

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMAZON.COM SERVICES LLC
Petitioner,

v.

SMART SPEAKER LLC
Patent Owner.

Patent No. 12,316,706

Inter Partes Review No. IPR2026-00146

DECLARATION OF HENRY H. HOUH

I, Henry H. Houh, make this declaration in connection with the proceeding identified above.

I. INTRODUCTION

1. I have been retained by counsel for Petitioner Amazon.com Services LLC (“Amazon”) as a technical expert in connection with the proceeding identified above. I submit this declaration in support of Amazon’s Petition for *Inter Partes* Review of United States Patent No. 12,316,706 (“the ’706 patent”).

2. I am being compensated at my normal rate, plus reimbursement for expenses, for my analysis. My compensation does not depend on the content of my opinions or the outcome of this proceeding.

II. EXPERIENCE AND QUALIFICATIONS

3. In formulating my opinions, I have relied upon my knowledge, training, and experience in the relevant art. My qualifications are stated more fully in my *curriculum vitae*, which has been provided as Appendix A. Here, I provide a brief summary of my qualifications.

4. I am over the age of 18 and am competent to make this declaration. I have personal knowledge or have developed knowledge of these technologies based upon education, training, or experience, of the matters set forth herein.

5. I received a Ph.D. in Electrical Engineering and Computer Science from the Massachusetts Institute of Technology (“MIT”) in 1998. Beforehand,

I received a Master of Science degree in Electrical Engineering and Computer Science in 1991, a Bachelor of Science degree in Electrical Engineering and Computer Science in 1989, and a Bachelor of Science degree in Physics in 1990, all from MIT.

6. I am currently self-employed as an independent technical consultant.

7. After I finished my undergraduate education, I became a research assistant in the Telemedia Network Systems (“TNS”) group at the Laboratory for Computer Science. The TNS group built a high-speed gigabit network and created applications that ran over the network. Example video applications included ones for remote video capture, processing, storage, and display of video on computer terminals. In addition to working on the design of core network components, designing and building the high-speed links, and designing and writing the device drivers for the interface cards, I also set up the group’s web server.

8. I also helped to build the web pages that initiated the above-mentioned video sessions via a web interface. Vice President Al Gore visited our group in 1996 and received a demonstration of—and remotely drove—a radio-controlled toy car with a wireless video camera mounted on it that was built by our group. This toy car device received commands transmitted over a

network from a remote computer, and video data from the toy car was transmitted wirelessly then over a computer network back to the user controller. On occasion, we allowed users visiting our web site to drive the toy car from their remote computer while they watched the video on their computer. The video stream was encoded by TNS-designed hardware, streamed over the TNS-designed network, and displayed using TNS-designed software.

9. I defended and submitted my Ph.D. thesis, titled “Designing Networks for Tomorrow’s Traffic,” in January 1998. As part of my thesis research, I analyzed local area and wide area flows to show a more efficient method for routing packets in a network, based on traffic patterns at the time.

10. From 1997 to 1999, I was a Senior Scientist and Engineer at NBX Corporation, a start-up that made business telephone systems for streaming packetized audio over data networks instead of using traditional telephone lines. Our system incorporated an auto-attendant, which was a basic interactive voice response (IVR) application to route calls to an extension or voice mailbox. For example, the auto-attendant could be programmed to provide a prompt such as “Press 1 for sales, 2 for support, 3 for directions, or dial an extension” and route the call accordingly based on the caller’s touch tone input. Our voicemail system also provided voice prompts and menu selections in which a caller or user may select various options in the voicemail system.

11. As part of my work at NBX, I designed the core audio reconstruction algorithms for the telephones, as well as the packet transmission algorithms. I also designed and validated the core packet transport protocol used by the phone system. The protocol was used for all signaling in the phone system, including for the setup of conference calls. The NBX system also featured a computer interface for initiating phone calls, which could also initiate conference calls. The NBX system also supported the Telephony Application Programming Interface (“TAPI”) that allowed other computer programs to integrate with our system telephony features. We obtained U.S. Patent No. 6,697,963, entitled “Telecommunication method for ensuring on-time delivery of packets containing time-sensitive data,” as part of this work. NBX was later acquired by 3Com Corporation and the phone system is used by numerous businesses and remains available online.

12. From 1999-2004, I was employed by Empirix or its predecessor company, Teradyne. Empirix was a leader in test tools for telecommunications protocols and systems, providing functional testing tools as well as load testing tools. One of Empirix’s core products was the Hammer, a telecommunications test platform that was used for functional and load testing. The Hammer was commonly used to test IVR systems, and Hammer also offered a testing service for IVRs. From my work with the testing service business, I received U.S.

Patent 7,590,542, titled “Method of generating test scripts using a voice-capable markup language.” The ’542 patent disclosed a method “for generating test scripts for testing an IVR from an IVR’s voice-capable markup language application.” (EX1032, Abstract.) From 2000-2001, I conceived of and built a test platform for testing Voice-over-IP (VoIP) based on highly parallel network processors. The first application on this new test platform was a cloud emulator for simulating the effects of transmitting VoIP over a busy network. The platform was based on a multi-core high performance network processor chip.

13. In 2005, as part of my role at BBN Technologies, I helped create BBN’s Avoke call analytics business, which was a service for testing and monitoring the IVR systems within call centers. Avoke was used by companies and organizations such as Dell and the Center for Medicare and Medicaid Services (CMMS). Avoke analyzed millions of calls into the CMMS call center IVRs during the roll-out of the Affordable Care Act.

14. Also at BBN, I helped found PodZinger Inc., now known as RAMP Inc. PodZinger utilized BBN’s speech recognition algorithms to search through the spoken words in audio and video segments. While I was Vice President of Operations and Technology, PodZinger followed its initial prototype with a full streaming audio and video search solution.

15. I have been awarded several United States patents, and I have several patent publications including the following examples:

- U.S. Patent No. 7,975,296, “Automated security threat testing of web pages”;
- U.S. Patent No. 7,877,736, “Computer language interpretation and optimization for server testing”;
- U.S. Patent No. 7,801,910, “Method and apparatus for timed tagging of media content”;
- U.S. Patent No. 7,590,542, “Method of Generating Test Scripts Using a Voice-Capable Markup Language”;
- U.S. Patent No. 6,967,963, “Telecommunication method for ensuring on-time delivery of packets containing time-sensitive data”.

16. Additional details concerning my professional qualifications, experience, and publications are set forth in my curriculum vitae (“CV”), which is attached as Appendix A.

III. MATERIALS CONSIDERED

17. In preparing this declaration, I have reviewed, among other things, the ’706 patent and file history. I have also considered each of the documents cited in this Declaration and the documents specifically identified below and in the

Exhibit List. In formulating my opinions, I have further relied upon my extensive experience in the relevant fields.

IV. OVERVIEW OF THE '706 PATENT

A. Filing Date and Priority Dates

18. The '706 patent was filed on May 28, 2024, and issued on May 27, 2025. The '706 patent claims earliest priority to a US provisional application which was filed on January 9, 2012, which I am informed that the Petitioner treats as the earliest effective filing date only for purposes of this proceeding.

B. Specification

19. The specification of US 12,316,706 is a vague aggregation of off-the-shelf technologies at the time of the invention. It recites long laundry lists of interchangeable components. “Actuators” could be speakers, “sounders,” displays, coolers, heaters, lights, motors, pumps, etc. (*E.g.*, EX1001, 94:1-19; 96:8-97:26; 99:4-19, 100:5-101:3; 104:8-29; 105:48-106:52; 109:41-110:24.) “Sensors” could be smoke sensors, blood pressure sensors, voltmeters, capacitance meters, magnetic sensors, strain gauge, angular sensors, etc. (*Id.*, 17:35-38; 17:39-45; 18:42-47; 18:65-66; 19:18-29; 19:30-35.) Various network technologies were described to be “known in the art.” (*E.g.*, EX1001, 2:34-38; 6:42-43; 6:66-7:6; 9:35-38.) Each of these elements was well-known at the time, and the specification provides no technical details of how they are

integrated. The result is a disjointed specification where components and processes are described vaguely and separately but never tied together in coherent and novel embodiments.

20. The specification of the '706 does not describe an embodiment corresponding to the claims. Although the claims of the '706 patent focus on a “captured human voice,” the specification provides sparse and scattered references to voice. Only a single paragraph—out of 171 columns of written description—found in the Summary section, describes voice control over a network, and that paragraph’s description is at a high level of generality. It describes “a router in the building (or vehicle), connected to the one or more in-building (or in-vehicle) networks and to the external network, and may be operative to pass digital data between the in-building (or in-vehicle) and external networks.” (EX1001, 32:25-29.) Further, “a first device in the building (or vehicle) . . . operative to transmit a digital data corresponding to the sensed voice to the router over the one or more in-building (or in vehicle) network” and “[a] second device may be operative to execute actuator commands received from the router over the one or more in-building (or in-vehicle) networks.” Further, a “control server may be operative to produce actuator commands in response to [a] voice processor output according to the control logic, and may be operative to transmit the actuator commands to the second device via the router, and the

voice processor may be entirely or in part in the first device, the router, the control server, or any combination thereof.” (EX1001, 32:57-33:13.)

21. The paragraph above, however, does not describe the claimed techniques involving multiple voice commands or the specific operation of multiple actuators across different devices. FIG. 19 of the ’706 specification depicts a broad workflow of voice processing and is similarly lacking. (EX1001, FIG. 19, 134:33-135:25.)

C. Claims

22. I was asked to evaluate whether claims 1-29 of the ’706 patent are patentable.

23. There is one independent claim. Claim 1 is directed to a client device for use with a Wireless Local Area Network (WLAN) in a building and with a controlled device that comprises a second actuator in the building. The client device comprises: (1) a WLAN transceiver for communicating over the WLAN; (2) a microphone for capturing first and second human voice data; and (3) a first actuator in the client device. The client device is configured to: (1) sending, over the Internet via the WLAN, the captured first and second human voice data to an Internet-connected server device external to the building; (2) receiving, from the server device over the Internet via the WLAN, first and second messages, in response to the sending of the captured first and second

human voice data; (3) operating the first actuator in response to the received first message; and (4) sending, to the controlled device over the WLAN, a control message in response to the received second message. And the client device is addressable in the WLAN and in the Internet using an Internet Protocol (IP) address.

24. There are 28 dependent claims. Claim 2 requires the server device to be configured for processing the first and second human voice data using a voice recognition algorithm for identifying the voice of a specific person.

25. Claim 3 requires the client device to further comprise a sensor that outputs sensor data that responds to a physical phenomenon, wherein the client device is further configured for sending to the server, via the WLAN over the Internet, the sensor data, and wherein the first message is received in response to the sent sensor data. Claim 4 requires that the sensor be a thermoelectric sensor that responds to a temperature or to a temperature gradient of an object using conduction, convection, or radiation, or wherein the sensor is a photoelectric sensor that responds to a visible or an invisible light or gamma rays.

26. Claim 5 requires that each of the first and second actuators directly or indirectly affects, changes, produces, or creates a physical phenomenon. Claim 6 requires the physical phenomenon to comprise temperature, humidity,

pressure, audio, vibration, light, motion, sound, proximity, flow rate, electrical voltage, or electrical current.

27. Claim 7 requires the client device to comprise multiple microphones, and wherein the capturing comprises capturing, by the multiple microphones in the client device, the first and second human voice data. Claim 8 requires that the multiple microphones be arranged as a directional microphones array operative to estimate a number, magnitude, frequency, Direction-Of-Arrival (DOA), distance, or speed of a phenomenon impinging the microphones array.

28. Claim 9 requires the microphone to be an omnidirectional, unidirectional, or bidirectional microphone that is based on the sensing an incident sound-based motion of a diaphragm or a ribbon, or wherein the microphone comprises a condenser, an electret, a dynamic, a ribbon, a carbon, or a piezoelectric microphone.

29. Claim 10 requires the client device to further comprises a volatile or non-volatile memory for storing the IP address.

30. Claim 11 requires the client device be further addressed by a Media Access Control (MAC) layer address that is MAC-48, Extended Unique Identifier (EUI) EUI-48, or EUI-64 address type.

31. Claim 12 requires the IP address to be a static or dynamic Internet Protocol (IP) address that is IPv4 or IPv6 type address.

32. Claim 13 requires the WLAN be according to, or based on, IEEE 802.11-2012, IEEE 802.11a, IEEE 802.11b, Institute of Electrical and Electronics Engineers (IEEE) IEEE 802.11g, IEEE 802.11n, or IEEE 802.11ac. Claim 14 requires the WLAN to use a wireless communication over a licensed or an unlicensed radio frequency band, that is an Industrial, Scientific and Medical (ISM) radio band.

33. Claim 15 requires the client device to be further configured or communicating over a cellular telephone network that is a Third Generation (3G) network that uses Universal Mobile Telecommunications System (UMTS), Wideband Code Division Multiple Access (W-CDMA) UMTS, High Speed Packet Access (HSPA), UMTS Time-Division Duplexing (TDD), CDMA2000 1×RTT, Evolution-Data Optimized (EV-DO), or Global System for Mobile communications (GSM), Enhanced Data rates for GSM Evolution (EDGE) EDGE-Evolution, or wherein the cellular telephone network is a Fourth Generation (4G) network that uses Evolved High Speed Packet Access (HSPA+), Mobile Worldwide Interoperability for Microwave Access (WiMAX), Long-Term Evolution (LTE), LTE-Advanced, Mobile Broadband Wireless Access (MBWA), or is based on IEEE 802.20-2008.

34. Claim 16 requires the controlled device to be integrated in, part of, or entirely included in, a household appliance having a primary function.

Claim 17 requires the primary functionality of the appliance to be associated with food storage, handling, or preparation. Claim 18 requires the primary function of the appliance to be heating food, and wherein the appliance is a microwave oven, an electric mixer, a stove, an oven, or an induction cooker.

Claim 19 requires the appliance to be a refrigerator, a freezer, a food processor, a dishwasher, a food blender, a beverage maker, a coffeemaker, or an iced-tea

maker. Claim 20 requires the primary function of the appliance to be

associated with environmental control, and the appliance is part of an Heating,

Ventilation and Air Conditioning (HVAC) system. Claim 21 requires the

primary function of the appliance to be associated with temperature control, and

wherein the appliance is an air conditioner or a heater. Claim 22 requires the

primary function of the appliance to be associated with cleaning, wherein the

appliance primary function is associated with clothes cleaning and the appliance

is a washing machine, or wherein the appliance is a vacuum cleaner. Claim 23

requires the appliance to be an answering machine, a telephone set, a home

cinema system, a High Fidelity (HiFi) system, a Compact Disc (CD) or Digital

Video Disc (DVD) player, an electric furnace, a trash compactor, a smoke

detector, a light fixture, or a dehumidifier.

35. Claim 24 requires the first actuator to be an electric light source for converting electrical energy into light that emits visible or non-visible light for illumination or indication, and the non-visible light is infrared, ultraviolet, X-rays, or gamma rays. Claim 25 requires the electric light source to comprise a lamp, an incandescent lamp, a gas discharge lamp, a fluorescent lamp, a Solid-State Lighting (SSL), a Light Emitting Diode (LED), an Organic LED (OLED), a polymer LED (PLED), or a laser diode.

36. Claim 26 requires the first actuator to be a motion actuator that causes linear or rotary motion.

37. Claim 27 requires the first actuator to be a sounder for converting an electrical energy to omnidirectional, unidirectional, or bidirectional pattern emitted, audible or inaudible, sound waves. Claim 28 requires the sounder to comprise an electromagnetic loudspeaker, a piezoelectric speaker, an electrostatic loudspeaker (ESL), a ribbon or planar magnetic loudspeaker, or a bending wave loudspeaker, or wherein the sounder comprises an electric bell, a buzzer, a chime, a whistle, or a ringer. Claim 29 requires the operating of the first actuator to comprise playing digital audio content that is pre-recorded or synthesized, or simulating the voice of a human being or generating music, or sounding a syllable, a word, a phrase, a sentence, a short story, or a long story, using male or female voice.

D. Prosecution History

38. I understand that during prosecution of the '706 patent, the Examiner did not issue any prior art-based Office Actions.

39. The application that matured into the '706 Patent was filed on May 28, 2024. (EX1003, 232-235.) Only a single Office Action was issued. And this Office Action contained mere double-patenting rejections with respect to two parent patents: U.S. Patent No. 11,128,710 and U.S. Patent No. 12,010,174. (EX1003, 45-64.) The applicants submitted a Terminal Disclaimer form in response. (*Id.*, 33-40.) The Examiner then allowed the claims on April 22, 2025, citing the entirety of claim 1 as the reason for allowance. (*Id.*, 12, 17-18.)

40. However, I note that the examination of the earliest patent, the '710 patent, was deficient. The application for the '710 patent underwent lengthy examination, with a total of *six Office Actions*. The examiner repeatedly issued substantially identical rejections, which were *affirmed by the Board*. Despite this, following only minor amendments, the Examiner abruptly allowed the application without offering any substantive explanation for the change in position. (See EX1004, 8-14.) The original claim 1 merely recited processing a single set of “human voice data.” (EX1004, 1304.) After a non-final Office Action and a final Office Action, the Applicant appealed. (EX1004, 946-971,

861-887, 859.) The Examiner then reopened prosecution with a second non-final Office Action and a second final Office Action. (EX1004, 705-733, 635-670.) At this stage, the Applicant amended claim 1 for the first time, revising it so that the server transmits a message to a ***controlled device*** (rather than to a client device) to operate an actuator in the controlled device. (EX1004, 622-633.) The Board affirmed the Examiner's rejections of all claims, agreeing that the cited references disclosed the claimed concept of remote device control (specifically, ***capturing human voice data by a client device, sending it via a wireless network to an Internet server for processing, receiving a message from the Internet server, and operating an actuator in a controlled device in response to the received message***). (EX1004, 389-421.)

41. After the PTAB decision, the Applicant further amended claim 1 of the '710 patent application to recite processing "first voice data" and "second voice data," both processed by the server to operate a first actuator and a second actuator in the controlled device. (EX1004, 344-346.) The Examiner issued two additional Office Actions in response. (EX1004, 229-248, 145-167.) The Applicant then amended claim 1 again, this time merely reciting that the first human voice data is processed to control a ***client device*** (instead of the controlled device). (EX1004, 121-130.) The only difference between the claim the Board had already found obvious and the ultimately allowed claim in

the '710 patent is that the *client device can receive a voice command that causes operation of the client device itself*, in addition to receiving a voice command that causes operation of a controlled device (which the Board has found to be obvious). *Id.* The claimed network architecture has been found to be obvious by the Board. (EX1004, 389-421.) Despite this minimal distinction, the Examiner allowed the application for the '710 patent, without providing any substantive justification for the abrupt shift from repeated rejections to allowance. (EX1004, 8-14.)

42. But, as I explain herein, the Examiner erred in allowing the '710 patent. A device that receives a voice command and operates accordingly (e.g., providing a visual or auditory output) was well-known at the time of the invention.

43. I note that the examination of the '174 patent was similarly flawed. The Examiner similarly did not issue any prior art based Office Action. There was only a single Office Action containing double patenting rejection with respect to parent patent U.S. Patent No. 11,128,710. (EX1024, 90-103.) After a terminal disclaimer form was submitted, the Examiner directly allowed the claims, citing the entirety of claim 1 as the reason for allowance. (EX1024, 78-86, 38-40.)

44. Because the Examiner relied on its similarity to the parent patents in allowing the '706 patent, the examination of the '706 patent is flawed at least for the same reasons above.

V. RELEVANT LEGAL STANDARDS AND DEFINITIONS

A. Obviousness

45. I have been informed that a claim is unpatentable if the differences between the claimed subject matter and the prior art are such that the subject matter as a whole would have been obvious at the time the claimed subject matter was made to POSITA to which the subject matter pertains. I have also been informed that a patent claim may be obvious to a POSITA in view of the prior art teachings of a single reference or a combination of references.

46. To assess obviousness, I have been informed that I am to consider the scope and content of the prior art, the differences between the prior art and the claim, the level of ordinary skill in the art, and any secondary considerations to the extent that they exist.

47. I have also been informed that there are principles that may be used as further guidance in obviousness analysis (especially when considering combinations of references), which include considering whether:

- the claimed subject matter is simply a combination of prior art elements according to known methods to yield predictable results;

- the claimed subject matter is a simple substitution of one known element for another to obtain predictable results;
- the claimed subject matter uses known techniques to improve similar devices or methods in the same way;
- the claimed subject matter applies a known technique to a known device or method that is ready for improvement to yield predictable results;
- the claimed subject matter would have been “obvious to try” choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success;
- there is known work in one field of endeavor that may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to a POSITA;
- there existed at the time of conception and reduction to practice a known problem for which there was an obvious solution encompassed by the patent’s claims; and
- there is some teaching, suggestion, or motivation in the prior art that would have led a POSITA to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed subject matter.

48. I have been informed that there are secondary considerations that may tend to show that a claimed invention would not have been obvious to a POSITA. These include, for example, commercial success, long-felt but unsolved needs, failure of others, and unexpected results. I have been further informed that there must be a relationship, or nexus, between any secondary considerations and the novelty of the claimed invention.

B. Prior Art

49. I am informed and understand that prior art includes patents and printed publications that existed before the effective filing date of the claimed invention. The effective filing date is the earliest claimed priority date or the earliest filing date of the application that describes the subject matter. A patent or published patent application is prior art if it was filed before the earliest filing date of the claimed invention, absent a few exceptions. I am informed that a patent or published patent application is entitled to have its effective filing date as the filing date of its provisional application if the disclosure of the provisional application provides support for the claim(s) of the patent or published patent application.

VI. LEVEL OF ORDINARY SKILL IN THE ART FOR THE '706 PATENT

50. I am informed and understand that various factors can be considered in determining a person of ordinary skill in the art (POSITA). I am informed

and understand that those factors include: (1) the education level of the inventors; (2) the type of problems encountered in the art; (3) prior art solutions to those problems; (4) the rapidity with which innovations are made; (5) sophistication of the technology; and (6) education level of active workers in the field.

51. A POSITA in the field of the '706 patent would have a bachelor's degree in electrical engineering, computer engineering, or equivalent field, and two years of experience working on remote device control and/or networked devices. An advanced graduate degree in the disciplines cited above may make up for the work experience indicated above.

52. I agree with this level of ordinary skill for the '706 patent. Based on my experience, as described above and in Appendix A, I meet the definition of the qualifications of a POSITA, now and as of the alleged priority date. For purposes of this declaration, in general, and unless otherwise noted, my statements and opinions, such as those regarding my own experience, what a POSITA would have understood or known generally (and specifically related to the references I consulted herein), and how a POSITA would have understood and used the terminology found in the '706 patent, reflect the knowledge that existed in the relevant field at the time the '706 patent priority application was filed, and with the state of the art at that time.

VII. CLAIM CONSTRUCTION

53. I have been informed that claim construction requires consideration of the words of the claims themselves, the specification, the prosecution history, and extrinsic evidence concerning relevant scientific principles, the meaning of technical terms, and the state of the art. I have also been informed that the specification is usually definitive, as it was the single best guide to the meaning of a disputed term. I have been informed that claim terms are presumed to carry their ordinary and customary meaning as understood by a POSITA at the time of the purported invention. I have been informed that, in the context of this proceeding, which requires the Board to construe the terms only to the extent necessary to resolve the issue at hand—invalidity of the claims under 35 U.S.C. §103, Petitioner believes the Board need not construe any of the claims because, as set forth in the Declaration and Petition, the claims are invalid under 35 U.S.C. §103 under any reasonable interpretation, and thus, no claim construction is necessary to resolve any issue before the Board.

VIII. PRIOR ART

54. I understand that each of the references discussed herein qualifies as prior art against the '706 patent:

55. U.S. Publication No. 2013/0132094 ("Lim," EX1005) was filed on November 17, 2011, and published on May 23, 2013.

56. U.S. Publication No. 2012/0198339 (“Williams,” EX1006) was filed on January 28, 2011, and published on August 2, 2012.

57. U.S. Patent No. 7,529,677 (“Wittenberg,” EX1008) was filed on January 21, 2005, and published on May 5, 2009.

58. U.S. Publication No. 2012/0265528 (“Gruber,” EX1009) was filed on September 30, 2011, and published on October 18, 2012.

59. “Springer Handbook of Speech Processing” (“Benesty,” EX1010) was written by Jacob Benesty et al., and published by Springer-Verlag Berlin Heidelberg by at least December 11, 2007.

60. “Wireless Communications” (“Goldsmith,” EX1040) was written by Andrea Goldsmith, and published by Cambridge University Press by at least January 20, 2006.

61. U.S. Publication No. 2013/0052946 (“Chatterjee,” EX1012) was filed on August 23, 2011, and published on February 28, 2013.

62. U.S. Patent No. 8,340,975 (“Rosenberger,” EX1013) was filed on October 4, 2011, and published on December 25, 2012.

63. “Springer Handbook of Acoustics” (“Rossing,” EX1014) was edited by Thomas D. Rossing et al., and published by Springer Science+Business Media, LLC by at least July 23, 2007.

