contentions, have had a new *Markman* hearing, and will submit new expert reports. All these issues must be dealt with for the ’025 patent, which was not previously asserted, and for Google’s two asserted patents, requiring the parties to continue to invest substantial resources on litigation.

D. Factor 4 Favors Institution

Sonos oversells the overlap of claims, grounds, and arguments between the Petition and the district court litigation. Req. 7-10. The Petition challenges fifteen more claims than Sonos asserts in the district court litigation. EX2107, 6; Pet. 1. Such challenges are worth the Office’s resources because they advance this administration’s goals of ensuring strong patent quality. Google’s *Sotera* stipulation mitigates any concerns about overlap between the grounds and arguments presented in the Petition and Google’s invalidity contentions for the ’025 patent. If this proceeding is instituted and not terminated, Google’s stipulation would effectively accelerate the effect of 35 U.S.C. § 315(e) statutory estoppel, limiting Google’s invalidity defenses in district court. Moreover, Sonos’s claims that Google’s stipulation is meaningless because of overlap between prior art asserted against the

'959 patents is immaterial because this is a separate patent, with separate issues, and nothing requires that they be litigated identically.

Sonos conveniently omits how Google has already simplified its defenses. For example, Google does not assert any indefiniteness positions against the '025 patent. EX1030; EX1031; *supra* § IV. Sonos further overlooks that district courts eventually make parties narrow the issues. Indeed, Judge Kronstadt typically requires a narrowing of asserted claims and defenses before trial. *See* EX1032 (*Sound View Innovations, LLC v. Hulu, LLC*, No. LACV17-04146 JAK); EX1033 (*LG Elecs. Inc. v. Hisense Elecs. Mfg. Co. of Am.*, No. 2:19-cv-09474 JAK). While this litigation is complex and will continue to be so, by the time that trial comes, the parties will have been required to drop claims and defenses. Referral and institution of this Petition would facilitate the parties in simplifying the issues in the district court.

E. Factor 5 Is at Most Neutral

Factor 5 is at most neutral because the Board has suggested that the same parties being involved has little impact on this factor. *See, e.g., Jumio Corp. v. FaceTec, Inc.*, IPR2025-00106, Paper 17, 8 (PTAB June 6, 2025).

F. Factor 6 Favors Institution

The Petition presents strong challenges to claims 1-4, 7-10, and 12-23. The material errors discussed above demonstrate how the challenged claims should never have been granted in the first place. Indeed, the Director has found that such material

errors outweigh other factors. *Microsoft*, IPR2025-00318, Paper 9, 3; *Taiwan Semiconductor*, IPR2025-00847, Paper 11, 3-4. The Office is in the best position to understand the technology and cure the material errors.

Sonos merits-based arguments are disingenuous to Litbak's disclosure and the '025 patent claims. First, Sonos is wrong to argue that Litbak bears no resemblance to multi-channel smart speaker technology (Req. 12) because Litbak expressly applies to "multiple track 'surround' audio systems." Litbak, [0058]. The fact that an inventor working with "interactive puppets" described the claimed subject matter nearly four years before Sonos is no basis to save the claims.

Second, where Litbak's switching arrangement is placed is irrelevant because the Petition asserts that "[t]he 'arrangement 10,' *including its input and output devices*, discloses a playback device, which is collectively referred to as the arrangement." Pet. 17-18. The mapping thus includes what Litbak labels as the "playback/output device." Litbak, [0039]. Sonos's argument is also disingenuous to the claims because the Petition maps a playback device *as defined by the claims*. Whereas Litbak's "playback/output device" (identified by Sonos) may be an "amplifier," which is a different claim element in the '025 patent. EX1001, cl. 20 (reciting "an amplifier of the playback device"). The Board should focus on the Petition's accurate explanation of Litbak and Seydoux in the context of the '025 patent claims.

Third, there is no hindsight in combining Litbak and Seydoux-225. The combination uses off-the-shelf features of Seydoux-225's "loudspeaker" in Litbak's "arrangement" and "puppet" for their intended purposes (e.g., Bluetooth modules, software audio processing, speaker drivers, a remote controller). Pet. 14-17. Seydoux-225 even teaches that these off-the-shelf features were known years before the priority date: "Modern audio equipment includes an ever-increasing content of digital circuitry for processing and transmitting audio signals." Seydoux-225, [0002].

Fourth, Sonos's "bypass" assertions are wrong at least because the Petition explains that "[o]n receipt of electrical signals from audio inputs 12a and 12b, digital signal receiver 28a monitors for the predefined actuation signal." Pet. 20-21 (alteration in original), 55-56, 58-59; Litbak, [0025], [0033], [0039], [0061]. This "monitor[ing]" *occurs* "[o]n receipt" of the audio *upstream* of Litbak's relays (which control whether "bypass" occurs), nullifying Sonos's argument because at least some processing always occurs upstream of a bypass. Litbak, [0025], [0061], FIG. 2 (illustrating Litbak's digital signal receiver and processor upstream of the relays). But even more problematically, Sonos omits material portions of the Petition. Without even addressing Litbak, Sonos entirely fails to dispute that these limitations would have been obvious over Litbak in view of Seydoux's software processing modules. Pet. 20-21, 55-56, 58-59; Seydoux, [0002], [0158]-[0159].

VI. This Early Challenge is an Opportunity for the Office to Correct Several of its Material Errors

This Petition is an early challenge of the '025 patent which *issued in 2021*. The '025 patent's prosecution history is replete with material Examiner errors, including most egregiously relying on several limitations that are *not recited in any claim* of the patent. The Office should reevaluate these patent claims which never should have issued, and the Director has found that this outweighs *Fintiv. Microsoft*, IPR2025-00318, Paper 9, 3. Regardless of the status of Google's IPRs against the '883, '715, '014, and '001 patents, the Office should institute this Petition to address its material errors. Now is the time for the Office to correct these material errors for the '025 patent. Petitioner respectfully requests that the Director decline to exercise discretion to deny institution and institute based on the merits.

Date: March 3, 2026

Respectfully submitted,

/Erika H. Arner/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing
**PETITIONER'S OPPOSITION TO PATENT OWNER'S REQUEST FOR
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Dated: March 3, 2026

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