64. “Wireless Home Networking Simplified” (“Doherty,” EX1007) was written by Jim Doherty et al., and published by Cisco Press by at least January 16, 2007.

IX. ANALYSIS AND OPINIONS

A. Ground 1: Lim Renders Obvious Claims 1, 5-6, 10, 12, 16, 20-21, 23, and 29

1. Summary of Lim

65. Lim was filed on November 17, 2011, and is prior art under §102(e). (EX1005, 1.) The Examiner never found, and Applicant never cited, Lim during prosecution. Lim relates to “controlling devices such as universal remote controls” and “appliances to be controlled.” (EX1005, [0007], [0001].) Lim discloses that “a *controlling device* may be provisioned with means to receive voice input from a user, e.g., a *microphone*.” (*Id.* (emphasis added)¹) Lim discloses that the controlling device may be a *smart device 110* in the form of a smart phone, as shown in FIGs. 1b and 5b. (*Id.*, [0023].) The *controlling device* is “configured to control *various controllable appliances, such as a television 102, a set top box (‘STB’) 104, a DVD player 106 and an AV receiver 108.*” (EX1005, [0017].)

¹ All emphasis and annotations, such as highlighting and coloring, are added unless otherwise stated.

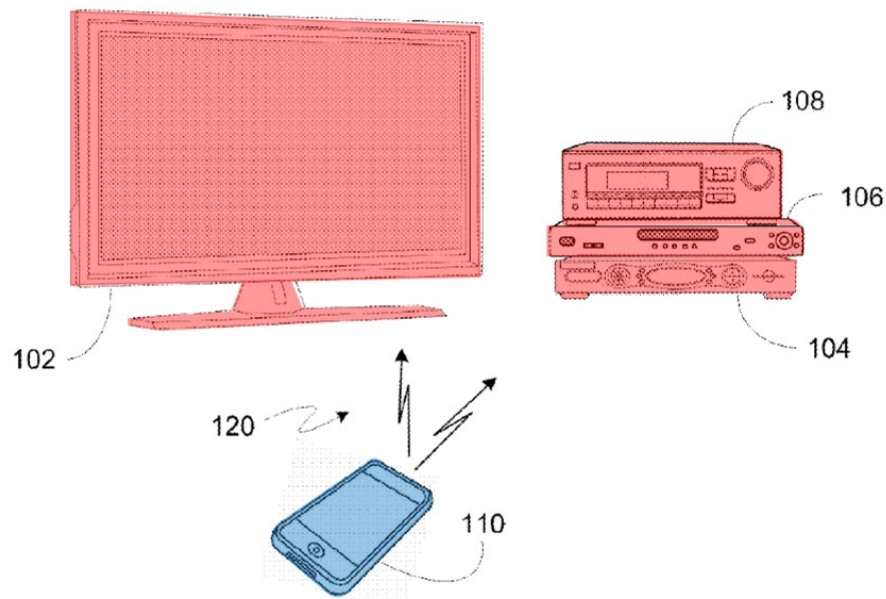
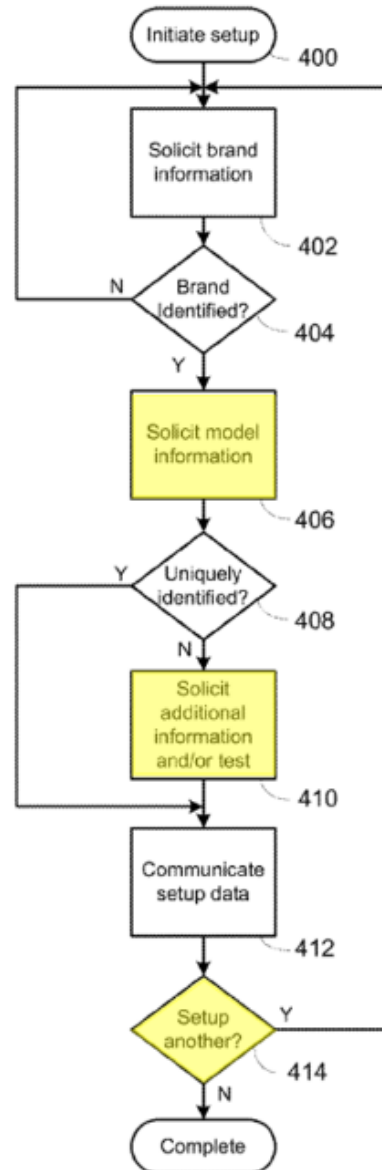


Figure 1b

66. Lim discloses that the *client device* receives speech commands and responds with a *visual or audio output* from the device itself. For example, Lim discloses a “setup and configuration” stage for the *controlling device*. (EX1005, [0025].) During this stage, the *client/controlling device* can “prompt the user to speak the brand name of the appliance to be added to the configuration of the controlling device.” (*Id.*, [0027].) As shown in FIG. 4 below, the *client device* responds to user’s speech inputs with additional prompts, which can be visual (e.g., via a display) or auditory (e.g., via a speaker). “This and subsequent prompts for voice input may take the form of an illuminated LED and/or ‘speak’ symbol, *a displayed text or image, a synthesized spoken message* (e.g., where controlling device user feedback

means 202 comprises speech synthesis means and a speaker, or where a smart device app has access to speaker 330), etc.” *Id.*



“Set up and configuration
of controlling device”
Lim, [0025].

Figure 4

67. Lim also discloses that the *client device* can be used to control appliances. Specifically, the *client device* receives speech commands and

transmits *control commands* to *appliances*. For example, “the *controlling device 100* may be capable of *transmitting commands* to the *appliances*, using any convenient IR, RF, Point-to-Point, or *networked protocol 120*, to cause the appliances to perform operational functions. While illustrated in the context of a television 102, STB 104, DVD player 106 and AV receiver 108, it is to be understood that controllable appliances may include, but need not be limited to, *televisions, VCRs, DVRs, DVD players, cable or satellite converter set-top boxes (‘STBs’), amplifiers, CD players, game consoles, home lighting, drapery, fans, HVAC systems, thermostats, personal computers*, etc.”

(EX1005, [0017].) As shown in FIG. 5b and FIG. 1b below, the *controlling device 110* transmits commands using the *appliances’ networked protocol 120*.

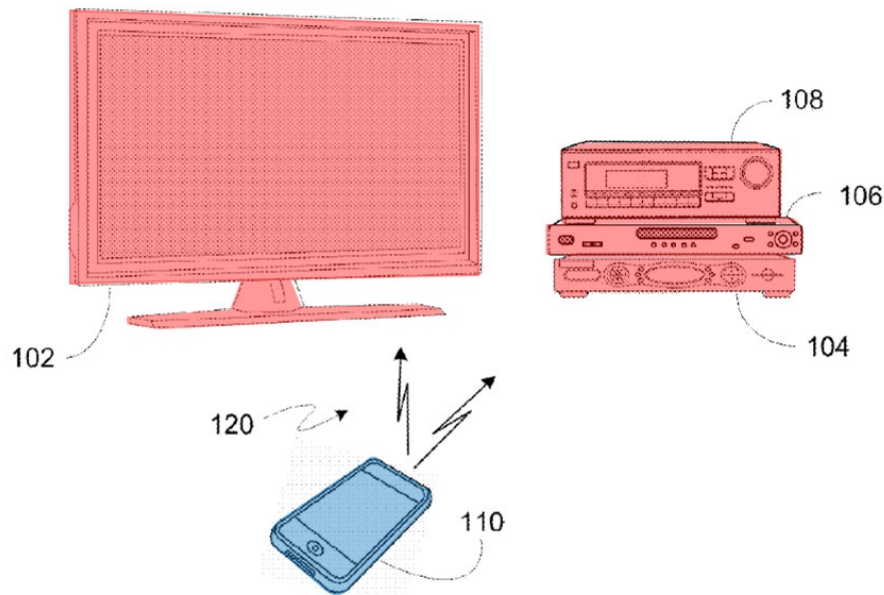


Figure 1b

68. FIG. 6 below depicts an exemplary process in which the *client device* receives speech commands and transmits commands to *appliances* in block 612 accordingly.

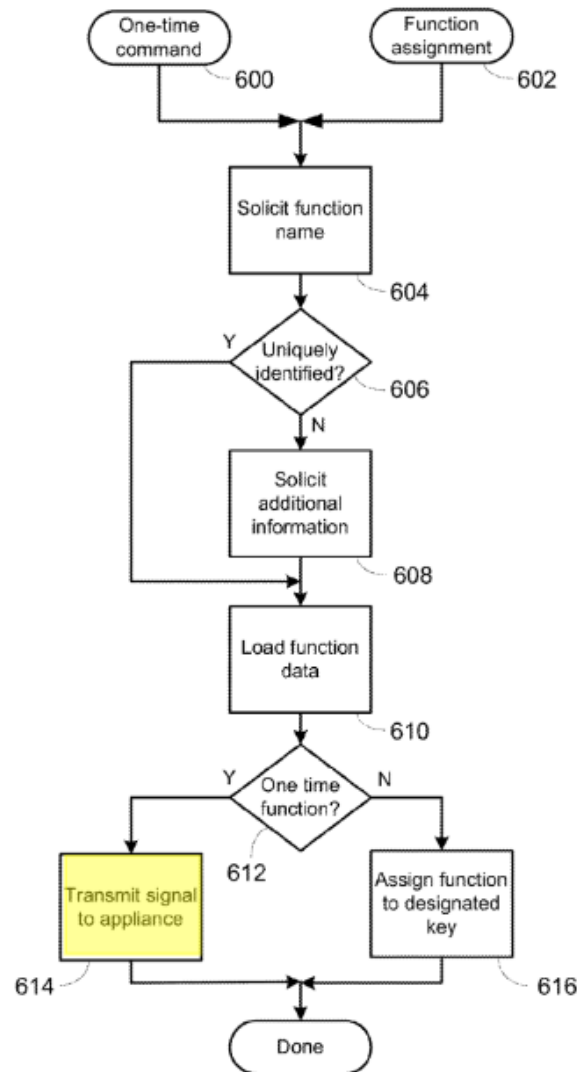


Figure 6 “Appliance command”
Lim, [0035].

69. In Lim, the speech commands are transmitted to a *server* for processing. Further, Lim discloses (1) the *server* is accessible via the *Internet*

and (2) the *client device* connects to the *Internet* via *WiFi* through a gateway device such as a router. For example, Lim discloses that “at step 402 the *controlling device* may prompt the user to speak the brand name of the appliance to be added to the configuration of the controlling device. . . . The resulting spoken syllables may be digitized and presented to a speech recognition means for processing . . . all or part of said speech recognition processing . . . may be performed by programming resident on a *remote server 500* accessible via a network 502 such as the *Internet* or PSTN.” (EX1005, [0027], [0034]-[0035].)

70. An exemplary network architecture is shown in FIG. 5b below. The “*remote server 500* [is] accessible via a network 502 such as the *Internet* or PSTN.” Lim discloses that “access to such network may be . . . via a *local network connection 508, such as WiFi or Bluetooth, through a gateway device such as a router* (not illustrated).” *Id.*

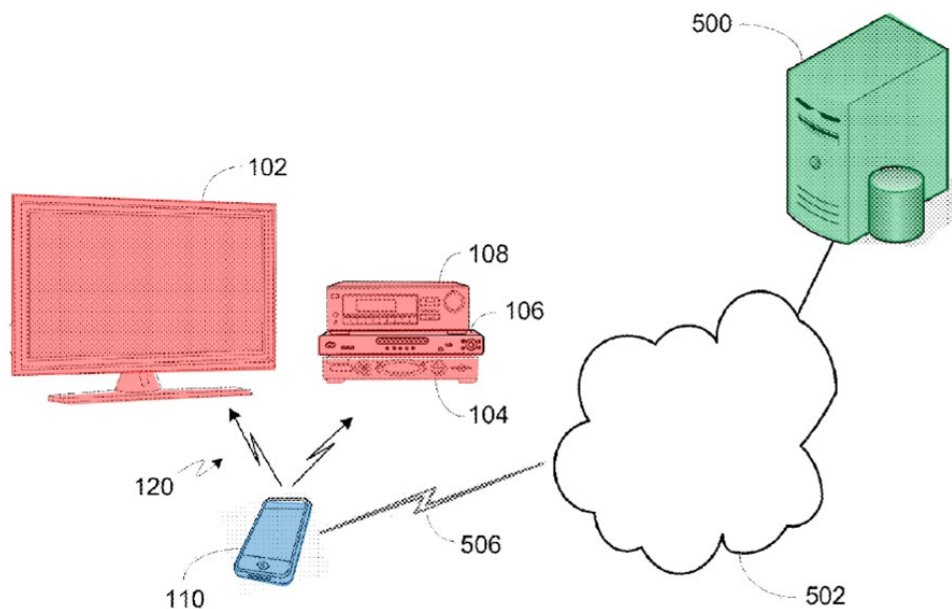


Figure 5b

71. Lim discloses that the *client device* has a microphone, a display, a speaker, various sensors, and WiFi/Bluetooth capabilities. “A representative *smart device*, illustrated in FIG. 3 in the form of a smart phone, may include . . . processing means 300 which may comprise both an application processing section 302 and an RF/DSP processing section 304; an *LCD display 306*; a keypad 308 which may comprise physical keys, touch keys overlaying LCD 306, or a combination thereof; a subscriber identification module (SIM) card 310; memory means 312 which may comprise ROM, RAM, Flash, or any combination thereof; *WiFi and/or Bluetooth wireless interface(s) 314*; a wireless telephony interface 316; power management circuitry 318 with

associated battery 320; a USB interface 322 and connector 324; an audio management system 326 with associated *microphone 328, speaker 330*, and headphone jack 332; built-in or add on IR communication means comprising a transmitter and/or receiver 336 with associated IR output diode(s) 334; and various optional accessory features 338 such as a digital camera, *GPS, accelerometer*, etc.” (EX1005, [0023].)

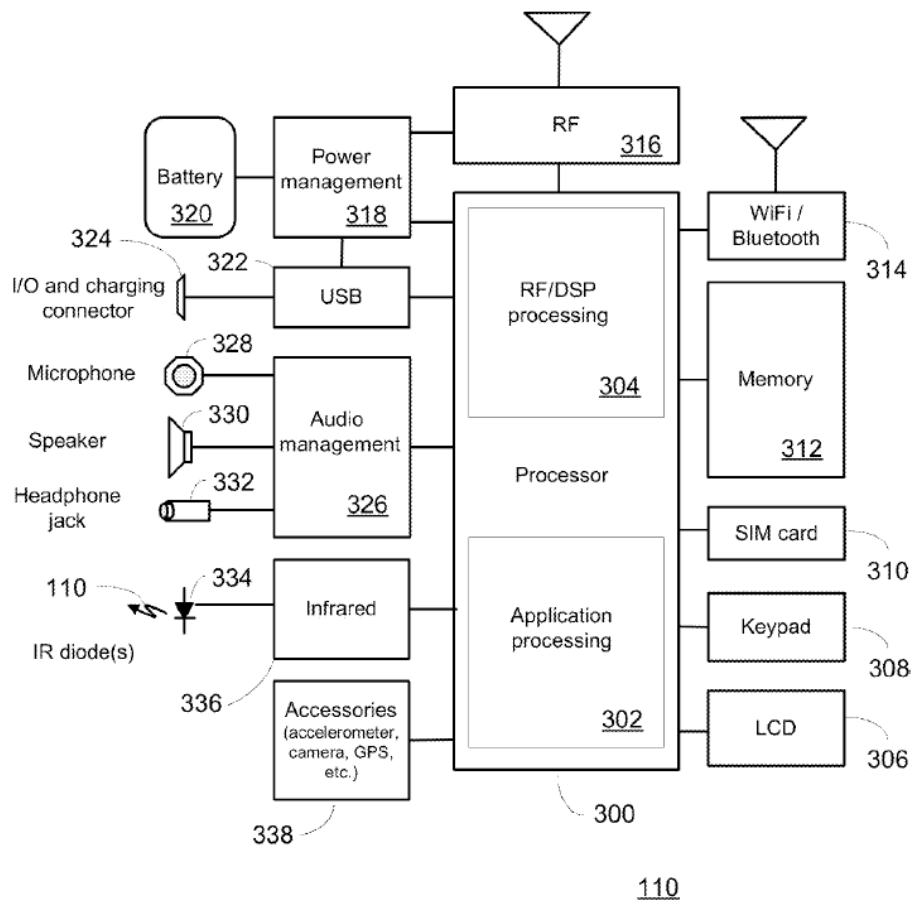


Figure 3

2. Claim 1

a. 1[PR][1]: “A client device for use with a Wireless Local Area Network (WLAN) in a building”²

72. Lim discloses a *client device* and for use with a Wireless Local Area Network (WLAN) in a *building*.

73. First, Lim discloses a *client device*. Lim discloses that “a *controlling device* may be provisioned with means to receive voice input from a user, e.g., a microphone”. (EX1005, [0007].) The “*controlling device 100* is configured to control *various controllable appliances, such as a television 102, a set top box (‘STB’) 104, a DVD player 106 and an AV receiver 108.*”

(EX1005, [0017].) Lim discloses that the *controlling device* may be “a *smart device 110*, which device may comprise any of a smart phone, a tablet computer, a portable email device, an e-book, a hand-held games and/or game controller, a portable media player, etc.” as shown in FIGs. 1b and 5b. (*Id.*, [0023].)

² I show how each claim preamble is satisfied, but do not concede that any preamble is limiting for any ground in the proceeding.

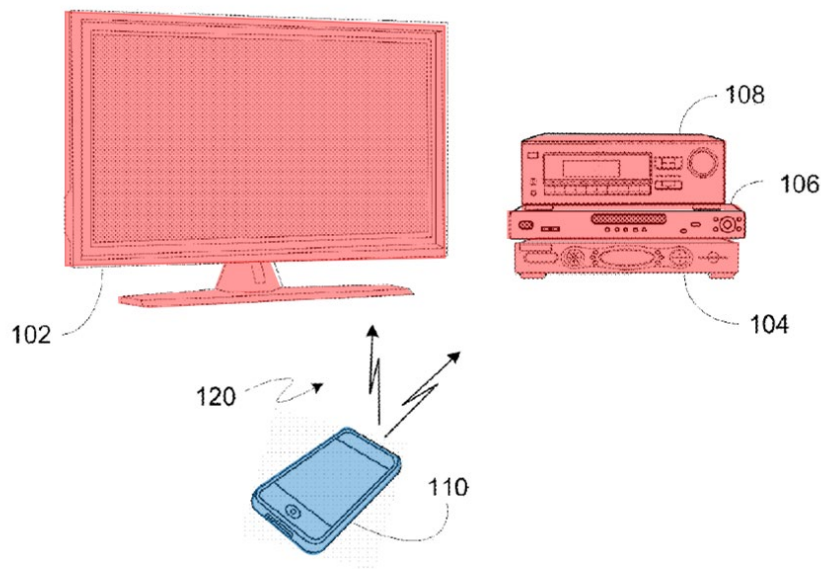


Figure 1b

74. Lim's *client device* communicates with a server and thus is a client device. For example, Lim discloses that "at step 402 the *controlling device* may prompt the user to speak the brand name of the appliance to be added to the configuration of the controlling device. . . The resulting spoken syllables may be *digitized and presented to a speech recognition means for processing* . . . [A]ll or part of said speech recognition processing . . . may be performed by programming resident on a *remote server 500* accessible via a network 502 such as the *Internet* or PSTN." (EX1005, [0027].) This is also shown in FIG. 5b. It would have been obvious to a POSITA that the *controlling device* is a client device because it communicates with *remote server 500*, for example, by transmitting the "spoken syllables" to the *remote server 500* for processing.

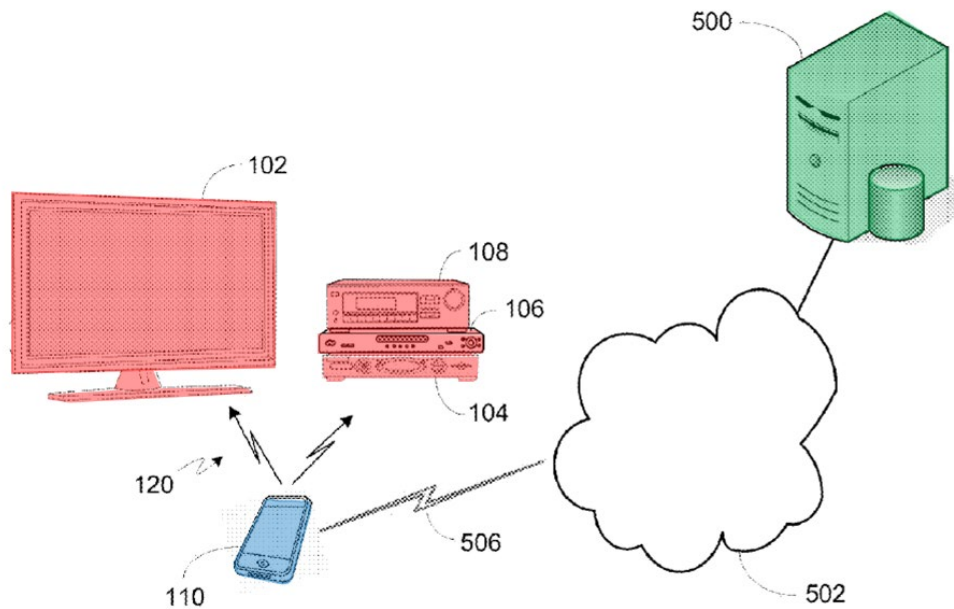


Figure 5b

75. Lim's *client device* is for use with a *Wireless Local Area Network (WLAN)*. Lim's *client device* (e.g., *controlling device* 100, 110) accesses *remote server 500* via WiFi through a router. Referring to FIG. 5b below, Lim discloses that "all or part of the said speech recognition processing [of human voice data captured by the *client/controlling device*] may be performed by programming resident on a *remote server 500* accessible via a network 502 such as the Internet" and "access to such network may be . . . via a *local network connection 508, such as WiFi or Bluetooth, through a gateway device such as a router* (not illustrated)." (EX1005, [0027].)

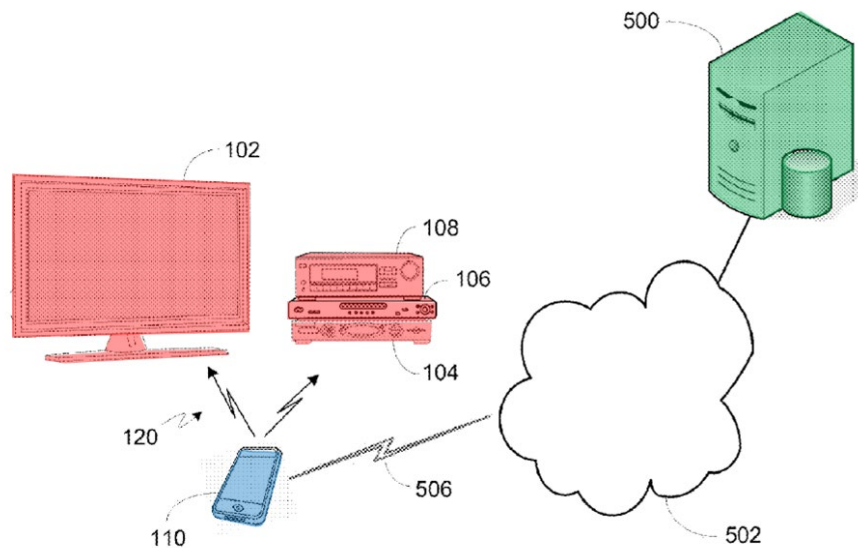


Figure 5b

76. A POSITA would have understood that what Lim describes is a WLAN network because it discloses a “local network connection” such as “WiFi” and it was common knowledge that WiFi implements a WLAN. “Wireless local area networks (*WLANs*) are built around the family of IEEE 802.11 standards . . . The 802.11a/b/g family of standards are collectively referred to as *Wi-Fi*, for wireless fidelity.” (EX1040, 600-601.) “*Wi-Fi* is a registered trademark owned by the Wi-Fi Alliance, and it refers to *wireless local area network (WLAN)* products that are based on the Institute of Electrical and Electronics Engineers’ (IEEE) 802.11 standards.” (EX1013, 7:48-51.) This is consistent with the description of the ’706 patent which states that “[i]n order to allow interoperability between equipment manufactured by different vendors, few *WLAN standards* have evolved, as part of the *IEEE 802.11 standard*

group, branded as WiFi (www.wi-fi.org). IEEE 802.11b describes a communication using the 2.4 GHz frequency band and supporting communication rate of 11 Mb/s, IEEE 802.11a uses the 5 GHz frequency band to carry 54 MB/s and IEEE 802.11g uses the 2.4 GHz band to support 54 Mb/s.” (EX1001, 8:25-32.)

77. Lim discloses or certainly suggests that the *client device* is in a *building*. Lim discloses that the *smart device 110* “may comprise any of a smart phone, a tablet computer, a portable email device, an e-book, a hand-held games and/or game controller, a portable media player.” (EX1005, [0018].) It would have been obvious that these are devices that users can carry with them, including when the user is at *home*, such that the user can conveniently control home appliances while they are at home. For example, at the time of the time of the invention, a “portable device [can be] readily carried by the operator” and it “allows an operator to easily and readily control *home activities* without having to directly interface with or use a PC, and which allows the operator to program and control the home gateway *from essentially any area of the home* without having to access a PC.” (EX1021, 1:53-58, 2:19-26.)

b. 1[PR][2]: “and with a controlled device that comprises a second actuator in the building, the client device comprising:”

78. Lim discloses a *controlled device* that comprises a second actuator in a *building*.

79. Lim discloses *controlled devices*. Lim discloses that the “*controlling device 100* is configured to *control various controllable appliances, such as a television 102, a set top box (‘STB’) 104, a DVD player 106 and an AV receiver 108.*” (EX1005, [0017].) These “controllable appliances” are controlled devices. “While illustrated in the context of a television 102, STB 104, DVD player 106 and AV receiver 108, it is to be understood that controllable appliances may include, but need not be limited to, *televisions, VCRs, DVRs, DVD players, cable or satellite converter set-top boxes (‘STBs’), amplifiers, CD players, game consoles, home lighting, drapery, fans, HVAC systems, thermostats, personal computers*, etc.” *Id.*

80. Lim’s *controlled devices* have actuators. One example of the recited “second actuator” is an actuator providing visual information (e.g., displays). Lim discloses that the “*controlling device 100* is configured to *control various controllable appliances, such as a television 102, a set top box (‘STB’) 104, a DVD player 106 and an AV receiver 108.*” (EX1005, [0017].) These appliances (e.g., *television 102, DVD player 106*) have displays, which are actuators. “Liquid crystal displays (LCDs) make use of a quite different principle. They dependent on a liquid crystal material that polarizes light when

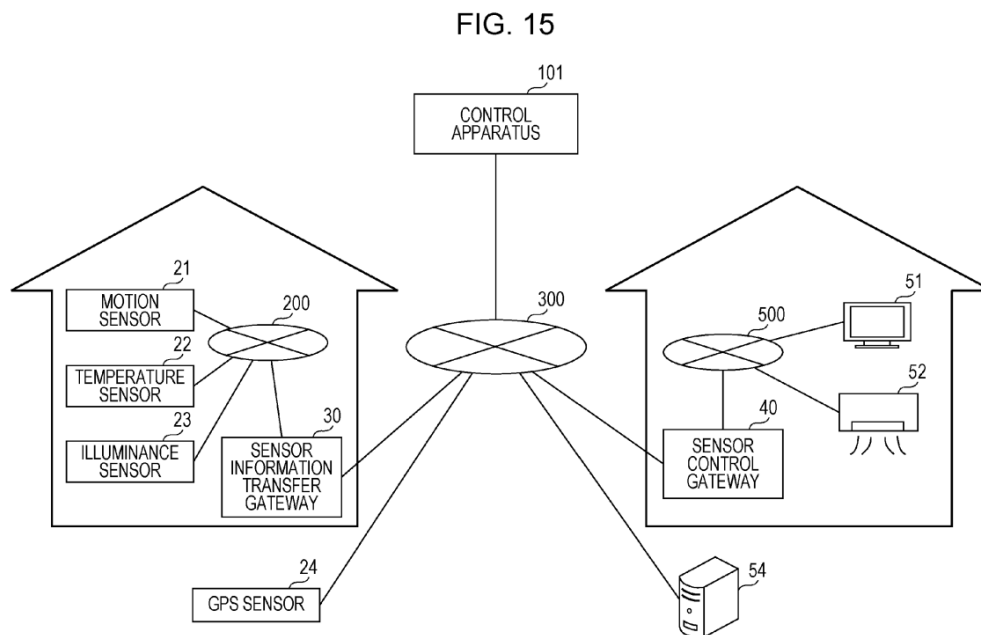
an electrical potential is applied . . . This is the principle now widely used for all types of displays, including computer monitors and television displays.”

(EX1014, 175.) The ’706 patent itself explains that a display is an actuator.

“An actuator may be a display for presentation of visual data or information, commonly on a screen, and may consist of an array (e.g., matrix) of light emitters or light reflectors, and may present text, graphics, image or video. A display may be a monochrome, gray-scale, or color type, and may be a video display.” (EX1001, 25:33-38.) “The actuator may be a monochrome, grayscale or color display for visually presenting information, and may consist of an array of light emitters or light reflectors . . . The display may be a Liquid Crystal Display (LCD) display, a Thin Film Transistor (TFT), or an LED-backlit LCD display, and may be based on a passive or an active matrix.” (EX1001, 40:51-41-7; *see also, id.*, 109:41-46, 110:60-66; 144:63-145:2.)

81. This is consistent with prior findings of the Board in its Decision on Appeal affirming the Examiner’s rejections of claims of the parent patent ’710 that an image display device such as a TV is a controlled device with actuators. “Nor does Appellant persuasively rebut the Examiner’s mapping of Abe’s control apparatus 101 to a control server (see Ans. 6)—a mapping that we find reasonable on this record given the control apparatus’s external control capabilities for in-building networked sensor-based systems via Internet 300 in

Figure 15. See Abe, ¶¶ 93-96. As the Examiner indicates, Abe’s in-building systems in Figure 15 include *image display device 51* and air conditioner 52 *that are controlled devices with actuators*. See Ans. 6; Abe ¶ 95.” (EX1004, 396.)



82. Thus, a POSITA would have understood that Lim’s controlled devices such as *television 102, set top box (‘STB’) 104, DVD player 106 and/or AV receiver 108* comprise actuators (e.g., displays) to provide visual information.

83. Another example of the recited “second actuator” is an actuator providing sound (e.g., speakers in the various media devices in Lim). The specification of the ’706 patent states that a speaker has an actuator. “An actuator may be an *electroacoustic actuator, such as a sounder* which converts

electrical energy to sound waves transmitted through the air, an elastic solid material, or a liquid, usually by means of a vibrating or moving ribbon or diaphragm.” (EX1001, 105:48-52.) “A ***loudspeaker (a.k.a. speaker)*** is a ***sounder*** that produces sound in response to an electrical audio signal input, typically audible sound. The most common form of loudspeaker is the electromagnetic (or dynamic) type, uses a paper cone supporting a moving voice coil electromagnet acting on a permanent magnet. Where accurate reproduction of sound is required, multiple loudspeakers may be used, each reproducing a part of the audible frequency range. A loudspeaker is commonly optimized for middle frequencies; tweeters for high frequencies; and sometimes supertweeter is used which is optimized for the highest audible frequencies.” (EX1001, 105:61-106:4.)

84. At the time of the invention, a POSITA would have understood that a speaker is or has an actuator to produce sound. For example, the actuator can convert electrical energy into sound waves transmitted through the air through the movement of a diaphragm, often cone-shaped or dome-shaped, which produces “sound” or acoustical energy. “Most loudspeakers use the moving-coil principle (Figure 10.8). The coil is wound on a former at the apex of a stiff diaphragm which is held in flexible supports so that the coil is the intense field of a permanent magnet. A signal current through the coil will then ***vibrate the***

diaphragm, producing sound waves at the same frequency and with the same waveshape as the signal.” (EX1018, 122.)

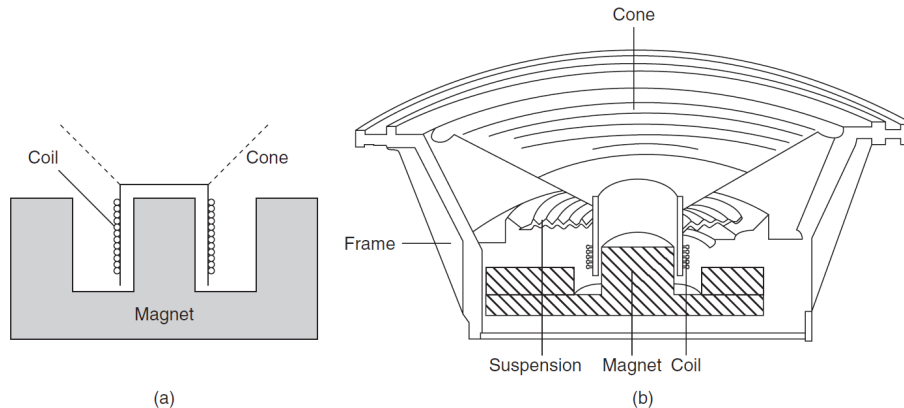


Figure 10.8 Moving-coil loudspeaker: (a) cross-section of coil and magnet, and (b) cutaway view of complete unit

85. “[F]ew loudspeakers convert directly between electrical and acoustical energy. Instead, the electrical energy is converted to *mechanical energy*, specifically the *movement of a diaphragm* . . . which then radiates acoustical energy.” (EX1014, 763.) A POSITA would have understood that Lim’s media devices, such as *a television 102, a set top box (‘STB’) 104, a DVD player 106 and an AV receiver 108*, comprise speakers to produce and control sound (e.g., to playback a media item). Thus, Lim’s controlled devices (such as *television 102, set top box (‘STB’) 104, DVD player 106 and AV receiver 108*) comprise actuators.

86. Another example of the “second actuator” is a motion actuator. Lim discloses that “controllable appliances may include, but need not be limited

to, *televisions, VCRs, DVRs, DVD players, cable or satellite converter set-top boxes ('STBs'), amplifiers, CD players, game consoles, home lighting, drapery, fans, HVAC systems, thermostats, personal computers*, etc.”

(EX1005, [0017].) A POSITA would have understood that devices such as “*home lighting, drapery, fans, HVAC systems, thermostats*” comprise motion actuators that can be operated. Indeed, at the time of the invention, it was known that heating and cooling systems are integrated with motors and fans. “A unitary air conditioner is an apparatus consisting of one or more factory made assemblies that normally include an evaporator, a blower, a compressor, and a condenser, designed to be used together. The unit often performs heating as well as cooling function.” (EX1020, 401.) “Horizontal single package units (Fig. 13-3) are designed for both indoor and outdoor installation, with the majority of units incorporating air cooled or evaporative-cooled condensers. The most common design has supply and return air connections located in the same face with horizontal air flow.” *Id.*

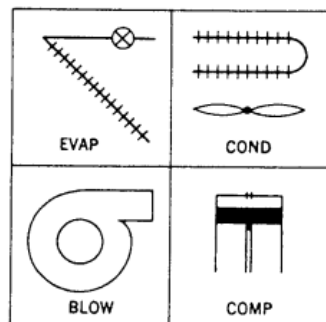


Fig 13-1. Self contained air conditioner

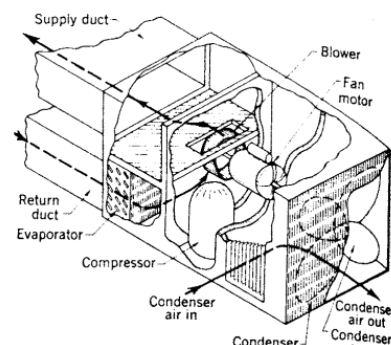


Fig 13-3. Horizontal self contained air conditioned unit

87. Further, as discussed, the Board agreed in its Decision on Appeal affirming the Examiner’s rejections of claims 1-30 of the parent patent ’710 that an air conditioner is a controlled device with actuators. “As the Examiner indicates, Abe’s in-building systems in Figure 15 include image display device 51 and *air conditioner 52 that are controlled devices with actuators*. See Ans. 6; Abe ¶ 95.” (EX1004, 396.) Thus, Lim’s *controlled devices* comprise motion actuators.

88. Further, a POSITA would have understood that Lim’s VCRs contain actuators that spins the recording/reading head to read the tracks on the tape of the recording or playback. “To achieve the required speed of tape past the head, two or more heads are mounted on a spinning drum which is mounted to scan the head across the tape at a shallow angle. This allows the tape to move relatively slowly past the spinning drum. The helical scan system has been under development since the late 1950s, with the VHS system introduced in the early 1980s and largely unchanged today.” (EX1018, 226.) And as shown in Figure 19.6 below, “[t]he analogue audio signal is recorded on a narrow strip along one edge of the tape, while field sync. pulses are recorded on the opposite edge. The *heads and tape travel* in the same direction to minimize frictional losses and to extend the mechanical lifetime.” (EX1018, 226-227.)

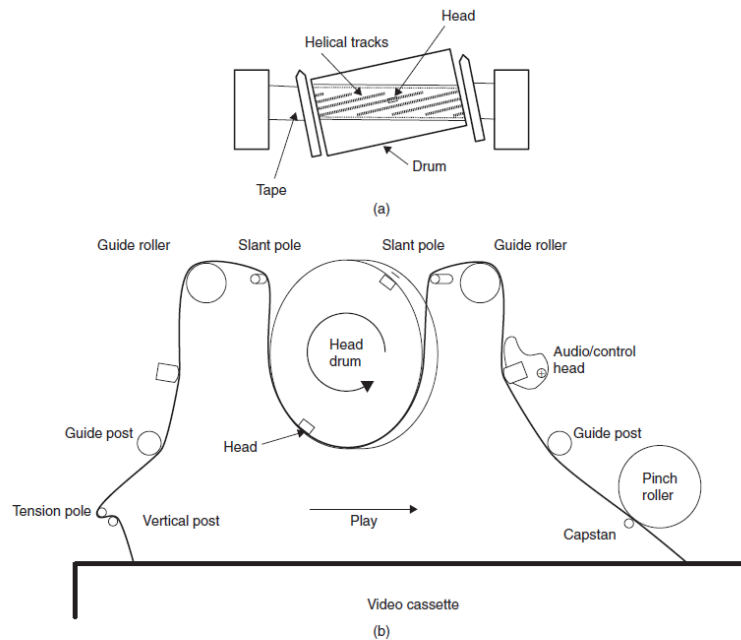


Figure 19.6 Tape transport of typical helical scan video recorder: (a) tracks on tape, and (b) tape path

89. As another example, CD and DVD drives use actuators for different parts of the spinning and reading process. The CD drive works in the following manner: “[t]he control signals set the speed of the drive motor, which is not constant; it runs faster when the inner tracks are being read and slower for the outer tracks, keeping the data speed constant. The beam position drives select the track and maintain focus, and the optical head reads the signals reflected from the track. These signals are then converted into conventional digital data in the interface.” (EX1018, 280, Figure 23.7.)

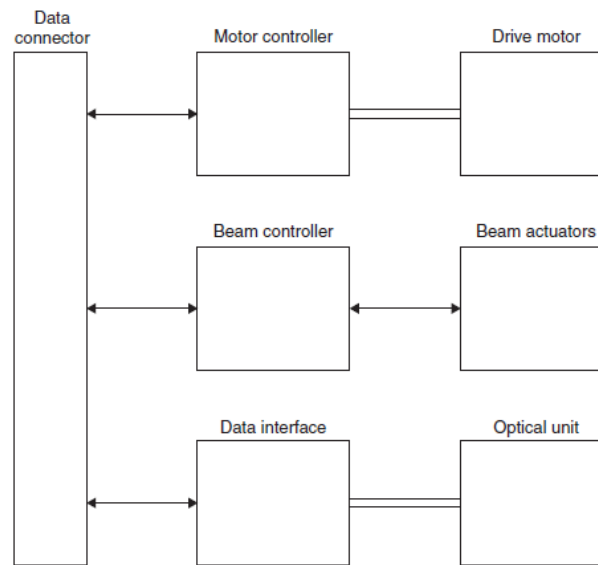


Figure 23.7 Block diagram, simplified, for a CD-ROM drive

90. Lim discloses that the *client device* and the *controlled device* are in the same *building*. Like the *controlling device*, Lim’s *controlled devices* are in a user’s *home*. It would have been obvious that “appliances” such as “*televisions, VCRs, DVRs, DVD players, cable or satellite converter set-top boxes (‘STBs’), amplifiers, CD players, game consoles, home lighting, drapery, fans, HVAC systems, thermostats, personal computers*” would be placed in a user’s home. (EX1005, [0017]; *see e.g.*, EX1025, FIG. 1, FIG. 15.)

c. 1[A]: “a WLAN transceiver for communicating over the WLAN;”

91. Lim discloses a *client/controlling device* with a *WLAN transceiver* for communicating over the WLAN.

92. Lim discloses that the “*controlling device* 100 for use in commanding the functional operations of one or more appliances may include, . . . , Zigbee, **WiFi** , or Bluetooth *transceiver*[.]” (EX1005, [0019], [0027]; *supra* § IX.A.2.a.) A POSITA would have understood that a “WiFi transceiver” is a type of WLAN transceiver. (EX1040, 600-601; EX1013, 7:38-51; EX1001, 8:25-32.) While this statement refers to controlling device 100, it would have been obvious to a POSITA that the same can be applied to controlling device 110.

93. With respect to the *controlling device 110*, Lim discloses that “[a] representative smart device . . . in the form of a smart phone, may include . . . **WiFi and/or Bluetooth wireless interface(s) 314**; a wireless telephony interface 316[.]” (EX1005, [0023].) A POSITA would have understood that a “WiFi wireless interface” refers to the hardware and software that enable WiFi communication, which necessarily include a WLAN transceiver. “The LAN/WAN network 100d may comprise suitable logic, circuitry, *interfaces*, and/or code that may be *operable to enable implementation* of one or more wired and/or *wireless LAN* or WAN standards and/or protocols . . . Exemplary LAN technologies may comprise, for example, those based on IEEE 802.1 standards, including, for example, **WiFi-based networks**.” (EX1021, [0067].) Indeed, in 2012, mobile phones were commonly equipped with a WiFi

transceiver to enable WiFi connectivity. “Each smartphone [smartphones that can communicate with existing WiFi infrastructure] nowadays is equipped with a WiFi transceiver.” (EX1035, 3.) “[W]ireless mobile devices are being made with integrated WLAN transceivers[.]” (EX1027, 1:20-23.) Thus, a POSITA would have understood that Lim’s *controlling device 110* has a WLAN transceiver.

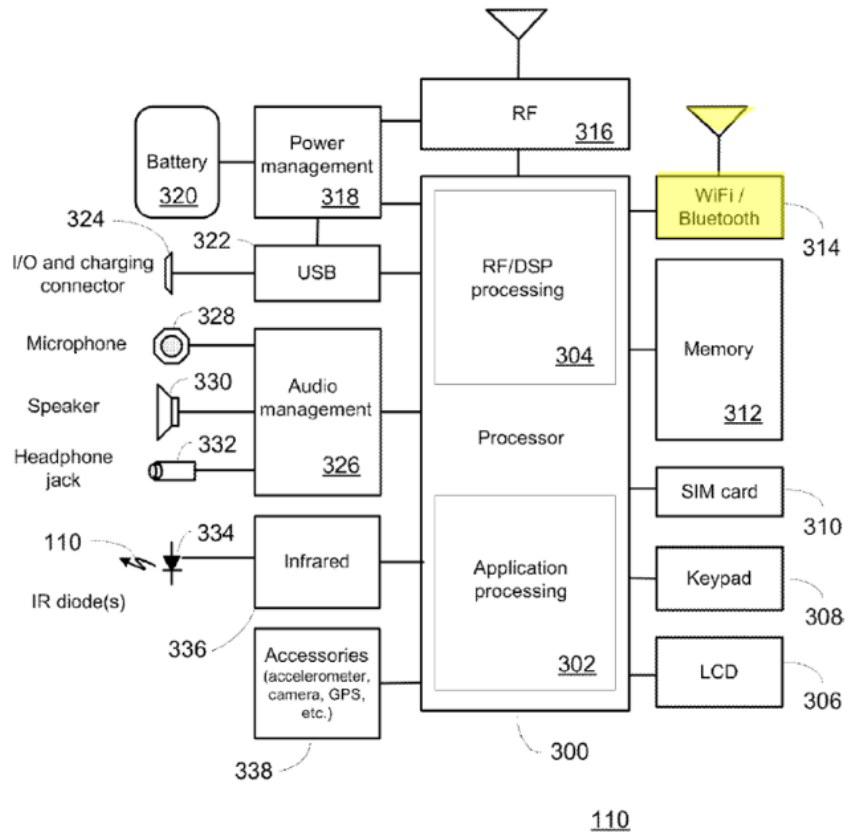
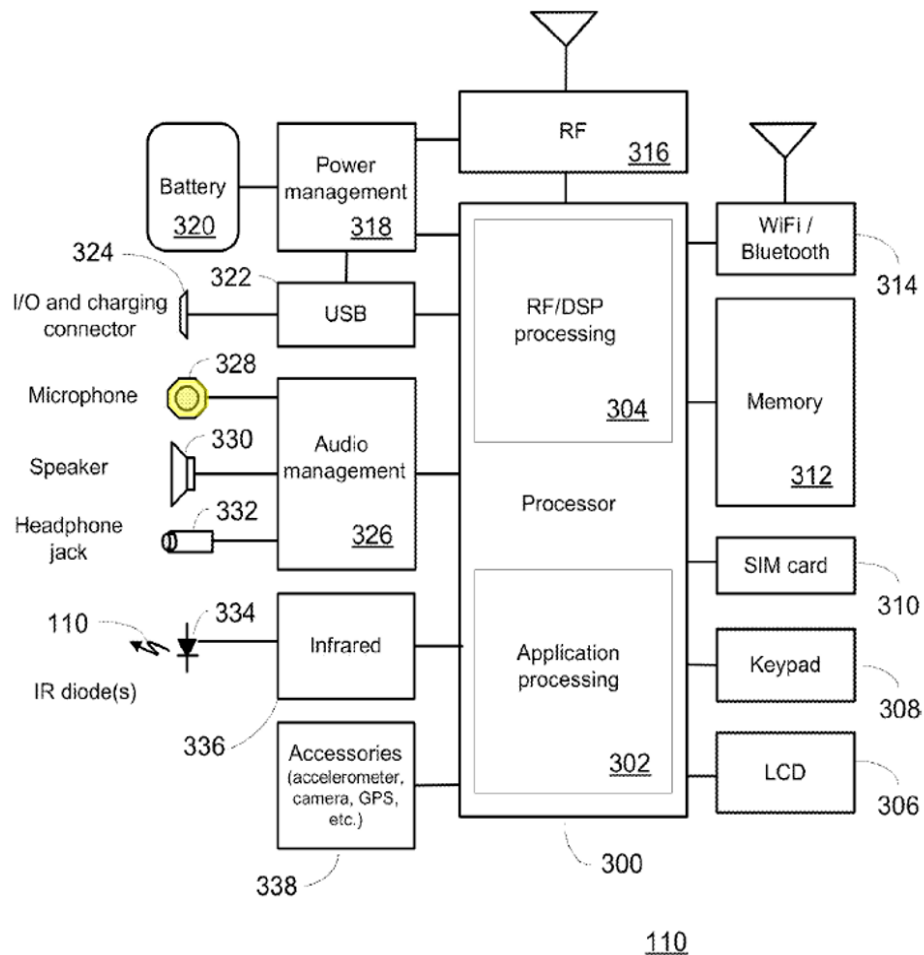


Figure 3

d. 1[B]: “a microphone for capturing first and second human voice data;”

94. Lim discloses this limitation. First, Lim discloses that the *client/controlling device* has a *microphone*. For example, “a *controlling device 100* for use in commanding the functional operations of one or more appliances may include . . . speech input means comprising *a microphone 224* and associated circuitry 222 for example an analog to digital converter, speech digitizer, etc., as known in the art.” (EX1005, [0019].) “A representative *smart device*, illustrated in FIG. 3 in the form of a smart phone, may include . . . an audio management system 326 with associated *microphone 328*, speaker 330, and headphone jack 332 [.]” (EX1005, [0023].)



95. Lim discloses a *microphone* in the *client device* for capturing *first human voice data*. Per the claim language of claim 1, “*first human voice data*” includes human voice data that causes an actuator in the client device to operate in the recited manner. (*Infra* §§ IX.A.2.e, IX.A.2.h.) Thus, any of the human voice commands disclosed in Lim that causes an actuator (e.g., *speaker*, *display*) in the client device (e.g., *smart device 110*) to operate in the recited manner discloses the recited “*first human voice data*.”

96. Lim discloses many instances where the *controlling device* receives speech commands (“*first human voice data*”) and provides a *visual or audio response* on the device itself. For example, Lim discloses a “setup and configuration” stage for the *client device*. (EX1005, [0025], [0013].) “[D]uring setup and configuration of the controlling device, a user may provide appliance identification via *spoken input*. . . .” (EX1005, [0025].)

97. FIG. 4 discloses numerous examples of “*first human voice data*”. Referring to FIG. 4 below, “[o]nce the setup mode has been initiated, at step 402 the controlling device may prompt the user to *speak the brand name of the appliance* to be added to the configuration of the controlling device.” (EX1005, [0027].) Further, “[a]t step 404, if the speech recognition means is unable to uniquely identify the desired brand, step 402 may be repeated in order to solicit additional identifying information from the user. For example, a user may be presented with a short list of possible brand identities from which to select; may be prompted to *spell the first few characters of the brand name*; may be requested to *speak the name of a geographic region or a service provider*; etc.; as appropriate to facilitate the identification process.” (*Id.*, [0028].) “Once a brand has been successfully identified, at step 406 the user may be prompted to *provide spoken appliance type and/or model number information* for processing and comparison to a phonetic database of model

number data which is applicable to the identified brand if necessary, e.g., to further narrow down the codeset choices.” *Id.* “If the *initially provided model information* [e.g., provided previously in step 406] is insufficient to uniquely identify the appliance, at step 410, additional user input may be solicited. For example, a user may be requested to *indicate a device type* if this was not already provided; to *provide geographic region or service provider*; to select from a series of displayed images of appliances and/or OEM remote controls; etc.” (EX1005, [0029].) “Thereafter, at step 414 the user may be prompted to *indicate if they wish to configure additional appliances*. If so, the process may be repeated starting at step 402 [where the controlling device prompts the user to speak the brand name of the appliance to be added to the configuration].” (*Id.*, [0030].) Lim discloses that each such voice data is sent to the *remote server 500* for “speech recognition processing” and based on the processing, the *client device* provides a next prompt via “a displayed text or image”, “a synthesized spoken message”, etc. (EX1005, [0027]-[0030].) The user’s voice inputs resulting in these prompts for voice input are all “*first human voice data*.” It would have been obvious to a POSITA that the *controlling device*’s microphone captures these voice inputs.

98. Lim discloses capturing, by the *microphone* in the *client device*, a *second human voice data*. To the extent that the recited “second human voice

data” is different from the recited “first human voice data”, Lim is clear that its system can receive and process *multiple* human voice commands. (EX1005, [0027], [0028], [0029], [0035]-[0036], FIGs. 4 and 6.)

99. Further, Lim discloses human voice commands that can effectuate remote device control (i.e., “*second human voice data*”). Per the claim language of claim 1, “*second human voice data*” includes human voice data that causes sending of a control message in the recited manner. (*Infra* § IX.A.2.f.) Any of the human voice commands disclosed in Lim that causes sending of a control message to controllable appliances (e.g., “*televisions, VCRs, DVRs, DVD players, cable or satellite converter set-top boxes (‘STBs’), amplifiers, CD players, game consoles, home lighting, drapery, fans, HVAC systems, thermostats, personal computers*”) to operate in the recited manner discloses the recited “*second human voice data*.”

100. FIG. 6 depicts an exemplary process in which the *client device* receives a speech command (“*second human voice data*”) and transmits commands to *appliances* in block 612. For example, “at step 604 the user may be prompted to *speak the desired function name*.” (EX1005, [0035].) The user’s voice input responsive to the prompt is a “*second human voice data*”. It would have been obvious to a POSITA that the *controlling device*’s microphone captures the voice input.

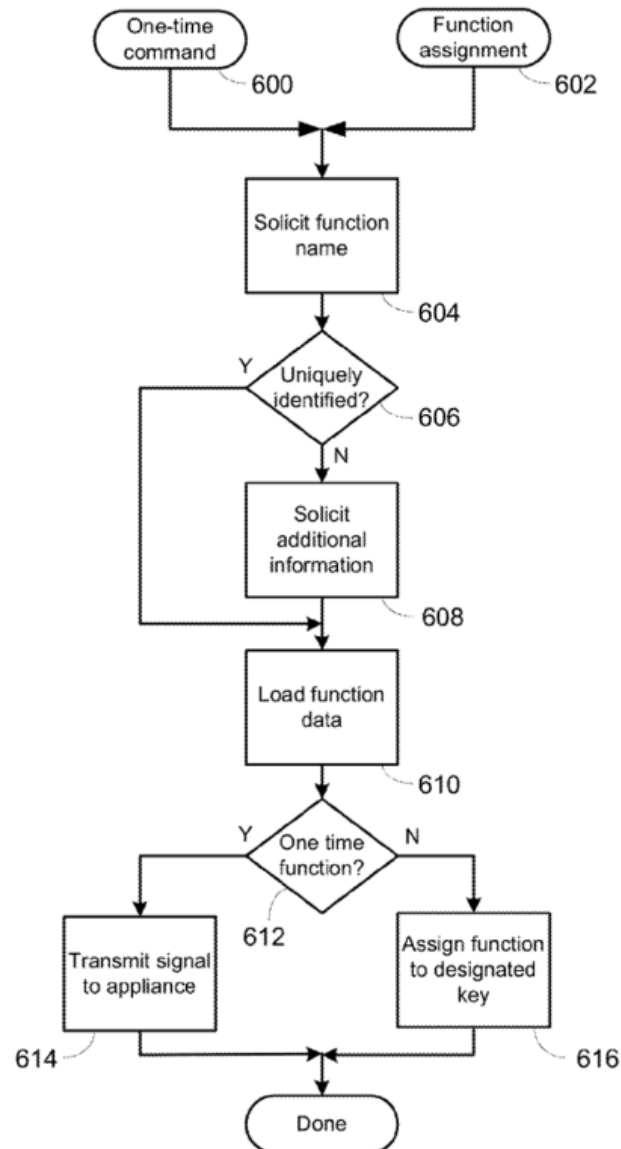
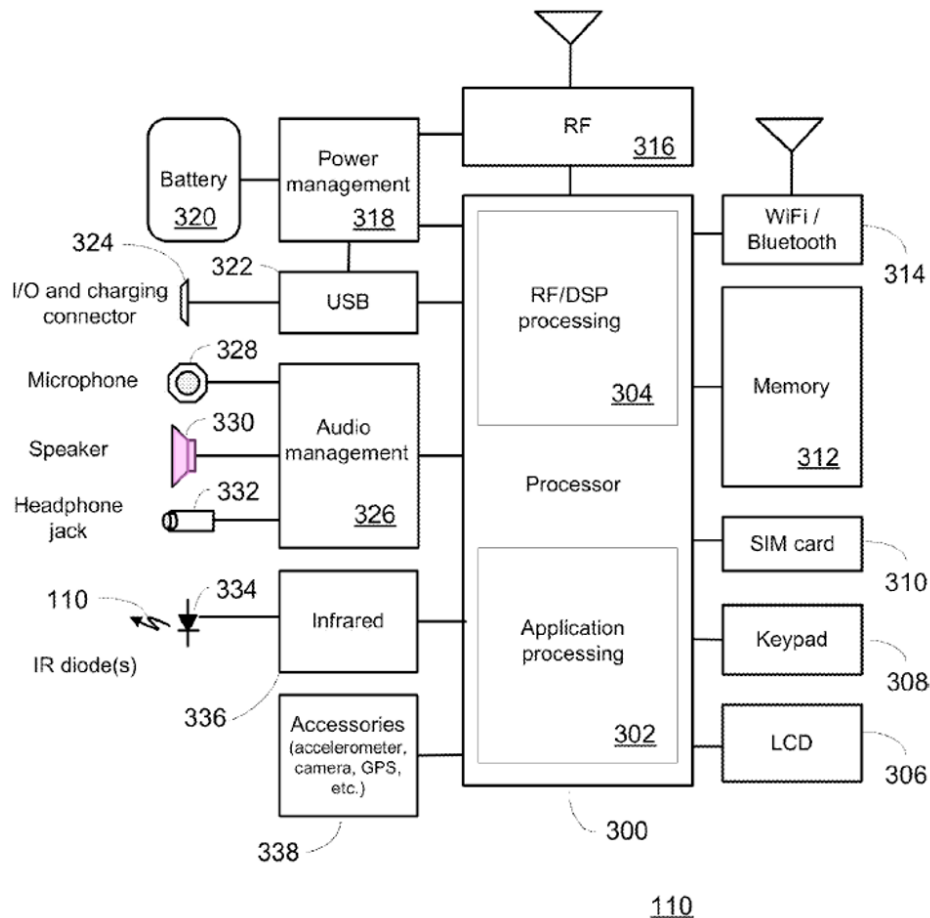


Figure 6 “Appliance command”
Lim, [0035].

e. 1[C]: “and a first actuator in the client device,”

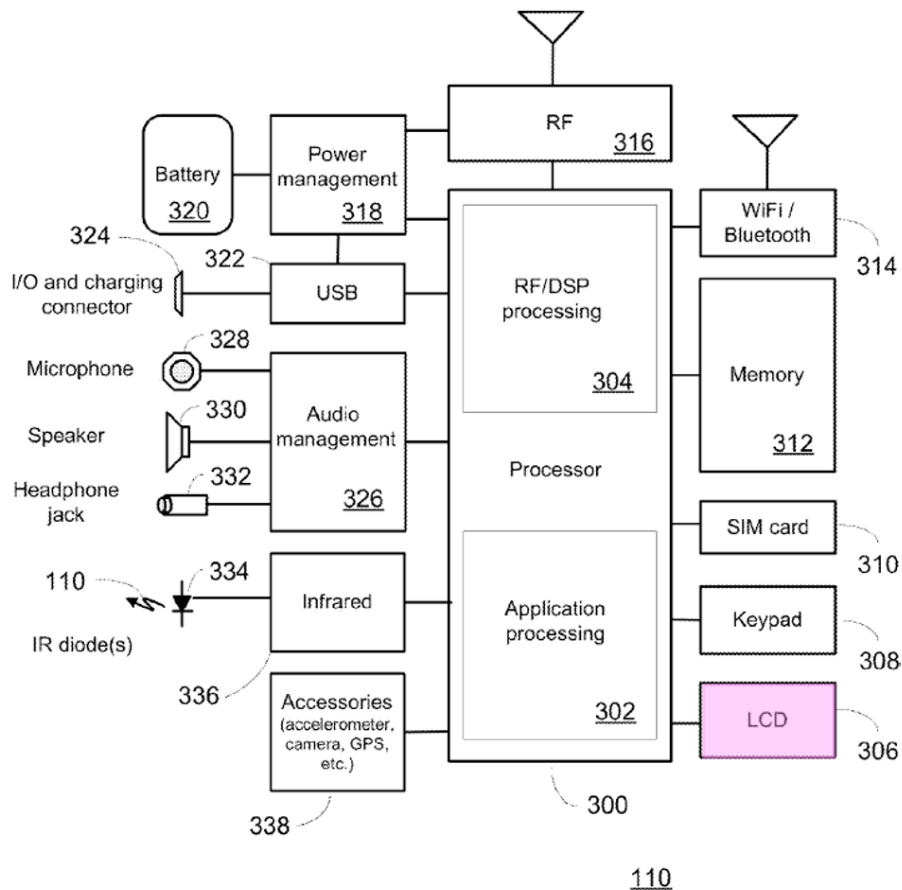
101. Lim also discloses multiple actuators in its *client/controlling device*. First, Lim discloses that the *controlling device* has a *speaker*. For example, “a *controlling device 100* for use in commanding the functional

operations of one or more appliances may include, . . . , a means 202 to provide feedback to the user (e.g., one or more LEDs, illuminable keys, display, *buzzer*, *voice synthesizer with associated speaker*, and/or the like)[.]” (EX1005, [0019].) “A representative *smart device*, illustrated in FIG. 3 in the form of a smart phone, may include . . . an audio management system 326 with associated microphone 328, *speaker 330*[.]” (EX1005, [0023].) As discussed above, a speaker is an actuator. (*Supra* § IX.A.2.b.)



102. Further, Lim discloses that the *controlling device* has a *display*.

For example, “a *controlling device 100* for use in commanding the functional operations of one or more appliances may include, . . . , a key matrix 216 (e.g., hard keys, soft keys such as a touch sensitive surface overlaid on a liquid crystal (LCD), . . . , a means 202 to provide feedback to the user (e.g., one or more LEDs, illuminable keys, *display*[.])” (EX1005, [0019].) “A representative *smart device*, illustrated in FIG. 3 in the form of a smart phone, may include . . . an *LCD display 306*; a keypad 308 which may comprise physical keys, touch keys overlaying LCD 306, or a combination thereof[.]” (EX1005, [0023].) As discussed, a display is an actuator, consistent with the description of the ’706 patent. (*Supra* § IX.A.2.b.)



103. Moreover, Lim discloses that the *client device* has lights such as LEDs. The '706 patent explains an “actuator may be a light source that emits visible or non-visible light (infrared, ultraviolet, X-rays, or gamma rays) such as for illumination or indication . . . The light source may be an electric light source for converting electrical energy into light . . . The electric light source may be based on Solid-State Lighting (SSL) such as a Light Emitting Diode (LED)[.]” (EX1001, 39:10-21.) Consistent with the '706 patent, Lim discloses that “a *controlling device 100* for use in commanding the functional operations of one or more appliances may include, . . . , a key matrix 216 (e.g., hard keys, soft

keys such as a touch sensitive surface overlaid on a liquid crystal (LCD), . . . , a means 202 to provide feedback to the user (e.g., *one or more LEDs*, illuminable keys, display[.]” (EX1005, [0019].) It would have been obvious that *smart device 110* is similarly equipped with *LEDs*.

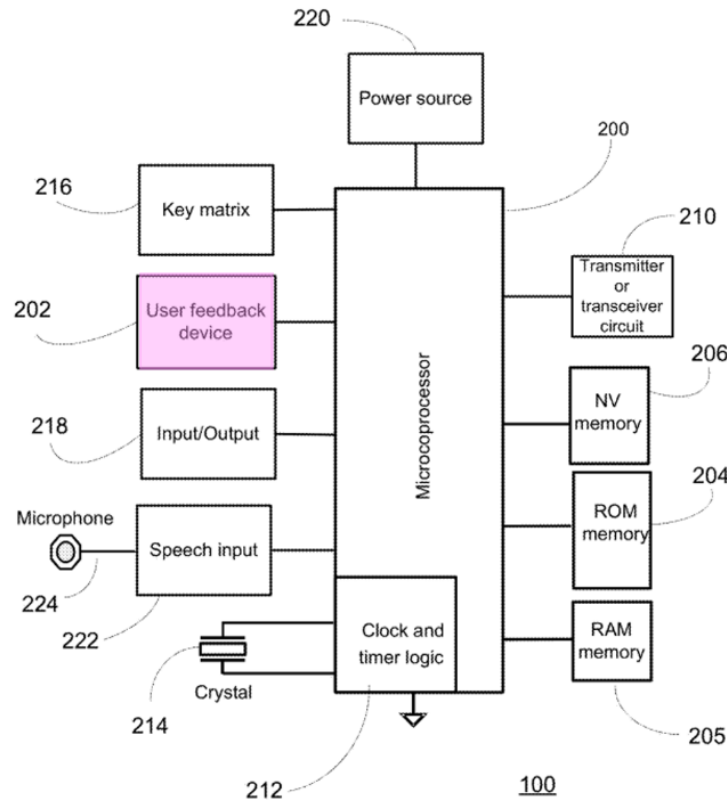


Figure 2

f. 1[D][1]: “wherein the client device is configured to: sending, over the Internet via the WLAN, the captured first and second human voice data to an Internet-connected server device external to the building;”

104. Lim discloses a *client/controlling device* sending the captured *first human voice data* and *second human voice data* to an *Internet-connected server device* external to the *building* over the *Internet via the WLAN*.

105. First, Lim discloses an *Internet-connected server device* external to the *building*. Lim discloses that “all or part of said speech recognition processing . . . may be performed by programming resident on a *remote server 500* accessible via a network 502 such as the *Internet* or PSTN.” (EX1005, [0027].) It would have been obvious to a POSITA that the *remote server 500* is external to the user’s *home* because it is “remote.” Lim further states, “[a]s will become apparent, speech recognition and command data identification processing may be performed . . . *remotely* at a *Web server*.” (EX1005, [0007].) Further, Lim differentiates “remote server” from a “local PC”. (EX1005, [0024].) At the time of the invention, the benefits for having a server in the cloud (i.e., outside a user’s home) perform resource-intensive tasks such as speech processing were well-known. “By performing complex speech and voice processing remotely, the local device can have fewer components, be smaller, use less power, and cost less than a device that performs these operations locally. Further, upgrades to speech and voice recognition software would not require significant reconfiguration of the local device.” (EX1008,

8:26-32; *see also* EX1006, [0022], Figure 2; EX1008, [0080], [0100] – [0102], [0110] – [0117].)

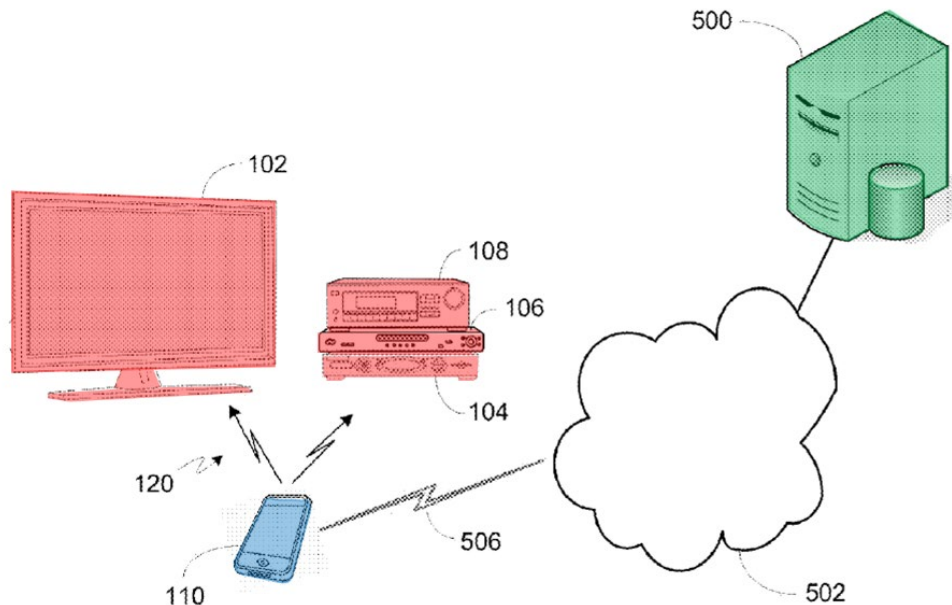


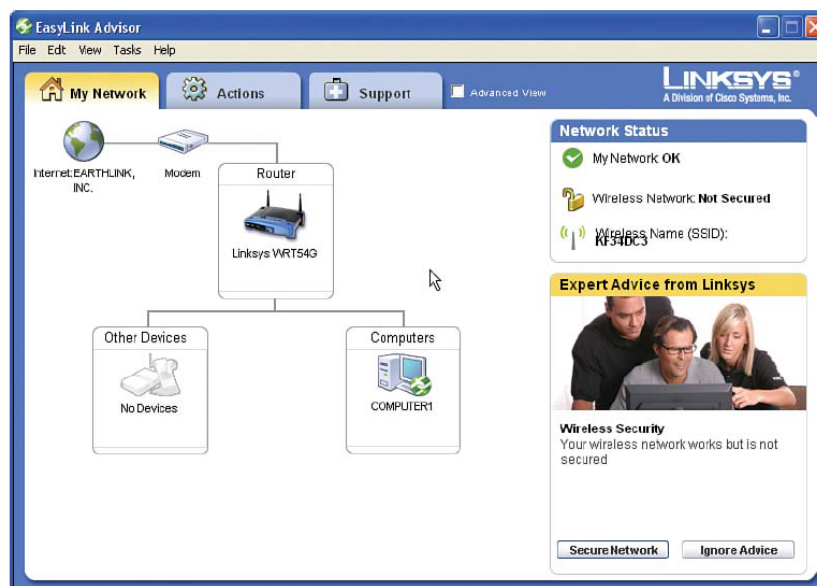
Figure 5b

106. Further, Lim discloses that the *client device* communicates to the *remote server 500* over the Internet via the WLAN. Lim discloses that “access to such network [i.e., ‘a network 502 such as the Internet or PSTN’] may be . . . via a *local network connection 508, such as WiFi or Bluetooth, through a gateway device such as a router* (not illustrated).” (EX1005, [0027].) In other words, Lim’s *client device* is connected to a WiFi network (i.e., WLAN) via a router, which in turn accesses the *remote server 500* over the Internet. Indeed, this was the common configuration for a home network. As discussed in a textbook titled “Wireless Home Networking Simplified”, “with a wireless

LAN, the computers have to find a way to connect, or associate, themselves to the LAN, because they are not physically connected. The way they do this is by *tuning themselves to the wireless router* using the name of the router . . . Once a computer has connected, or associated, itself to the access point, it becomes part of the LAN . . . *Now the computer can send and receive information* to and from other computers on the LAN or *to and from the Internet by transmitting over wireless to the wireless router (or access point)*. The wireless router acts as the central communication routing point.” (EX1007, 11, 100.)

107. “Figure 7-28 shows what the initial *network* should look like if things are working properly, including *connectivity to the Internet*.” (Id., 96, Figure 7-28.)

Figure 7-28 EasyLink Graphical View of Your Network



108. Thus, Lim discloses a *client device* communicating with an *Internet-connected server device* external to the *building* over the *Internet via the WLAN*

109. Second, Lim discloses that the *client device* sends the captured human voice data (including the *first human voice data* and *second human voice data*) to the *server*.

110. Regarding the *first human voice data*, Lim discloses that “at step 402 the *controlling device* may prompt the user to speak the *brand name of the appliance* to be added to the configuration of the controlling device. . . . The resulting *spoken syllables* may be digitized and presented to a speech recognition means for processing and comparison to a phonetic database of brand names which have been cross referenced to appropriate codesets within the library of codesets. As appropriate for a particular embodiment, all or part of said speech recognition processing . . . may be performed by programming resident on a *remote server 500* accessible via a network 502 such as the Internet or PSTN. In the latter case, access to such network . . . may be via a local network connection 508, such as WiFi or Bluetooth, through a gateway device such as a router (not illustrated).” (EX1005, [0027].) In other words, the “*first human voice data*” is sent by the *controlling device* over the Internet via the WLAN to an *Internet-connected server device* external to the building.

111. It would have been obvious to a POSITA that other instances of “*first human voice data*” are sent to the server for processing. Some of these are shown in FIG. 4. “At step 404, if the speech recognition means is unable to uniquely identify the desired brand, step 402 may be repeated in order to solicit additional identifying information from the user. For example, a user may be presented with a short list of *possible brand identities* from which to select; may be prompted to *spell the first few characters of the brand name*; may be requested to speak the *name of a geographic region or a service provider*; etc.; as appropriate to facilitate the identification process.” (EX1005, [0028].)

Lim discloses that “[o]nce a brand has been successfully identified, at step 406 the user may be prompted to provide *spoken appliance type and/or model number information* for processing and comparison to a phonetic database of model number data which is applicable to the identified brand if necessary, e.g., to further narrow down the codeset choices . . . At step 408 the *spoken syllables comprising the model identity* may be processed and compared to a phonetic database of model numbers by the speech recognition means which have also been cross referenced to codesets within a library of codesets. If the initially provided model information is insufficient to uniquely identify the appliance, at step 410 additional user input may be solicited. For example, a user may be requested to *indicate a device type* if this was not already provided; to *provide*

geographic region or service provider; to select from a series of displayed images of appliances and/or OEM remote controls; etc.” (*Id.*, [0029].)

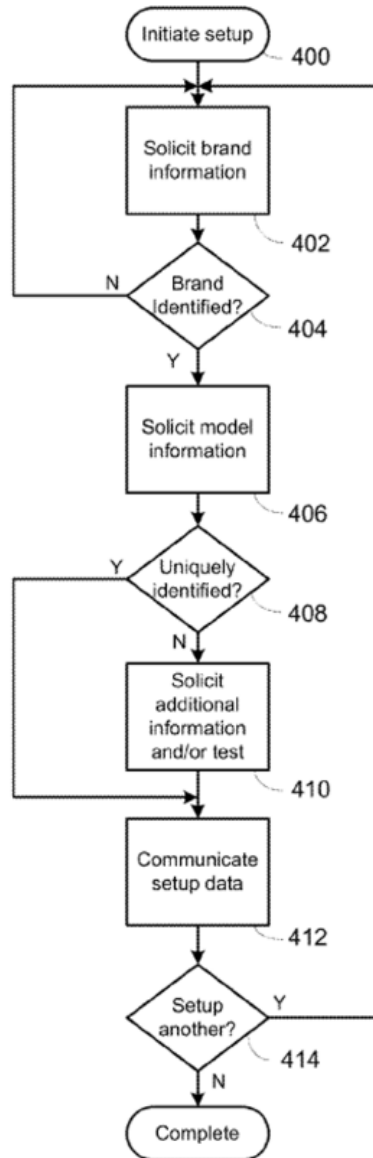


Figure 4 “Set up and configuration of controlling device”
Lim, [0025].

112. Regarding the *second human voice data*, Lim discloses an exemplary process of using a configured *controlling device* to control home

appliances using voice inputs. Referring to FIG. 6, “at step 604 the user may be prompted to speak the *desired function name*. As before this prompt may take the form of an illuminated LED and/or “speak” symbol, a displayed text or image, etc., as appropriate. The *resulting spoken syllables* may be digitized and presented to a speech recognition means for processing and comparison to a phonetic database of command function names which have been cross referenced to command data within a codeset that is applicable to the particular appliance model currently configured . . . all or part of said speech recognition processing . . . may be performed by programming resident on a *remote server* accessible via a network such as the Internet or PSTN.” (*Id.*, [0035], [0034].)

In other words, the “*second human voice data*” is sent by the *controlling device* over the Internet via the WLAN to an *Internet-connected server device* external to the building.

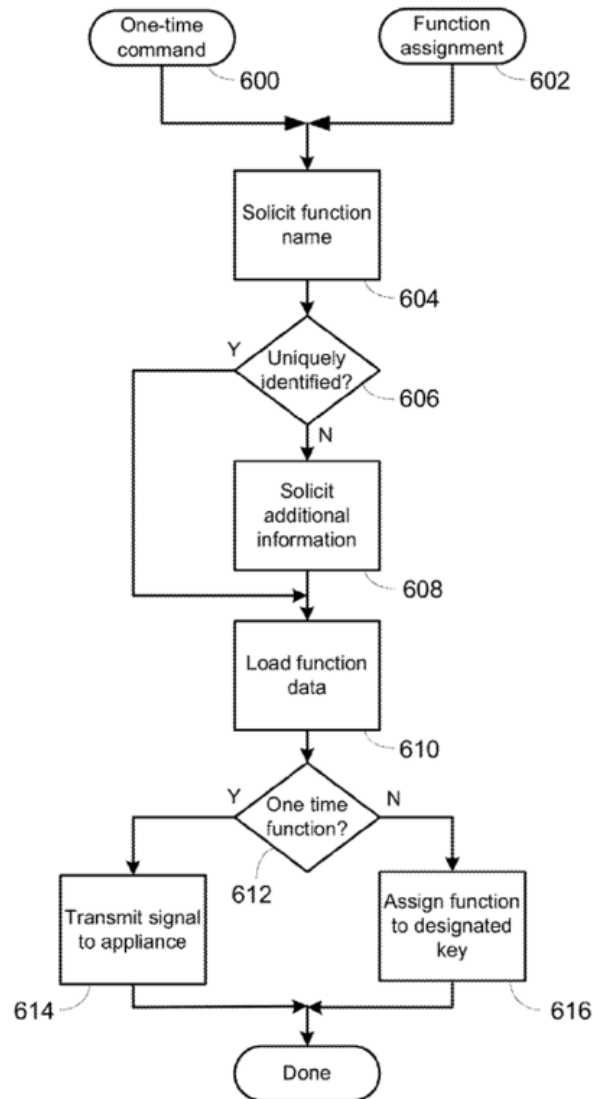


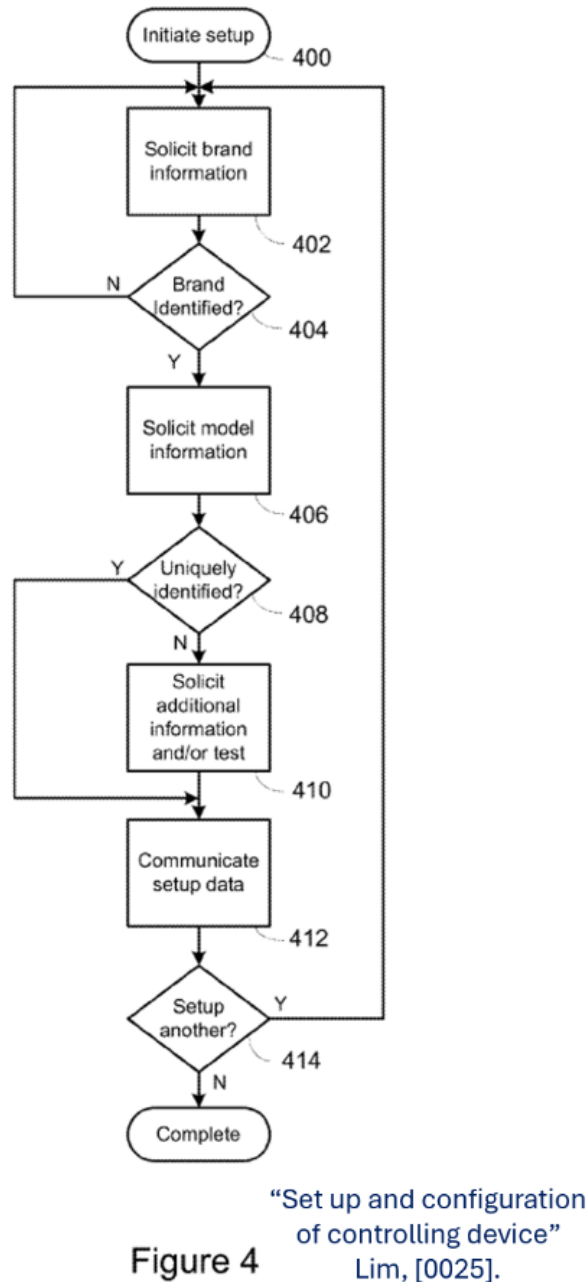
Figure 6 “Appliance command”
Lim, [0035].

g. 1[D][2]: “receiving, from the server device over the Internet via the WLAN, first and second messages, in response to the sending of the captured first and second human voice data;”

113. Lim discloses the *client/controlling device* receives, from the *server* device over the Internet via the WLAN, *first message* and *second*

message, in response to the sending of the captured *first human voice data* and *second human voice data*.

114. First, Lim discloses that the *client device* receives a *first message* from the *server* in response to the sending of the captured *first human voice data*. As discussed, Lim discloses the *client device* sending the captured *first human voice data* to the *server*. (*Supra* § IX.A.2.f.) For example, in the setup and configuration stage in FIG. 4, the *controlling device* captures and sends *first human voice data* to the *remote server* for speech recognition processing. *Id.*



115. It would have been obvious to a POSITA that, after sending *first human voice data* to the *remote server* for speech recognition processing, the *controlling device* would receive some *speech processing result(s)* associated with the *first human voice data* from the *remote server* in order to provide a

responsive next prompt. Indeed, Lim discloses providing responsive prompts (via a display or a speaker) following the user's voice inputs, and it would have been obvious that these responsive prompts are or derived from *speech processing result(s)* (i.e., first message) received from the *remote server*. A POSITA would have understood that the *speech processing result(s)* may be the recognized speech (e.g., text strings), a result of processing the recognized speech (e.g., semantic processing to determine meaning and adequacy of the speech), and/or information associated with the next prompt (e.g., text or audio, information to display, information triggering a visual or auditory output such as flashing a light indicator or playing a sound). (*E.g.*, EX1009; EX1036, 307 (“[t]he client side has to transmit the speech signal to the server. The server returns the recognition result for the client after processing.”); EX1037, 2367 (“the server computer recognizes the speech and displays the recognized text back to the user.”))

116. For example, “at step 402 the *controlling device* may prompt the user to *speak the brand name of the appliance* to be added to the configuration of the controlling device . . . The *resulting spoken syllables* may be digitized and presented to a speech recognition means for processing . . . all or part of said speech recognition processing . . . may be performed by programming resident on a *remote server 500* accessible via a network 502 such as the Internet or

PSTN.” (EX1005, [0027].) “At step 404, *if the speech recognition means is unable to uniquely identify the desired brand*, step 402 may be repeated in order to solicit additional identifying information from the user. For example, a user may be presented with a short list of possible brand identities from which to select; may be prompted to spell the first few characters of the brand name; may be requested to speak the name of a geographic region or a service provider; etc.; as appropriate to facilitate the identification process.” (EX1005, [0028].) In this example, the *speech processing result(s)* can be the recognized speech (e.g., text strings), a result of processing the recognized speech (e.g., determining “*if the speech recognition means is unable to uniquely identify the desired brand*”), information associated with the responsive next prompt (e.g., text or audio), and/or information to display, information triggering a visual or auditory output such as flashing a light indicator or playing a sound, depending on the distribution of speech processing between the server and the controlling device.

117. Similarly, “at step 406 the user may be prompted to provide spoken appliance type and/or model number information for processing and comparison to a phonetic database of model number data which is applicable to the identified brand if necessary, e.g., to further narrow down the codeset choices. . . At step 408 the *spoken syllables comprising the model identity* may be processed and compared to a phonetic database of model numbers by the speech recognition

means which have also been cross referenced to codesets within a library of codesets. *If the initially provided model information is insufficient to uniquely identify the appliance*, at step 410 additional user input may be solicited.”

(EX1005, [0029].) In this example, the *speech processing result(s)* can be the recognized speech (e.g., text strings), a result of processing the recognized speech (e.g., determining “[i]f the initially provided model information is insufficient to uniquely identify the appliance”), and/or information associated with the responsive next prompt (e.g., text or audio, information to display, information triggering a visual or auditory output such as flashing a light indicator or playing a sound), depending on the distribution of speech processing between the server and the controlling device.

118. “Thereafter, at step 414 the user may be prompted to *indicate if they wish to configure additional appliances*. *If [the user indicates that they wish to configure additional appliances]*, the process may be repeated starting at step 402.” (EX1005, [0030].) In this example, the *speech processing result(s)* can be the recognized speech (e.g., text strings), a result of processing the recognized speech (e.g., determining “[i]f [the user indicates that they wish to configure additional appliances]”), and/or information associated with the responsive next prompt (e.g., text or audio, information to display, information triggering a visual or auditory output such as flashing a light indicator or playing

a sound), depending on the distribution of speech processing between the server and the controlling device.

119. At the time of the invention, remote speech recognition servers routinely transmit results of speech recognition back to the requesting device. (*E.g.*, EX1009; EX1036, 307; EX1037, 2367.) Further, in light of Lim’s disclosure of responsive prompts following the user’s voice inputs, it would have been obvious to a POSITA that *speech processing result(s)* (*e.g.*, recognized speech, analysis of or information associated with the recognized speech, the next prompt, information to display, information triggering a visual or auditory output such as flashing a light indicator or playing a sound) is sent from the *remote server 500* back to the *client device* for speech synthesis or display. (*Infra* § IX.A.2.h.) For example, “the application 120 [may] provide audio 222 for eventual transmission to the interface device 116, to be played on the speaker 206. The audio may be in the form of text, in which speech synthesis or text-to-speech conversion may be performed . . . by the operating logic 108 of the interface device 116.” (EX1006, [0037].) “The client side has to transmit the speech signal to the server. The server returns the recognition result for the client after processing.” (EX1036, 307.) “The server computer recognizes the speech and displays the recognized text back to the user.” (EX1037, 2367.) Further, it would have been obvious that such *first message* is received by the

client device from the *server* “in response to the sending of the captured *first human voice data*” because the recognized speech, analysis of or information associated with the recognized speech, the next prompt (e.g., text or audio or information to display), and/or information triggering a visual or auditory output such as flashing a light indicator or playing a sound is generated based on the *server*’s processing of *first human voice data*.

120. Lim discloses its *client device* receives a *second message* from the *server* in response to the sending of the captured *second human voice data*. As discussed, Lim discloses the client device sending the captured *second human voice data* to the server. (*Supra* § IX.A.2.f.) It would have been obvious to a POSITA that, after sending *second human voice data* to the *remote server* for speech recognition processing, the *controlling device* would receive *speech processing result(s)* from the *remote server*. The *speech processing result(s)* may be the recognized speech (e.g., semantic processing to determine meaning and adequacy of the speech). (*E.g.*, EX1009; EX1036, 307; EX1037, 2367.)

121. “[A]t step 604, the user may be prompted to *speak the desired function name* . . . the resulting syllables may be digitized and presented to a speech processing means . . . *Once desired function has been uniquely identified*, at step 610 the indicated command code data may be provisioned to the controlling device. As appropriate for the particular implementation, such

provisioning may comprise downloading the data itself, supply of a pointer to an entry in a local database, etc.” (EX1005, [0035]-[0036], [0030].) Thus, the second message is the *speech processing result(s)* from the speech recognition server that allows the controlling device to proceed to the next action 610. In this example, the second message can be the recognized speech (e.g., text strings), a result of processing the recognized speech (e.g., determining whether the “*desired function has been uniquely identified*”, or the identified function), etc., depending on the distribution of speech processing between the server and the controlling device. It would have been obvious that the *second message* is sent from the *server* to the client device in response to the sending of the captured *second human voice data* because the *speech processing result(s)* is transmitted based on the processing of the second human voice data

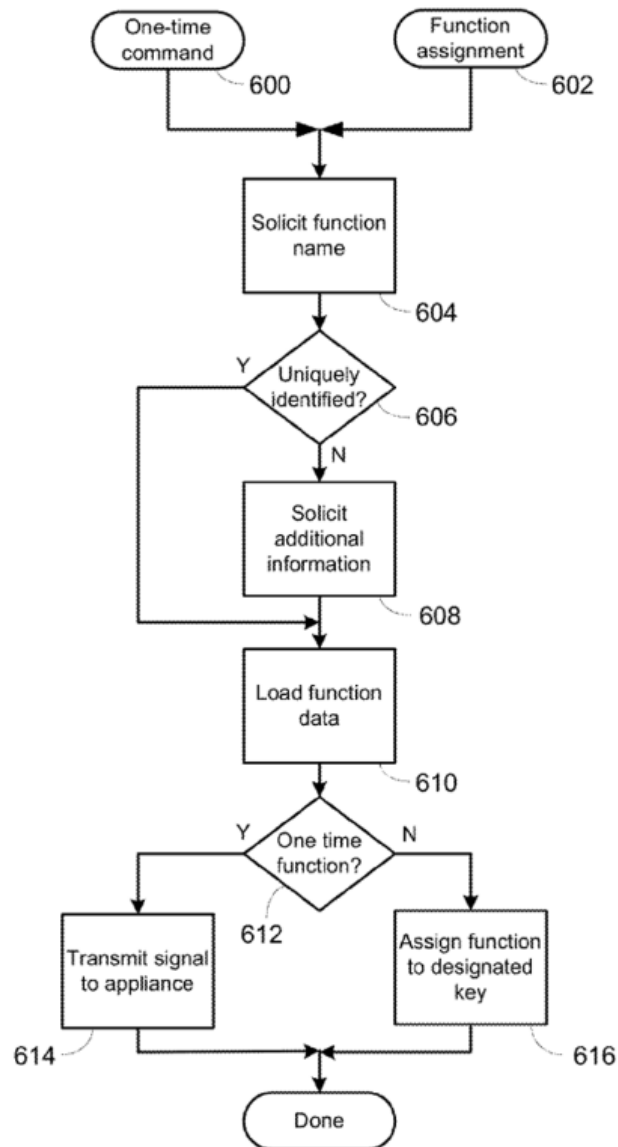


Figure 6 “Appliance command”
Lim, [0035].

122. A second example of the second message is the downloaded data in block 610. Lim discloses that the function data can be downloaded to the controlling device in block 610. “Once the desired function has been uniquely identified [at the *remote server device*], at step 610 the *indicated command code*

data may be provisioned to the *controlling device*. As appropriate for the particular implementation, such provisioning may comprise downloading the *data* itself, supply of a *pointer* to an entry in a local database, etc.” (EX1005, [0036].) Lim states that the indicated command code data is downloaded from a library of codesets located externally at the same *remote server 500* accessible to the *client device*. Lim discloses that “communication of the setup data may comprise downloading of a complete set of command code data into the controlling device from an off-platform database of codesets located for example . . . on a *remote server 500*[.]” (EX1005, [0030].) “[A]n app may draw on a library of codesets suitable for commanding the functional operations of various types of appliances” and the library of codesets “may be located externally at a local PC or *remote server device* accessible to *smart device 110* for the download of only those code sets necessary for operation of the configured appliances[.]” (EX1005, [0024].) In other words, the second message is the downloaded command data/codesets from the *server 500*. It would have been obvious to a POSITA that the *second message* is sent from the *server* to the client device in response to the sending of the captured *second human voice data* because the “*command code data*”/*codesets* are downloaded “necessary for operation of the configured appliances”. *Id.*

123. Lim defines command data to be “data which serves to define the necessary control protocols and command values for use in transmitting command signals to controllable appliances (collectively, the command data).” (EX1005, [0020].) Lim defines sets of command data or codesets to be “ library comprising a multiplicity of command codes and protocols suitable for controlling various appliances - also referred to as sets of command data or codesets.” (EX1005, [0022].)

124. Lim discloses that the client device receives the recited “*first message*” and “*second message*” from the server in response to the sending of the captured *first human voice data* and *second human voice data* over the *Internet via the WLAN*. As discussed above, Lim discloses a *controlling device* communicating with an *Internet-connected server device* external to the *building* over the *Internet via the WLAN*. (*Supra* §§IX.A.2.a, IX.A.2.f.) It thus follows that Lim’s *controlling device* receives the recited “*first message*” and “*second message*” from the server in response to the sending of the captured *first human voice data* and *second human voice data* over the *Internet via the WLAN*.

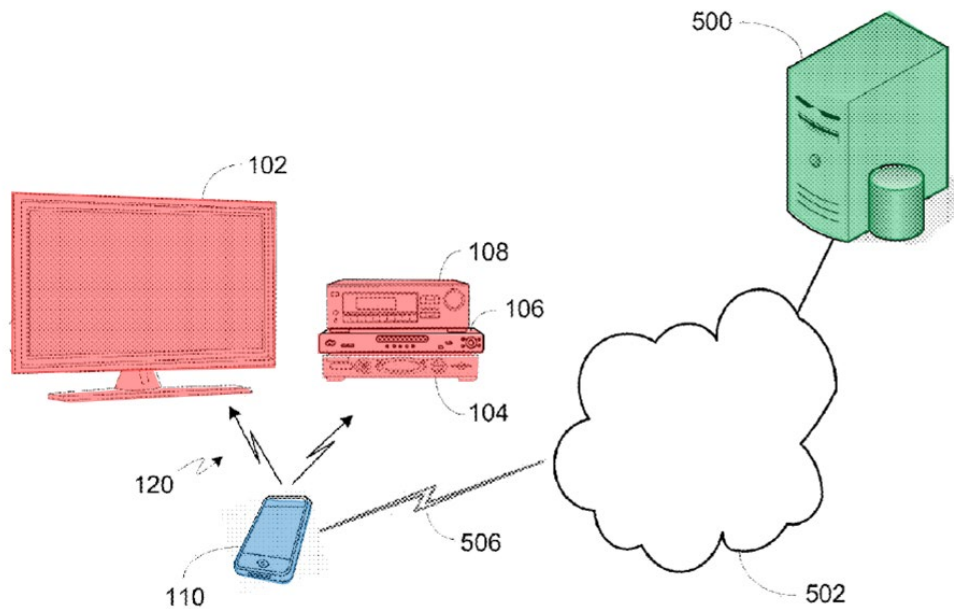


Figure 5b

h. 1[D][3]: “operating the first actuator in response to the received first message;”

125. Lim discloses operating a *first actuator* in the *client device* in response to the received *first message*.

126. First, Lim discloses a *first actuator* in the *client device*. As discussed, Lim discloses a *speaker*, a *display*, and *LEDs* in the *client device*. Lim discloses “a *controlling device 100* for use in commanding the functional operations of one or more appliances may include, . . . , a means 202 to provide feedback to the user (e.g., *one or more LEDs*, illuminable keys, *display*, *buzzer*, *voice synthesizer with associated speaker*, and/or the like)[.]” (*Supra* § IX.A.2.b; EX1005, [0019].) “A representative *smart device*, illustrated in FIG. 3 in the form of a smart phone, may include . . . an *LCD display 306*; . . . an

audio management system 326 with associated microphone 328, *speaker 330*[".]”
(EX1005, [0023].)

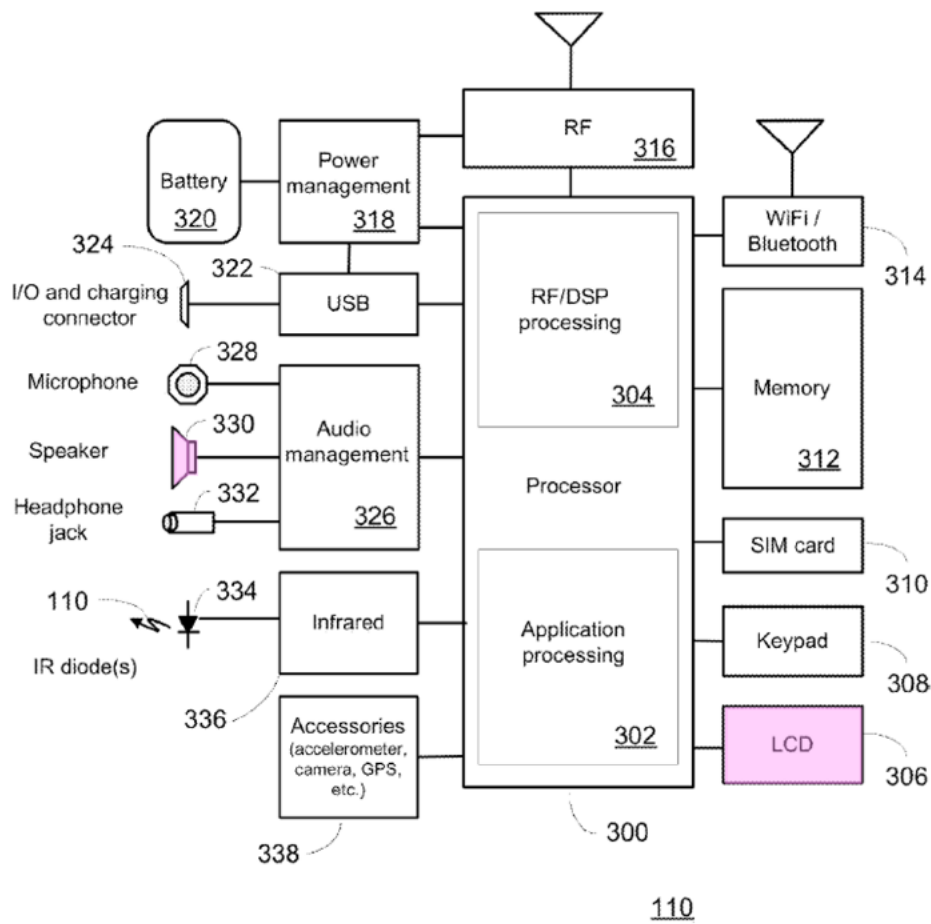


Figure 3

127. Lim discloses operating a *first actuator* in the *client/controlling device* in response to the received *first message*. Specifically, Lim operates its *display* and *speaker* in the *controlling device* to provide a visual or auditory prompt. The prompt is provided in response to a user voice input and, more specifically, in response to *speech processing result(s)* (e.g., recognized speech, analysis of or information associated with the recognized speech, next prompts,

information to display, and/or information triggering a visual or auditory output such as flashing a light indicator or playing a sound) received from the speech recognition *server 500*. For example, “at step 402 the *controlling device* may prompt the user to speak the brand name of the appliance to be added to the configuration of the controlling device. This and subsequent prompts for voice input may take the form of an *illuminated LED* and/or ‘*speak*’ *symbol*, a *displayed text or image*, a *synthesized spoken message* (e.g., where controlling device *user feedback means 202* comprises speech synthesis means and a *speaker*, or where a smart device app has access to *speaker 330*), etc.”

(EX1005, [0027].) Lim discloses that the prompts for voice input are based on the recognized speech. For example, Lim discloses that after step 402, “[a]t step 404, *if the speech recognition means is unable to uniquely identify the desired brand*, step 402 may be repeated in order to *solicit* additional identifying information from the user. For example, a user may be *presented* with a short list of possible brand identities from which to select; may be *prompted* to spell the first few characters of the brand name; may be *requested* to speak the name of a geographic region or a service provider; etc.; as appropriate to facilitate the identification process.” (Id., [0028].) In addition, “[*o*]nce a brand has been *successfully identified*, at step 406 the user may be *prompted* to provide spoken appliance type and/or model number information for processing and comparison

to a phonetic database of model number data which is applicable to the identified brand if necessary, e.g., to further narrow down the codeset choices.” (*Id.*, [0029].)

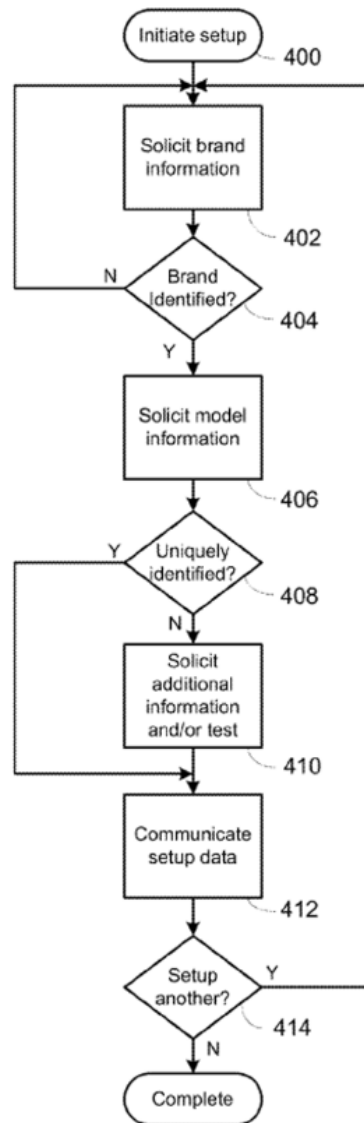


Figure 4 “Set up and configuration of controlling device”
Lim, [0025].

128. Additional prompts are provided in blocks 410 and 414. *“If the initially provided model information is insufficient to uniquely identify the*

appliance, at step 410 additional user input may be solicited. For example, a user may be *requested* to indicate a device type if this was not already provided; to provide geographic region or service provider; to select from a series of displayed images of appliances and/or OEM remote controls; etc. ” (EX1005, [0029].) And “at step 414 the user may be *prompted* to indicate if they wish to configure additional appliances. If so, the process may be repeated starting at step 402. ” (EX1005, [0030].) As another example, “a user may be *requested* to indicate a geographic region or the approximate age of an appliance; may be *presented* with a display of short list of function names from which to select; may be *request* to provide synonym(s) for the desired command function: etc.” (EX1005, [0036].)

129. It would have been obvious that Lim operates its *display* and *speaker* in the *client device* in response to *speech processing result(s)* (e.g., recognized speech, analysis of or information associated with the recognized speech, the next prompt, information to display, and/or information triggering a visual or auditory output such as flashing a light indicator or playing a sound) received from the remote speech recognition server (i.e., *remote server 500*) to display the prompt or play the synthesized spoken message.

i. **1[D][4]: “and sending, to the controlled device over the WLAN, a control message in response to the received second message;”**

130. Lim discloses that the *client device* sends a *control message* to the *controlled device* in response to the received *second message* over the WLAN. Lim discloses that a “*controlling device 100* is configured to control *various controllable appliances, such as a television 102, a set top box (‘STB’) 104, a DVD player 106 and an AV receiver 108*. As is known in the art, the *controlling device 100* may be capable of transmitting *commands* to the appliances, using any convenient IR, RF, Point-to-Point, or *networked protocol 120*, to cause the appliances to perform operational functions. While illustrated in the context of a television 102, STB 104, DVD player 106 and AV receiver 108, it is to be understood that controllable appliances may include, but need not be limited to, *televisions, VCRs, DVRs, DVD players, cable or satellite converter set-top boxes (‘STBs’), amplifiers, CD players, game consoles, home lighting, drapery, fans, HVAC systems, thermostats, personal computers*, etc.” (EX1005, [0017].) A POSITA would have understood that this statement applies to Lim’s *controlling device 110* as well. As shown in FIG. 1b below, the *controlling device 110* transmits commands to the *appliances* via *networked protocol 120*.

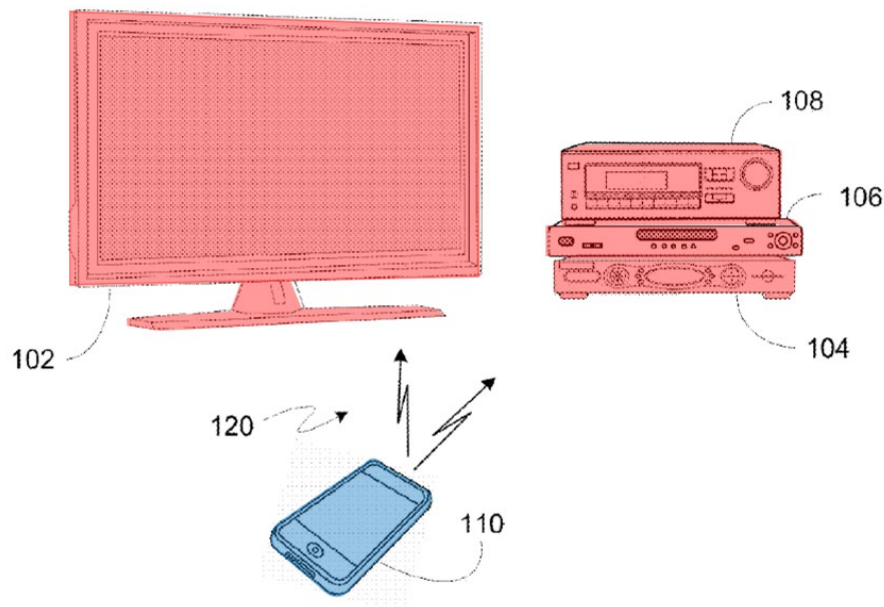


Figure 1b

131. As discussed, Lim discloses its *client device* receives a *second message* from the *server*. A first example of the *second message* is the speech processing result(s) from the *server* that allows the controlling device to determine whether to proceed to block 610. The *speech processing result(s)* may be the recognized speech (e.g., text strings) or results from an analysis of the recognized speech. Responsive to the *second message*, the *controlling device* obtains (block 610) and sends (block 614) the *command* to the *appliance*.

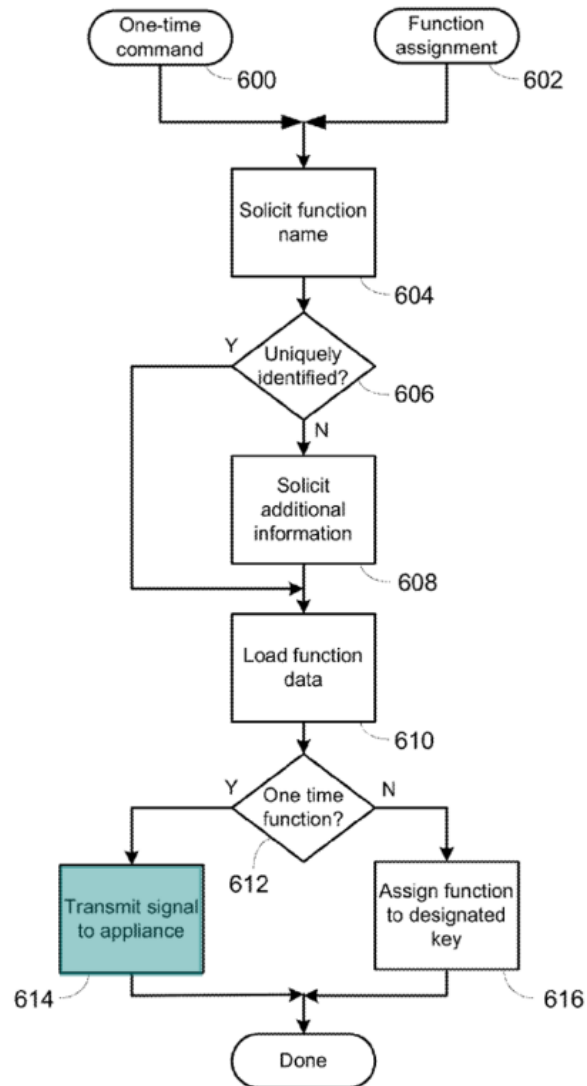


Figure 6 “Appliance command”
Lim, [0035].

132. A second example of the *second message* is the “*downloaded command code data*” from the *remote server 500*. Lim discloses that an “app may serve to allow use of the *smart phone* to transmit *commands* suitable for operation of *entertainment and other appliances*. Such an app may draw on a library of *codesets* suitable for *commanding the functional operations of*

various types of appliances of multiple manufactures and/or models”

(EX1005, [0024].) “[T]his library . . . may be located externally at a local PC or *remote server device* accessible to *smart device 110* for the download of only those code sets necessary for operation of the configured *appliances*[.]” *Id.*

Lim discloses that the *remote server device* is the *remote server 500*. (*Id.*, [0030].)

133. Further, after receiving the indicated command code data at block 610, “at step 614, the *provisioned data* may be utilized [for the *controlling device*] to transmit the desired *command* to the *target appliance*.” (EX1005, [0036], [0017].)

134. In other words, at block 610, the *smart device* can download the *second message* (e.g., *indicated command data/codesets*) from the *remote server device* and, based on the downloaded data, transmit the *command* to the *controlled device*. Thus, the *command* is sent by the *smart device* to the *controlled device* in response to the received *second message* (e.g., *indicated command data/codesets*).

135. Lim discloses that the control message is sent over the WLAN. Lim states “the *controlling device 100* may be capable of transmitting *commands* to the appliances, using any convenient IR, RF, Point-to-Point, or *networked protocol 120*.” (EX1005, [0017].) As shown in Figure 5b, the

smart device 110 communicates with the *controllable appliances 102/104/106/108* using *networked protocol 120*. As discussed, Lim discloses that the client device (e.g., *smart device 110*) includes a *WiFi transceiver/interface*. (EX1005, [0023], [0019].) In 2012, home appliances that are WiFi-enabled were well-known. “[T]he mobile device may include a near field communication protocol that can be utilized for initiating and establishing connection with another wireless communication protocol (e.g., *WiFi* or Bluetooth) *associated with the home appliance device*.” (EX1012, [0018].) As discussed in the textbook titled, “Wireless Home Networking Simplified”, “[i]n the next wave, we see all types of devices connecting to the network, including some obvious devices such as *TVs, stereos, and digital recording devices (DVRs)*, but also *appliances, home security systems, and electronics* that can control home lighting, sprinkler systems, air conditioning, and answering machines.” (EX1007, 321.) Thus, a POSITA would have understood that the “networked protocol 120” disclosed in Lim can be via WiFi (i.e., WLAN). It also follows that the *controllable appliances 102/104/106/108* are WiFi-enabled and connected to the WLAN.

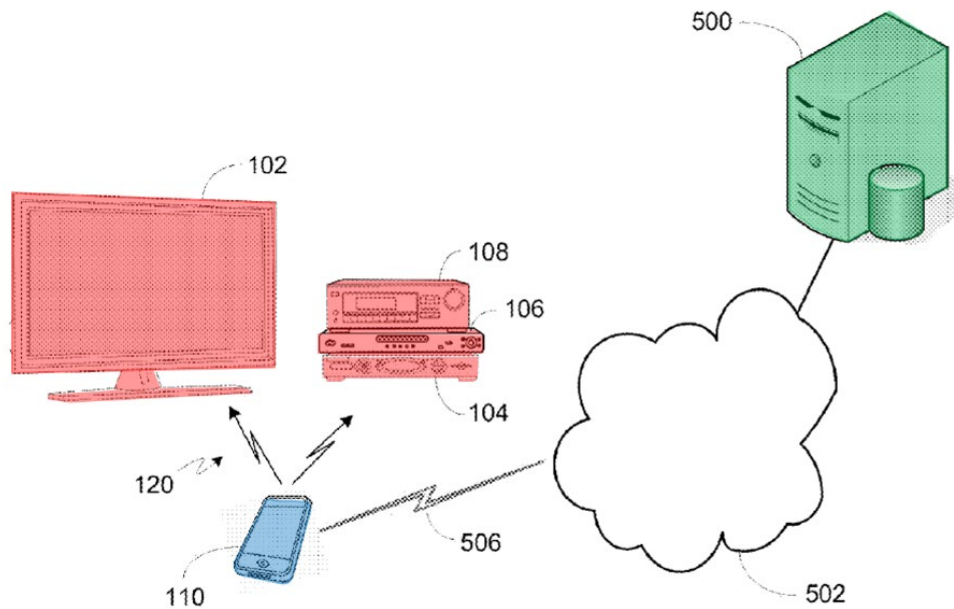


Figure 5b

136. Lastly, with respect to claim 1, to the extent that the first and second human voice data are captured/processed together (*e.g.*, as parts of one query) (which is not conceded), it would have been obvious that Lim, in response to receiving a user command related to operation of an appliance (*e.g.*, in FIG. 6), would provide a visual/audio feedback on the controlling device as it does in the configuration stage (FIG. 4) to provide confirmation and cause sending of a control message, thus meeting all elements of claim 1. Thus, a POSITA would have found it obvious, and Lim certainly suggests, that a query can result in both the first message and the second message, as Lim has the software and hardware configuration to do so.

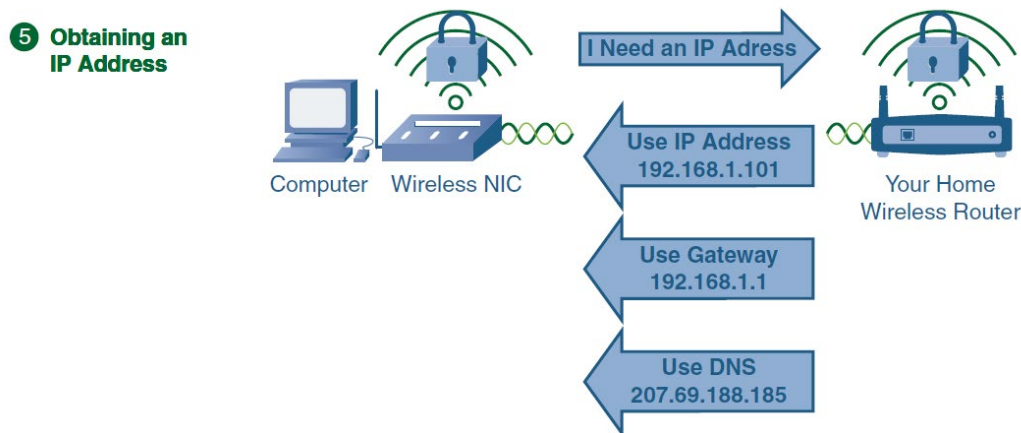
j. 1[E]: “and wherein the client device is addressable in the WLAN and in the Internet using an Internet Protocol (IP) address.”

137. Lim discloses a client device that is addressable in the WLAN and in the Internet using an Internal Protocol (IP) address. Referring to FIG. 4, at step 404, the *controlling device* may request the user to “speak the name of a geographic region”. (EX1005, [0028].) Lim discloses that “region information may be requested from a user if a spoken brand name is not immediately identified at step 404 of FIG. 4, and used to filter search results when multiple possible matches were initially identified.” (EX1005, [0038].) Lim discloses that “in embodiments which are *Internet server based* region information may be derivable from the *IP address associated with the requesting device*[.]” *Id.* Thus, Lim expressly discloses that the requesting device (e.g., the *smart device 110*) is addressable in the Internet using an IP address.

138. Further, as discussed, Lim discloses that its client device is WiFi-enabled and connects to the Internet via WLAN. (*Supra* §§ IX.A.2.a, IX.A.2.f) A POSITA would have understood that this wireless network involves associating each device with a device identifier or address. Indeed, at the time of the invention, it was well-known that networked devices are associated with IP addresses. The IP address may be an assigned IP address for the device

(e.g., by the router), the router's IP address, a combination of the two, or a globally unique IP address. ***“Each computer or device that you want to join your wireless network needs a wireless network interface card (NIC).”***

(EX1007, 99.) “If the wireless router grants access, it then typically ***assigns the NIC an IP address*** to use on the wireless network, at which point we can begin exchanging data,” ***“each device (computer, laptop, and so on) in a home network needs to have an IP address***, which is how the device is known on the network . . . Most home networks use IP addresses in the range of 192.168.1.100 to 192.168.1.149, and the ***router assigns each device an address*** from this pool when it boots.” (*Id.*, 108, 210, 175.)



3. **Claim 5: “The client device according to claim 1, wherein each of the first and second actuators is configured for directly or indirectly affecting, changing, producing, or creating a physical phenomenon.”**

139. As discussed, the “first actuator” and the “second actuator” disclosed in Lim include: speakers, displays, LED lights, HVAC-related motors, VCR-related motors, etc. (*Supra* §§ IX.A.2.b, IX.A.2.e.)

140. A speaker is configured to directly or indirectly affect, change, produce, or create a physical phenomenon, namely, audio or sound. (*Supra* § IX.A.2.b.)

141. A display is configured to directly or indirectly affect, change, produce, or create a physical phenomenon, namely, light. (*Supra* § IX.A.2.b.)

142. An LED light is configured to directly or indirectly affect, change, produce, or create a physical phenomenon, namely, light. (*Supra* § IX.A.2.e.)

143. HVAC-related motors are configured to directly or indirectly affect, change, produce, or create a physical phenomenon, namely, motion, temperature, or humidity. (*Supra* § IX.A.2.b.)

144. VCR-related motors are configured to directly or indirectly affect, change, produce, or create a physical phenomenon, namely, motion of the drum head in a VCR. (*Supra* § IX.A.2.b.)

4. Claim 6: “The client device according to claim 5, wherein the physical phenomenon comprises temperature, humidity, pressure, audio, vibration, light, motion, sound, proximity, flow rate, electrical voltage, or electrical current.”

145. As discussed above, Lim discloses a first actuator and a second actuator that directly or indirectly affect, change, produce, or create at least audio, light, motion, sound, temperature, humidity, etc. (*Supra* § IX.A.3.)

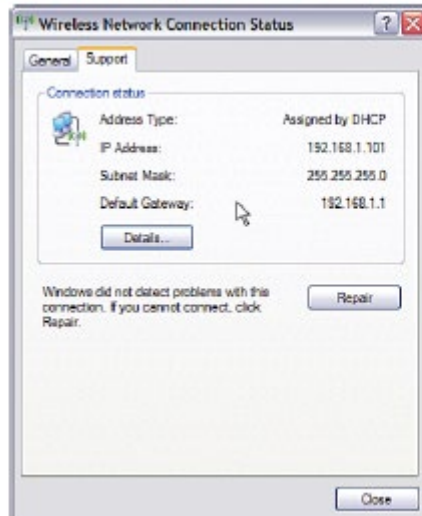
5. Claim 10: “The client device according to claim 1, further comprising a volatile or non-volatile memory for storing the IP address.”

146. Lim discloses that the “*controlling device 100* for use in commanding the functional operations of one or more appliances may include, as needed for a particular application, a processor 200 coupled to a *ROM memory 204, a RAM memory 205, . . . , a non-volatile read/write memory 206[.]*” (EX1005, [0019].) The *smart device 110*, “illustrated in FIG. 3 in the form of a smart phone, may include . . . *memory means 312 which may comprise ROM, RAM, Flash, or any combination thereof[.]*” (EX1005, [0023].)

147. As discussed above, Lim discloses that the controlling device is addressable in the Internet and WLAN with an IP address and that it communicates via WLAN and with remote server over the Internet via a wireless router. (*Supra* §§ IX.A.2.a, IX.A.2.j; EX1005, [0027], [0038], FIG. 5b.) A POSITA would have understood that the IP addresses would be locally stored in the disclosed memory in the *controlling device 100* and *smart device 110*. For example, as shown in the figure below in the textbook titled ,

“Wireless Home Networking Simplified”, the networked devices can display the associated IP addresses, which means the IP addresses are locally stored in the device. (*Id.*, 211, Figure 10-44, 265.) Thus, a POSITA would have understood that the “ROM memory 204, RAM memory 205, non-volatile read/write memory 206, and memory means 312” as disclosed in Lim’s client device (e.g., *smart device 110*) locally stores the IP addresses.

Figure 10-44 Verifying IP Address Assignment with Windows XP



6. Claim 12: “The client device according to claim 1, wherein the IP address is a static or dynamic Internet Protocol (IP) address that is IPv4 or IPv6 type address.”

148. As discussed above, Lim discloses that the controlling device is addressable in the Internet and WLAN with an IP address and that it communicates via WLAN and with remote server over the Internet via a

wireless router. (*Supra* §§ IX.A.2.a, IX.A.2.j, IX.A.5; EX1005, [0027], [0038], FIG. 5b; EX1007, 99, 108, 210, 175.)

149. At the time of the invention, it was well-known that Internet Protocol (IP) addresses are either static or dynamic, and are IPv4 addresses. “In the case of today’s Internet, these addresses are Internet protocol version 4 (IPv4) addresses.” (EX1028, 127.) “Internet protocol (IP) addresses are the unique numbers used to identify individual connections to the Internet.” *Id.* “The broadband networks typically assign a *dynamic IP address* to your broadband service. Dynamic means the IP address can change[.]” (EX1007, 277.) Further, an IP address may be a “*static IP address*, which means . . . your address never changes.” *Id.*

7. Claim 16: “The client device according to claim 1, wherein the controlled device is integrated in, is part of, or is entirely included in, a household appliance having a primary function.”

150. Lim discloses a controlled device that is integrated in, is part of, or is entirely included in, an appliance. As discussed, the controlled device in the Lim system includes “***various controllable appliances, such as a television 102, a set top box (‘STB’) 104, a DVD player 106 and an AV receiver 108.***”

(*Supra* § IX.A.2.a; EX1005, [0017].) “[C]ontrollable ***appliances*** may include, but need not be limited to, ***televisions, VCRs, DVRs, DVD players, cable or satellite converter set-top boxes (‘STBs’), amplifiers, CD players, game***

consoles, home lighting, drapery, fans, HVAC systems, thermostats, personal computers, etc.” *Id.* These devices are appliances.

8. Claim 20: “The client device according to claim 16, wherein the primary function of the appliance is associated with an environmental control, and the appliance is part of a Heating, Ventilation and Air Conditioning (HVAC) system.”

151. Lim discloses controlling various appliances, such as “televisions, VCRs, DVRs, DVD players, cable or satellite converter set-top boxes (‘STBs’), amplifiers, CD players, game consoles, home lighting, drapery, *fans, HVAC systems, thermostats*, personal computers, etc.” (EX1005, [0017].) Thus, Lim discloses controlling an appliance that is part of a HVAC system and associated with an environmental control.

9. Claim 21: “The client device according to claim 20, wherein the primary function of the appliance is associated with a temperature control, and wherein the appliance is an air conditioner or a heater.”

152. As discussed, Lim discloses controlling various appliances, such as “televisions, VCRs, DVRs, DVD players, cable or satellite converter set-top boxes (‘STBs’), amplifiers, CD players, game consoles, home lighting, drapery, *fans, HVAC systems, thermostats*, personal computers, etc.” (EX1005, [0017].) A POSITA would have understood that fans, HVAC systems, and thermostats are appliances associated with temperature control. Further,

“HVAC” stands for heating, ventilation, and air conditioning and thus an HVAC system comprises an air conditioner or a heater.

10. Claim 23: “The client device according to claim 16, wherein the appliance is an answering machine, a telephone set, a home cinema system, a High Fidelity (HiFi) system, a Compact Disc (CD) or Digital Video Disc (DVD) player, an electric furnace, a trash compactor, a smoke detector, a light fixture, or a dehumidifier.”

153. Lim discloses controlling various appliances, such as “*televisions, VCRs, DVRs, DVD players, cable or satellite converter set-top boxes (‘STBs’), amplifiers, CD players, game consoles, home lighting, drapery, fans, HVAC systems, thermostats, personal computers, etc.*” (*Supra* § IX.A.2.a; EX1005, [0017].)

Claim 24: “The client device according to claim 1, wherein the first actuator is an electric light source for converting an electrical energy into light that emits a visible or non-visible light for illumination or indication, and the non-visible light is infrared, ultraviolet, X-rays, or gamma rays.”

11. Claim 29: “The client device according to claim 27, wherein the operating of the first actuator comprises playing a digital audio content that is pre-recorded or synthesized, or wherein the operating of the first actuator comprises simulating the voice of a human being or generating music, or wherein the operating of the first actuator comprises sounding a syllable, a word, a phrase, a sentence, a short story, or a long story, using male or female voice.”

154. Lim discloses “a controlling device 100 for use in commanding the functional operations of one or more appliances may include, . . . , a means 202

to provide feedback to the user (e.g., one or more LEDs), illuminable keys, display, **buzzer**, **voice synthesizer with associated speaker**, and/or the like[.]” (EX1005, [0019].) “A representative **smart device**, illustrated in FIG. 3 in the form of a smart phone, may include . . . an **LCD display 306**; . . . an audio management system 326 with associated microphone 328, **speaker 330**[.]” (EX1005, [0023]; *supra* §§IX.A.2.e, IX.A.2.h.)

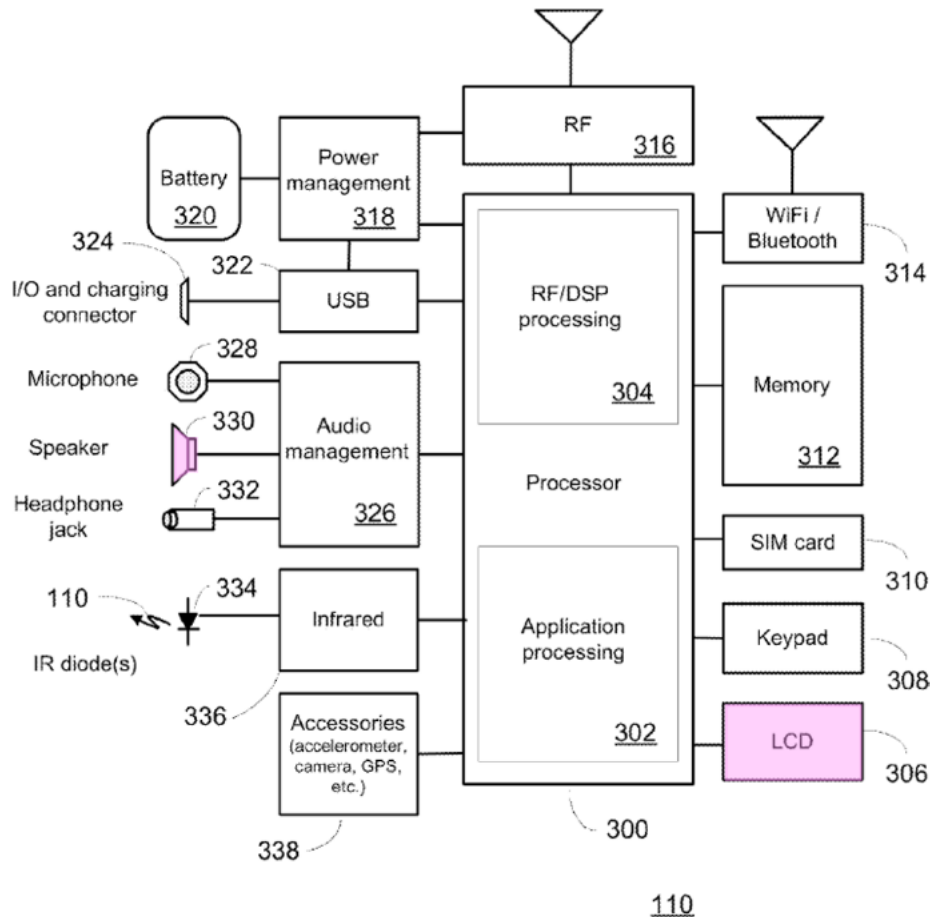


Figure 3

155. As discussed above, Lim discloses operations of its speaker in the client device (e.g., controlling device 100 and smart device 110) by providing an

auditory prompt. (*Supra* § IX.A.2.h.) The prompt is provided in response to a user voice input and, more specifically, in response to *information* (e.g., recognized speech, analysis of or information associated with the recognized speech, and/or additional prompts) received from the speech recognition *server*. For example, “at step 402 the controlling device may prompt the user to speak the brand name of the appliance to be added to the configuration of the controlling device. This and subsequent prompts for voice input may take the form of an illuminated LED and/or ‘speak’ symbol, a displayed text or image, a *synthesized spoken message* (e.g., where controlling device *user feedback means 202* comprises speech synthesis means and *a speaker*, or where a smart device app has access to *speaker 330*), etc.” (EX1005, [0027].)

156. Thus, Lim discloses at least playing digital audio content that is synthesized and simulating the voice of a human being, and sounding a syllable, a word, a phrase, a sentence, a short story, or a long story, using male or female voice.

B. Ground 2: Lim and Wittenberg Render Obvious Claim 2

1. Summary of Wittenberg

157. Wittenberg was filed on January 21, 2005, published on May 5, 2009, and is prior art under §102(a), (b), (e). (EX1008, 1.) The Examiner never found, and Applicant never cited, Wittenberg during prosecution.

Wittenberg is related to “[a] technique for remotely processing a local audio command to control a local device.” (EX1008, Abstract.) Specifically, Wittenberg discloses “performing speech recognition processing on the audio signal at the remote site to determine whether the audio signal includes a command; performing voice recognition processing on the audio signal at the remote site to *determine whether the audio signal has been supplied by an authorized user*; generating a command signal in response to the audio signal including a command and being supplied by an authorized user; and transmitting the command signal to a device at the local site to effect a change in a state of the local device.” (EX1008, Abstract, Claim 1.)

2. Claim 2: “The client device according to claim 1, wherein the server device is configured for processing the first and second human voice data using a voice recognition algorithm for identifying a voice of a specific person.”

158. Claim 1 is obvious in view of Lim. (*Supra* § IX.A.2) Claim 2 is obvious in further view of Wittenberg. Wittenberg discloses, with reference to FIG. 2, that “voice recognition processor analyzes audio signals received at the remote processor to determine whether the person issuing the voice command is authorized to issue the command (operation 250 in FIG. 2). The processing involves comparing the characteristics (e.g., frequency spectrum, speech patterns, etc.) of the audio signal to stored voice information to *determine*

whether the audio signal voice matches that of an authorized user. Algorithms and processing techniques for performing voice recognition are well known in the art and not described here in detail. Voice recognition processing provides an additional degree of security, which prevents an unauthorized person at the local site from affecting or manipulating the local controllable device in some manner.” (EX1008, 5:61-6:6.)

159. At the time of the invention, it would have been obvious to combine the teachings of Wittenberg with Lim. Both Wittenberg and Lim relate to remotely processing audio information such as speech for controlling devices or providing services through devices. For example, Lim relates to “controlling devices such as universal remote controls” and “specific appliances to be controlled.” (EX1005, [0007].) Lim discloses that “the *controlling device* may prompt the user to speak the brand name of the appliance to be added to the configuration of the controlling device . . . The resulting spoken syllables may be digitized and presented to a speech recognition means for processing . . . all or part of said speech recognition processing . . . may be performed by programming resident on a *remote server 500* accessible via a network 502 such as the *Internet* or PSTN.” (EX1005, [0027].) Wittenberg discloses “a method for remotely processing a locally-generated voice command to control a local device” and furthermore preventing unauthorized persons from controlling

the local devices. (See EX1008, Claim 1.) Thus, Lim and Wittenberg are analogous art to the '706 patent, from the same field of endeavor, and all relate to the same problem of controlling devices based on audio commands and ensuring security within the command/control system architecture.

160. A POSITA would have been motivated to combine Lim with Wittenberg to include the voice recognition of Wittenberg to achieve greater security and with a reasonable expectation of success. Wittenberg teaches additional processing techniques, for example, “the method comprising: (a) receiving at a local site an acoustic signal and generating an audio signal from the acoustic signal; (b) transmitting the audio signal to a remote site; (c) *performing speech recognition processing* on the audio signal at the remote site to identify a voice command from the audio signal; (d) *performing voice recognition processing* on the audio signal at the remote site to determine whether the audio signal has been supplied by an authorized user[.]” (EX1008, Claim 1.) The voice recognition processing techniques can be combined with the teachings of Lim to yield a command/control system architecture that provides added security by determining whether an authorized person issued the voice command, with a reasonable expectation of success.

161. Wittenberg describes a security issue that unauthorized users may be able to control devices via audio commands. “For example, if an

unauthorized person gains access to the portion of the system that receives voice commands, that person can instruct the system to perform unauthorized commands which may be harmful.” (EX1008, 2:21-30.) Wittenberg expressly teaches the benefits for including voice recognition during processing to address the issue and provide enhanced security. “Voice recognition processing provides an *additional degree of security*, which prevents an unauthorized person at the local site from affecting or manipulating the local controllable device in some manner.” (EX1008, 5:61-6:6.)

162. Wittenberg recognizes the benefits of applying its techniques in numerous circumstances. “There are a numerous circumstances in the government/military, commercial, and private sectors where it would be advantageous to control a local device with a locally-generated voice command without placing the demands of speech processing on a local device and with the capability to provide a significant degree of security in the process of interpreting and carrying out voice commands.” (*Id.*, 2:25-31.) Specifically, Wittenberg recognizes the benefits of applying its techniques in home appliances. “For example, in the case where the local controllable device is a television, voice recognition processing can prevent an unauthorized person (e.g., a child) from accessing certain channels or ordering pay-per-view shows, whereas an authorized person (e.g., a parent) can be authorized to access all

channels by issuing voice commands via a telephone or the like.” (EX1008, 6:7-13.)

163. The Lim-Wittenberg combination results in a system in which Wittenberg’s voice recognition capabilities are used to analyze human audio commands in Lim. For example, the Lim-Wittenberg combination would determine if the person issuing the voice data is authorized to make the command as a part of processing at the server (application engine 118) as taught by Wittenberg. This combination would predictably enhance the security of the system because only authorized users would be able to control devices through their voice commands. The known benefits of Wittenberg would prompt the application of Wittenberg in the same field based on design incentives and market forces and yield the predictable result of improving the security of the control and command systems and prevent control by unauthorized users.

164. Because both Lim and Wittenberg includes voice data processing and device control, a POSITA would be motivated to use the known algorithm and techniques of voice recognition processing of Wittenberg to improve the security of Lim in the same way. Further, it would have been obvious to try combining the teachings of Wittenberg and Lim. There are only a finite number of identified and predictable solutions for user authentication, such as

authorization via biometrics like facial recognition, fingerprint, or making use of contextual data like device location and time to supplement the voice data processing. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. Prior art such as Wittenberg has successfully demonstrated that performing voice recognition can be implemented to improve security of the system and prevent unauthorized control, and thus, there would have been a reasonable expectation of success for combining Lim and Wittenberg. Moreover, at the time of the invention, algorithms and processing techniques for performing voice recognition were known. “Algorithms and processing techniques for performing voice recognition are well known” (EX1008, 6:1-3.)

C. Ground 3: Lim and Gruber Render Obvious Claim 3-4, 11

1. Summary of Gruber

165. Gruber was filed on September 30, 2011, and is prior art under §102(e). (EX1009, 1.) The Examiner never found, and Applicant never cited, Gruber during prosecution. Gruber relates to “virtual assistants, and more specifically to mechanisms for improving interpretation and processing of commands provided to such an assistant.” (EX1009, [0007].) Gruber discloses that “a virtual assistant uses context information (also referred to

herein as ‘context’) to supplement natural language or gestural input from a user. This helps to clarify the user’s intent and to reduce the number of candidate interpretations of the user’s input, and reduces the need for the user to provide excessive clarification input. Context can include any available information that is usable by the assistant to supplement explicit user input to constrain an information-processing problem and/or to personalize results.” (EX1009, [0013].)

166. Gruber discloses that “a physical device running virtual assistant 1002 may have one or more sensors. Such sensors can provide sources of contextual information. Example of such information include, without limitation: the user’s current location; the local time at the user’s current location; the position, orientation, and motion of the device; the current light level, temperature and other environmental measures; the properties of the microphones and cameras in use; the current networks being used, and signatures of connected networks, including Ethernet, Wi-Fi and Bluetooth. Signatures include MAC addresses of network access points, IP addresses assigned, device identifiers such as Bluetooth names, frequency channels and other properties of wireless networks. Sensors can be of any type including for example: an accelerometer, compass, GPS unit, altitude detector, light sensor,

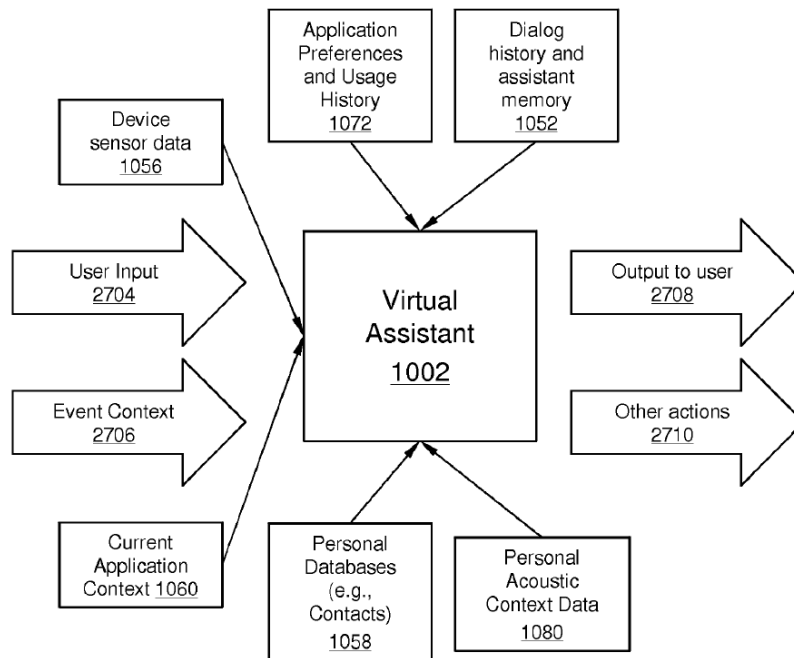
thermometer, barometer, clock, network interface, battery test circuitry, and the like.” (EX1009, [0218] - [0225].)

2. Claim 3: “The client device according to claim 1, further comprising a sensor that outputs sensor data that responds to a physical phenomenon, wherein the client device is further configured for sending to the server device, via the WLAN over the Internet, the sensor data, and wherein the first message is received in response to the sent sensor data.”

167. Claim 1 is obvious in view of Lim. (*Supra* § IX.A.2) Claims 3-4, 11 are obvious in further view of Gruber. First, Gruber discloses that the client device comprises a sensor that outputs sensor data that responds to a physical phenomenon. For example, Gruber discloses that “*a physical device running virtual assistant 1002 may have one or more sensors. Such sensors can provide sources of contextual information.*” Example of such information include, without limitation: the user’s current location; the local time at the user’s current location; the position, orientation, and motion of the device; the current light level, temperature and other environmental measures; the properties of the microphones and cameras in use; the current networks being used, and signatures of connected networks, including Ethernet, Wi-Fi and Bluetooth. Signatures include MAC addresses of network access points, IP addresses assigned, device identifiers such as Bluetooth names, frequency channels and other properties of wireless networks. Sensors can be of any type including for example: an accelerometer, compass, GPS unit, altitude detector, light sensor,

thermometer, barometer, clock, network interface, battery test circuitry, and the like.” (EX1009, [0218] - [0225].)

168. Gruber also discloses sending to the server, by the client device via the wireless network, the sensor data and that the first message is sent by the server in response to the sensor data. For example, Gruber discloses that the contextual information provided by sensors can be transmitted to a speech processing server to process human voice data to clarify the user’s intent, reduce the number of candidate interpretations, and constrain solutions during speech recognition, natural language processing, etc. For example, Gruber discloses that “[i]n addition to user input 2704 and background sources, virtual assistant 1002 can also draw on information from several sources of context, including for example *device sensor data 1056*, application preferences and usage history 1072, dialog history and assistant memory 1052, personal databases 1058, personal acoustic context data 1080, current application context 1060, and event context 2706.” (EX1009, [0179].) Gruber discloses that the “virtual assistant 1002 also *receives context information 1000 . . .*” (*Id.*, [0168].) “[D]ifferent types of virtual assistant features and/or functionalities may be implemented in a *virtual assistant system* which includes a client device (such as a personal digital assistant or smartphone running client software) and *server system(s) . . .*” (*Id.*, [0080].)

**FIG. 1**

169. “Client device 1304, which may be a mobile computing device or other device, can be the *source of contextual information 1000* such as *device sensor data 1056 . . . context 1000 can be communicated among distributed components such as client 1304 and server 1340.*” (EX1009, [0366] – [0367].) “The following components are located at server 1340: complete vocabulary 2758b; complete library of language pattern recognizers 2760b;” and “[a]dditional components may be implemented as part of server 1340, including for example, language interpreter 2770; dialog flow processor 2780; output

processor 2790 . . . services orchestration 2782 . . .” (*Id.*, [0100] – [0102], [0110] – [0117].)

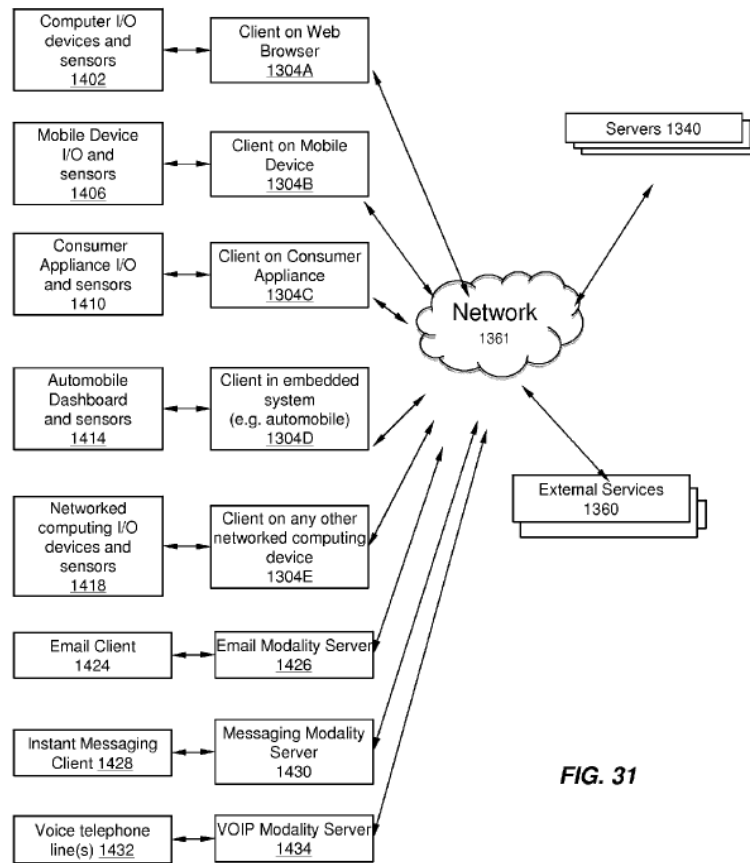
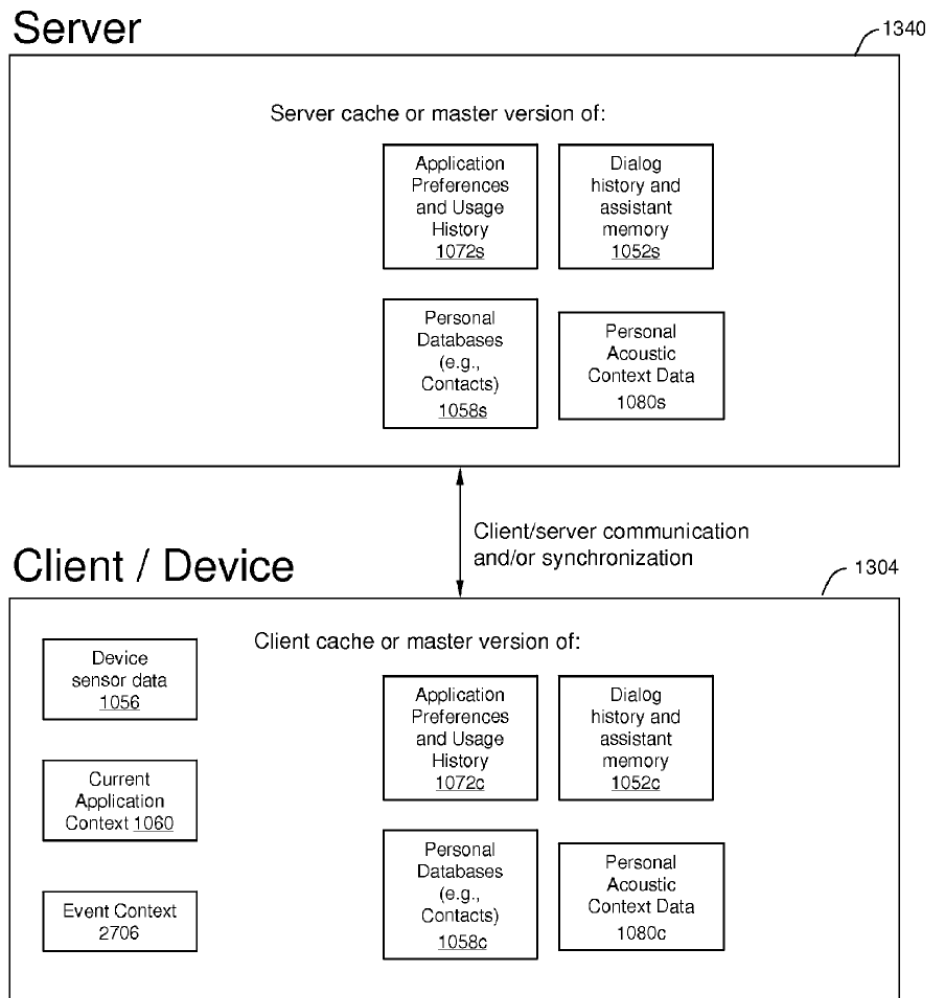


FIG. 31

**FIG. 6**

170. It would have been obvious to a POSITA to combine the teachings of Lim and Gruber. Lim and Gruber both relate to processing and responding to human speech commands. For example, Lim relates to “controlling devices such as universal remote controls” and “specific appliances to be controlled.” (EX1005, [0007].) Lim discloses that “the *controlling device* may prompt the

user to speak the brand name of the appliance to be added to the configuration of the controlling device . . . The resulting spoken syllables may be digitized and presented to a speech recognition means for processing . . . all or part of said speech recognition processing . . . may be performed by programming resident on a *remote server 500* accessible via a network 502 such as the *Internet* or PSTN.” (EX1005, [0027].) Gruber discloses that the “invention relates to virtual assistants, and more specifically to mechanisms for improving interpretation and processing of commands provided to such an assistant.” (EX1009, [0007].) Thus, Lim and Gruber are analogous art to the ’706 patent, from the same field of endeavor, and all relate to the same technical problems of processing and responding to human speech commands (e.g., to provide services).

171. A POSITA would have been motivated to combine Lim and Gruber to include the speech processing techniques of Gruber to achieve improved speech recognition and with a reasonable expectation of success. Gruber teaches additional speech processing techniques of using contextual information obtained from device sensors to clarify the user’s intent, reduce numbers of candidate interpretations, and/or constrain solutions during speech recognition and natural language processing. “A virtual assistant uses context information to supplement natural language or gestural input from a user. Context helps to

clarify the user's intent and to reduce the number of candidate interpretations of the user's input, and reduces the need for the user to provide excessive clarification input. Context can include any available information that is usable by the assistant to supplement explicit user input to constrain an information-processing problem and/or to personalize results. Context can be used to constrain solutions during various phases of processing, including, for example, speech recognition, natural language processing, task flow processing, and dialog generation.” (EX1009, Abstract.) The technique of using sensor data as contextual information can be combined with the teachings of Lim to improve the accuracy of speech processing, with a reasonable expectation of success.

172. Further, Lim itself discloses that the client device may be a smart phone that includes sensors. Lim discloses “a representative smart device, illustrated in FIG. 3 in the form of a smart phone, may include . . . accessory features 338 such as a digital camera, GPS, accelerometer, etc.” (EX1005, [0023].)

173. Specifically, the Lim-Gruber combination would result in a system that can capture sensor data (e.g., temperature, location) using one or more sensors (e.g., as taught by Gruber/Lim) in the interface device and transmit such data and/or related information to Lim's server to supplement audio processing as taught by Lim and/or Gruber. Lim discloses a system that can capture

sensor data (e.g., audio, location information) using sensors (microphones, GPS) and transmit the captured sensor data to the server. Gruber discloses the benefits of supplementing speech processing with captured sensor data and/or related information. “This helps to clarify the user’s intent and to reduce the number of candidate interpretations of the user’s input, and reduces the need for the user to provide excessive clarification input.” (EX1009, [0013].) For example, the Lim-Gruber combination would capture sensor data in the controlling device and transmit the captured sensor data to Lim’s server to supplement processing, Lim’s server (e.g., remote server 500) can use the captured sensor data as contextual information as taught by Gruber to supplement speech processing (e.g., in FIGs. 4 and 6 of Lim). Combining the teachings of Lim and Gruber as such would yield predictable results of improving audio processing.

174. Incorporating Gruber’s speech processing techniques into Lim yields the predictable result of improving accuracy of human voice data processing and improving the usability of the control system, because the system is more intelligent and the users are not required to provide excessive clarification input. Because both Lim and Gruber relates to processing of human voice data to provide services, a POSITA would be motivated to use the known techniques of Gruber to improve the speech processing capabilities of

Lim in the same way. Further, it would have been obvious to try combining the teachings of Lim and Gruber. There are only a finite number of identified and predictable solutions for processing voice data and improving accuracy of the processing, such as capturing higher-fidelity audio data or drawing from non-audio cues. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. Prior art such as Gruber has successfully demonstrated that device sensors can gather contextual information that would be useful in supplementing speech processing, and thus, there would have been a reasonable expectation of success for combining Lim and Gruber.

175. Thus, it would have been obvious to a POSITA to make use of device sensor data to process human speech without requiring excessive clarifications from users. The known benefits of Gruber would prompt the application of Gruber in the same field based on design incentives and other market forces.

3. Claim 4: “The client device according to claim 3, wherein the sensor is a thermoelectric sensor that responds to a temperature or to a temperature gradient of an object using conduction, convection, or radiation, or wherein the sensor is a photoelectric sensor that responds to a visible or an invisible light or gamma rays.”

176. As discussed above, Gruber discloses various sensors including “an accelerometer, compass, GPS unit, altitude detector, light sensor, thermometer,

barometer, clock, network interface, battery test circuitry, and the like.”

(EX1009, [0225].) The contextual information from these sensors may include “the current light level, temperature, and other environmental measures.”

(EX1009, [0222].) Thus, Gruber expressly discloses thermoelectric sensor in the device that responds to temperature as well as a photoelectric sensor that responds to light. A POSITA would have understood that photoelectric sensors are common light sensors and thermoelectric sensors are common temperature sensors. Light sensors (i.e., light detectors) conducts optical detection: “the process of optical detection involves the direct conversion of optical energy (in the form of photons) into an electrical signal (in the form of electrons).

(EX1030, 466.) “Thermometer[] . . . contacts the object or receives its electromagnetic radiation, then produces a physical response, or signal. That signal becomes a measure of the object’s temperature.” (*Id.*, 116.)

177. It would have been obvious to a POSITA to combine the teachings of Lim and Gruber. (*Supra* § IX.C.2.)

4. Claim 11: “The client device according to claim 1, wherein the client device is further addressed by a Media Access Control (MAC) layer address that is MAC-48, Extended Unique Identifier (EUI) EUI-48, or EUI-64 address type.”

178. As discussed above, Lim discloses that the controlling device is addressable in the Internet and WLAN and that it communicates via WLAN and

with remote server over the Internet via a wireless router. (*Supra* §§ IX.A.2.a, IX.A.2.j; EX1005, [0027], [0038], FIG. 5b.) Gruber discloses that its devices provide “signatures of connected networks, including Ethernet, Wi-Fi and Bluetooth. *Signatures include MAC addresses of network access points, IP addresses assigned, device identifiers such as Bluetooth names, frequency channels and other properties of wireless networks.*” (EX1009, [0218] - [0225].) Further, at the time of the invention, it was well-known that networked devices are associated with MAC addresses. “*Each computer or device that you want to join your wireless network needs a wireless network interface card (NIC)*” and “*each wireless card has a unique identifier called a MAC address.*” (EX1007, 99, 166.) “Most MAC addresses use one of the IEEE standardized protocols; *MAC-48, EUI-48®, and EUI-64®.*” (EX1026, 2:50-59.)

179. It would have been obvious to a POSITA to combine the teachings of Lim and Gruber and use the device addresses for wireless communication and/or supplementing speech processing. (*Supra* § IX.C.2.)

D. Ground 4: Lim and Benesty Render Obvious Claims 7-8

1. Summary of Benesty

180. Benesty was published by at least December 11, 2007, and is prior art under §102(a), (b). (EX1039, 1.) The Examiner never found, and

Applicant never cited, Benesty during prosecution. Benesty is a textbook titled “Springer Handbook of Speech Processing.” (EX1010, Title.) Benesty provides an overview of well-known speech processing techniques, including speech recognition, speaker recognition, speech enhancement via noise reduction, and microphone arrays.

181. Benesty discloses that “it is shown that microphone arrays have the ability to offer directional gains that can significantly improve the quality of signal pickup in reverberant and noisy environments.” (EX1010, 1021.)

182. Benesty discloses that a microphone array can include multiple microphones arranged in an array. The schematic diagram FIG. 50.1 of Benesty illustrated a uniformly spaced linear microphone array of *microphones* spaced by a distance d .

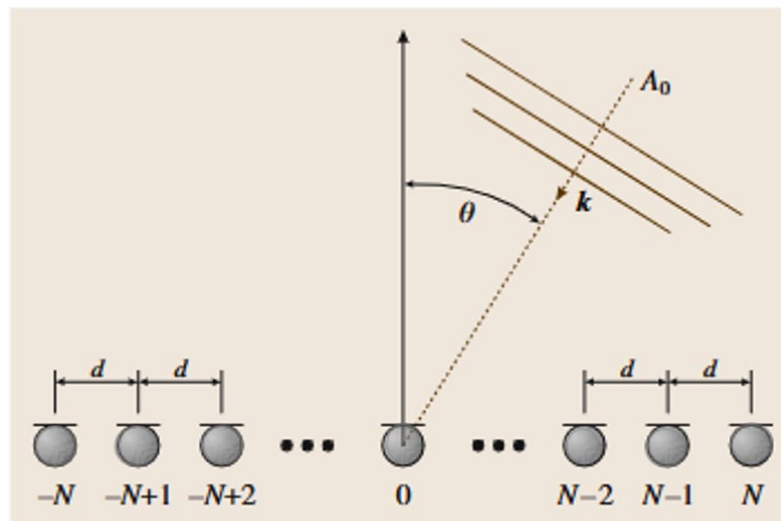


Fig. 50.1 Schematic of uniformly spaced linear array containing $2N + 1$ microphones spaced by d

183. Benesty discloses that “for speech source localization, microphone array beam scanning and time delay estimation (TDE)-based localization methods are the two most widely used approaches. A beamformer is a spatial filter that operates on the microphone outputs in order to enhance the signal coming from one direction while suppressing noise and interference from other directions. Therefore, steering a microphone array beamformer and scanning across a room for the highest-energy output leads to an *estimate of the direction* of an active speech source. Using two arrays and by intersecting the two corresponding direction estimates, the source location is determined.” (EX1010, 1044.)

184. Benesty is a textbook published by Springer and was well-known among POSITAs. A POSITA would have looked to Benesty for techniques of applying multiple microphones arranged in a directional array in a device to, for example, improve the audio signal capturing and processing.

2. Claim 7: “The client device according to claim 1, wherein the client device comprises multiple microphones, and wherein the capturing comprises capturing, by the multiple microphones in the client device, the first and second human voice data.”

185. Claim 1 is obvious in view of Lim. (*Supra* § IX.A.2) Claims 7-8 are obvious in further view of Benesty. For example, “[i]t is shown that *microphone arrays* have the ability to offer directional gains that can

significantly improve the quality of signal pickup in reverberant and noisy environments.” (EX1010, 1021.) “One solution is to use beamforming microphone arrays, which can offer significant directional gain so as to result in similar audio performance to that of closely placed microphones.” *Id.*

186. A microphone array includes multiple microphones arranged in an array, as shown below. The schematic diagram FIG. 50.1 of Benesty illustrates a uniformly spaced linear microphone array by *microphones* spaced by a distance d .

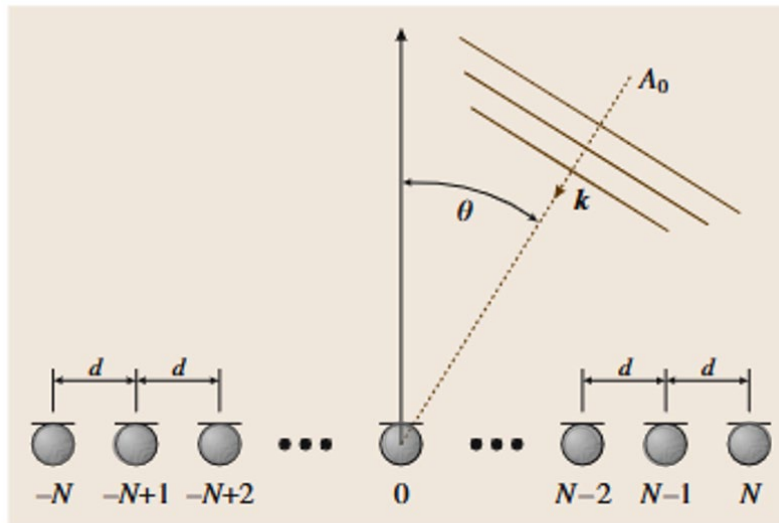


Fig. 50.1 Schematic of uniformly spaced linear array containing $2N + 1$ microphones spaced by d

187. It would have been obvious to a POSITA to apply Benesty’s techniques of including multiple microphones to Lim’s client device . Both Lim and Benesty are related to capturing and processing human audio data. Lim is directed to hands-free audio communication of a user with a client

device. For example, Lim discloses that “a *controlling device* may be provisioned with means to receive voice input from a user, e.g., a *microphone*”. (EX1005, [0007].) Benesty discloses hands-free audio communication and speech processing techniques. Benesty states that “hands-free audio communication is now a major feature in mobile communication systems as well as audio and video conferencing systems. One problem that becomes evident to users of these systems is the decrease in communication quality due to the pickup of room reverberation and background noise.” (EX1010, 1021.) Thus, Lim and Benesty are analogous art to the ’706 patent, from the same field of endeavor, and all relate to the same technical problem of providing hands-free audio communication between users and devices.

188. The Lim-Benesty combination would result in a system where multiple microphones as taught by Benesty are incorporated in Lim’s client device to capture human voice data to improve the quality of captured audio. For example, Benesty’s microphone array(s) may be included in Lim’s controlling device 100 or smart device 110 to capture the first and second human voice data. Because Lim and Benesty relates to audio capturing and processing, a POSITA would be motivated to use the known techniques of Benesty to improve Lim’s ability to capture and process audio, especially in a room where the microphone is not placed near the mouth of the user. Even in

use cases where background noise is desired, a microphone array can capture richer audio information, enabling more efficient and accurate processing, for example, separating or balancing speech and background noise when desired.

189. Combining the teachings of Lim and Benesty as such would yield predictable results of effectively improve audio capturing and processing. Further, it would have been obvious to try combining the technical features of Benesty with the teachings of Lim, as there is a finite number of identified, predictable resolutions, without requiring much effort and with a reasonable expectation of success. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. There was a finite number of potential solutions to improve audio signal pickup, such as additional software processing or incorporating additional hardware components. The known benefits of Benesty would prompt the application of Benesty in the same field based on design incentives and other market forces to produce a system architecture that responds to captured human voice data accurately, having improved audio communication signal pickup.

3. Claim 8: “The client device according to claim 7, wherein the multiple microphones are arranged as a directional microphones array operative to estimate a number, magnitude, frequency, Direction-Of-Arrival (DOA), distance, or speed of a phenomenon impinging the microphones array.”

190. Benesty discloses that “for speech source localization, microphone array beam scanning and time delay estimation (TDE)-based localization methods are the two most widely used approaches. A beamformer is a spatial filter that operates on the microphone outputs in order to enhance the signal coming from one direction while suppressing noise and interference from other directions. Therefore, steering a microphone array beamformer and scanning across a room for the highest-energy output leads to an *estimate of the direction* of an active speech source. Using two arrays and by intersecting the two corresponding direction estimates, the source location is determined.” (EX1010, 1044.)

191. Benesty also discloses that “[a]lternatively, a TDE-based source localization algorithm involves a two-step procedure. In the first step, a set of relative time differences of arrival (TDOAs) for different microphone pairs are calculated. In the second step, the acoustic source location is estimated from the TDOAs and using the a priori knowledge about the locations of the microphones. TDE-based source localization algorithms have many merits: they cope well with both narrowband and broadband source signals; their localization resolution can be flexibly adjusted by varying the sampling rate and microphone array size; the effect of room reverberation is only of concern in the first step TDE and several recently developed robust TDE algorithms are promising for

future practical use; and in general they are computationally efficient.”

(EX1010, 1044.)

192. It would have been obvious to a POSITA to combine the teachings of Lim and Benesty. (*Supra* § IX.D.2.)

E. Ground 5: Lim and Goldsmith Render Obvious Claims 13-15

1. Summary of Goldsmith

193. Goldsmith was published by at least January 20, 2006, and is prior art under §102(a), (b). (EX1040, 2.) The Examiner never found, and Applicant never cited, Goldsmith during prosecution. Goldsmith is a textbook titled “Wireless Communications.” (EX1040, Title.) Goldsmith provides an overview of wireless communication techniques, including the wireless systems available at the time of publication in 2005.

194. Goldsmith discloses that the wireless systems available in 2005 includes, cellular telephone systems, cordless phones, wireless LANs, wide area wireless data services, broadband wireless access, paging systems, satellite networks, low-cost low-power radios such as Bluetooth and Zigbee, as well as ultrawideband radios. (EX1040, 8-21.)

195. Goldsmith discloses Bluetooth and Zigbee as two radio specifications based on the IEEE 802.15.4 standard that emerged as “it becomes feasible to embed them in more types of electronic devices, which can be used to

create smart homes.” (EX1040, 19-20.) Goldsmith discloses the wireless LAN standard, IEEE 802.11b standard, the standard which many companies developed their products on, and that “[t]wo additional standards in the 802.11 family were developed to provide higher data rates than 802.11b. The *IEEE 802.11a wireless LAN* standard . . . the other standard, *802.11g*.” (*Id.*, 15-16.)

196. Goldsmith discloses that both Bluetooth, and 802.11b WLAN are ISM Band II frequencies. (EX1040, 22-23, Table 1.2.)

Table 1.2: Unlicensed U.S. spectrum allocations	
Band	Frequency
ISM band I (cordless phones, 1G WLANs)	902–928 MHz
ISM band II (Bluetooth, 802.11b and 802.11g WLANs)	2.4–2.4835 GHz
ISM band III (wireless PBX)	5.725–5.85 GHz
U-NII band I (indoor systems, 802.11a WLANs)	5.15–5.25 GHz
U-NII band II (short-range outdoor systems, 802.11a WLANs)	5.25–5.35 GHz
U-NII band III (long-range outdoor systems, 802.11a WLANs)	5.725–5.825 GHz

197. Further, Goldsmith discloses the 3G cellular system, GSM (Global Systems for Mobile Communications), and EDGE (Enhanced Data Services for GSM Evolution). “*The GSM standard* uses a combination of TDMA and slow frequency hopping with frequency-shift keying for the voice modulation.” (EX1040, 12-13.) “The *third generation (3G) cellular systems are based on a wideband CDMA standard.*” *Id.* “*Enhanced Data Services for GSM Evolution (EDGE)*, further increases data rates using a high-level modulation

format combined with FEC coding.” *Id.* “***W-CDMA*** is the primary competing 3G standard to cdma2000. It has been selected as the ***3G successor to GSM***, and in this context is referred to as the ***Universal Mobile Telecommunications System (UMTS)***.” (EX1040, 599-600, table D.4.)

Table D.4: 3G digital cellular phone standards							
Parameter	cdma2000				W-CDMA		
	1X	1XEV-DO	1XEV-DV	3X	UMTS	FOMA	J-phone
Channel bandwidth (MHz)	1.25	1.25	1.25	3.75	5	5	5
Chip rate (Mchips/s)	1.2288	1.2288	1.2288	3.6864	3.84	3.84	3.84
Peak data rate (Mbps)	.144	2.4	4.8	5–8	2.4 ^a	2.4 ^a	2.4 ^a
Modulation	QPSK/MPSK (DL), BPSK/QPSK (UL)				QPSK (DL), BPSK (UL)		
Coding	Convolutional (low rate), Turbo (high rate)						
Power control (Hz)	800	800	800	800	1500	1500	1500

^a 8–10 Mbps with HSDPA.

198. Goldsmith is a textbook published by Cambridge University Press and authored by Andrea Goldsmith, a professor of Electrical Engineering at the Stanford University. Goldsmith was well-known among POSITAs. A POSITA would have looked to Goldsmith for wireless communication systems, protocols, and techniques of applying them.

2. Claim 13: “The client device according to claim 1, wherein the WLAN is according to, or base on, Institute of Electrical and Electronics Engineers (IEEE) 802.11-2012, IEEE 802.11a, IEEE 802.11b, IEEE 802.11g, IEEE 802.11n, or IEEE 802.11ac.”

199. Claim 1 is obvious in view of Lim. (*Supra* § IX.A.2) Claims 13-15 are obvious in further view of Goldsmith.

200. As discussed, Lim discloses that the client device communicates with the *remote server 500* (i.e., provisioning the speech recognition result and/or additional prompts for voice input and/or indicated command code data to the client device) over the *Internet* (i.e., network 502), and *via WiFi*, a form of WLAN, through a gateway device such as a *router*. (*Supra* §§ IX.A.2.a, IX.A.2.f; EX1005, [0027], Figure 5b.) Lim discloses that access to “a remote server 500 accessible via a network 502 such as the Internet” “may be via an intermediary appliance such as STB 104, illustrated at 506, or may be via a *local network connection 508, such as WiFi or Bluetooth, through a gateway device such as a router* (not illustrated).” (EX1005, [0027].)

201. A POSITA would have understood that WiFi implements a WLAN and is based on the IEEE 802.11 standards which include the 802.11a/b/g family. “Wireless local area networks (*WLANs*) are built around the family of IEEE 802.11 standards . . . The 802.11a/b/g family of standards are collectively referred to as *Wi-Fi*, for wireless fidelity.” (EX1040, 600-601.) “*Wi-Fi* is a registered trademark owned by the Wi-Fi Alliance, and it refers to *wireless local area network (WLAN)* products that are based on the Institute of Electrical and Electronics Engineers’ (IEEE) 802.11 standards.” (EX1013, 7:48-51.) This is consistent with the description of the ’706 patent which states that “[i]n order to allow interoperability between equipment manufactured by different vendors,

few *WLAN standards* have evolved, as part of the *IEEE 802.11 standard group, branded as WiFi* (www.wi-fi.org). IEEE 802.11b describes a communication using the 2.4 GHz frequency band and supporting communication rate of 11 Mb/s, IEEE 802.11a uses the 5 GHz frequency band to carry 54 MB/s and IEEE 802.11g uses the 2.4 GHz band to support 54 Mb/s.” (EX1001, 8:25-32.)

202. Goldsmith discloses Wireless Local Area Network (WLAN) based on IEEE 802.11b as one of the common wireless network communication protocols well before the priority date .

203. Goldsmith discloses that wireless LAN was well-known and widely adopted. “Wireless LANs provide high-speed data within a small region, e.g. a campus or small building, as users move from place to place.” (EX1040, 15.) “The second generation of wireless LANs in the U.S. operate with 80 MHz of spectrum in the 2.4 GHz ISM band. A wireless LAN standard for this frequency band, the *IEEE 802.11b standard*, was developed to avoid some of the problems with the proprietary first generation systems. The standard specifies direct sequence spread spectrum with data rates of around 1.6 Mbps (raw data rates of 11 Mbps) and a range of approximately 150m. The network architecture can be either star or peer-to-peer, although the peer-to-peer feature is rarely used. *Many companies developed products based on the 802.11b standard, and*

after slow initial growth the popularity of 802.11b wireless LANs has expanded considerably. Many laptops come with integrated 802.11b wireless LAN cards. Companies and universities have installed 802.11b base stations throughout their locations, and many coffee houses, airports, and hotels offer wireless access, often for free, to increase their appeal.” (EX1040, 16.)

204. Goldsmith discloses a WLAN based on IEEE 802.11a and 802.11g. “Two additional standards in the 802.11 family were developed to provide higher data rates than 802.11b. The *IEEE 802.11a wireless LAN* standard operates with 300 MHz of spectrum in the 5 GHz U-NII band. The 802.11a standard is based on multicarrier modulation and provides 20-70 Mbps data rates. Since 802.11a has much more bandwidth and consequently many more channels than 802.11b, it can support more users at higher data rates. There was some initial concern that 802.11a systems would be significantly more expensive than 802.11b systems, but in fact they quickly became quite competitive in price.” (EX1040, 16.) In addition, “the other standard, *802.11g*, also uses multicarrier modulation and can be used in either the 2.4 GHz and 5 GHz bands with speeds of up to 54 Mbps. *Many wireless LAN cards and access points support all three standards to avoid incompatibilities.*” (EX1040, 16.)

205. It would have been obvious for a POSITA to apply Goldsmith’s disclosure of various types of wireless networking techniques and protocols to

Lim. Both Lim and Goldsmith are related to wireless communication technologies. As discussed, Lim discloses that the client device communicates with the *remote server 500* (i.e., provisioning the speech recognition result and/or additional prompts for voice input and/or indicated command code data to the client device) over the *Internet* (i.e., network 502), and *via WiFi*, a form of WLAN, through a gateway device such as a *router*. (*Supra* §§ IX.A.2.a, ; EX1005, [0027], Figure 5b.) Lim discloses that access to “a remote server 500 accessible via a network 502 such as the Internet” “may be via an intermediary appliance such as STB 104, illustrated at 506, or may be via a *local network connection 508, such as WiFi or Bluetooth, through a gateway device such as a router* (not illustrated).” (EX1005, [0027].) Goldsmith discloses various existing wireless connection systems in a chapter titled “1.4 Current Wireless Systems” (EX1040, 8-21.) Thus, Lim and Goldsmith are analogous art to the ’706 patent, from the same field of endeavor, and all relate to the same technical problem of providing wireless communications between devices.

206. A POSITA would be motivated to use the known wireless networking techniques of WLAN over IEEE 802.11b, 802.11a, and/or 802.11g to improve the usability of Lim in the same way. Combining the teachings of Lim and Goldsmith as such would yield predictable results of effectively improving usability and convenience of the control system.

207. A POSITA would have looked to Goldsmith's disclosure of WLAN based on IEEE 802.11b, IEEE 802.11a, and IEEE 802.11g, and understood that the WLAN communications between devices as disclosed in Lim can be WLAN based on IEEE 802.11b, 802.11a, and/or 802.11g, especially since Goldsmith explains the popularity of 802.11b wireless LANs and the wide coverage of locations with 802.11b base stations installed. (EX1040, 16.) Goldsmith discloses that 802.11a can support more users at higher data rates, and 802.11g can be used in either the 2.4 GHz and 5 GHz bands. Goldsmith discloses that "many wireless LAN cards and access points support all three standards to avoid incompatibilities." *Id.*

208. Further, it would have been obvious to try combining the wireless communication techniques of Goldsmith (e.g., WLAN based on IEEE 802.11b, 802.11a, and/or 802.11g) with the teachings of Lim, without requiring much effort and with a reasonable expectation of success. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. There was a finite number of potential wireless network communications, such as infrared, BlueTooth, Zigbee, 3G, 4G, UWB, and GSM, that were commonly known in the industry and were easy to apply to Lim. The known benefits and feasibility of including a well-known wireless networking technique such as WLAN based on

IEEE 802.11b, 802.11a, and/or 802.11g as taught by Goldsmith to connect in-home devices with a remote server would prompt the application of Goldsmith in the same field based on design incentives and other market forces.

3. Claim 14: “The client device according to claim 1, wherein the WLAN uses an unlicensed radio frequency band that is an Industrial, Scientific and Medical (ISM) radio band.”

209. Goldsmith summarizes in the table below the unlicensed radio frequency spectrum allocations in the U.S., which expressly shows that 802.11b WLANs are ISM Band II frequencies. (EX1040, 22-23, Table 1.2.)

Table 1.2: Unlicensed U.S. spectrum allocations	
Band	Frequency
ISM band I (cordless phones, 1G WLANs)	902–928 MHz
ISM band II (Bluetooth, 802.11b and 802.11g WLANs)	2.4–2.4835 GHz
ISM band III (wireless PBX)	5.725–5.85 GHz
U-NII band I (indoor systems, 802.11a WLANs)	5.15–5.25 GHz
U-NII band II (short-range outdoor systems, 802.11a WLANs)	5.25–5.35 GHz
U-NII band III (long-range outdoor systems, 802.11a WLANs)	5.725–5.825 GHz

210. As discussed above, a POSITA would be motivated to combine the teachings of Goldsmith and Lim and apply the well-known wireless communication techniques such as WLAN over 802.11b as taught in Goldsmith to Lim. (*Supra* §§ IX.A.2.a, IX.E.2.)

4. Claim 15: “The client device according to claim 1, further configured for communicating over a cellular telephone network that is a Third Generation (3G) network that uses Universal Mobile Telecommunications Client device (UMTS), Wideband Code Division

Multiple Access (W-CDMA) UMTS, High Speed Packet Access (HSPA), UMTS Time-Division Duplexing (TDD), CDMA2000 1×RTT, Evolution-Data Optimized (EV-DO), or a Global Client device for Mobile communications (GSM), Enhanced Data rates for GSM Evolution (EDGE) EDGE-Evolution, or wherein the cellular telephone network is a Fourth Generation (4G) network that uses Evolved High Speed Packet Access (HSPA+), Mobile Worldwide Interoperability for Microwave Access (WiMAX), Long-Term Evolution (LTE), LTE-Advanced, Mobile Broadband Wireless Access (MBWA), or is based on IEEE 802.20-2008.”

211. Goldsmith discloses 3G, the third-generation cellular network, GSM (Global System for Mobile Communications), and EDGE (Enhanced Data rates for GSM Evolution) as conventional wireless network communication protocols at the time of the invention.

212. Goldsmith discloses that “[t]he *third generation (3G) cellular systems are based on a wideband CDMA standard* developed within the auspices of the International Telecommunications Union (ITU). The standard, initially called International Mobile Telecommunications 2000 (IMT-2000), provides different data rates depending on mobility and location, from 384 Kbps for pedestrian use to 144 Kbps for vehicular use to 2 Mbps for indoor office use. The 3G standard is incompatible with 2G systems, so service providers must invest in a new infrastructure before they can provide 3G service.” (EX1040, 13.)

213. Further, Goldsmith discloses the details of GSM (Global Systems for Mobile Communications). “Many of the first generation cellular systems in

Europe were incompatible, and the Europeans quickly converged on a uniform standard for second generation (2G) digital systems called GSM. *The GSM standard* uses a combination of TDMA and slow frequency hopping with frequency-shift keying for the voice modulation.” (EX1040, 12.)

214. Goldsmith discloses an enhancement to GSM called EDGE. “A more fundamental enhancement, *Enhanced Data Services for GSM Evolution (EDGE)*, further increases data rates using a high-level modulation format combined with FEC coding. This modulation is more sensitive to fading effects, and EDGE uses adaptive techniques to mitigate this problem. Specifically, EDGE defines six different modulation and coding combinations, each optimized to a different value of received SNR. The received SNR is measured at the receiver and fed back to the transmitter, and the best modulation and coding combination for this SNR value is used. The IS-54 and IS-136 systems currently provide data rates of 40-60 Kbps by aggregating time slots and using high-level modulation. This evolution of the IS-136 standard is called IS-136HS (high-speed). The IS-95 systems support higher data using a time-division technique called high data rate (HDR).” (EX1040, 13.)

215. In addition, Goldsmith also discloses usage of W-CDMA as a 3G standard and that it is referred to as the Universal Mobile Telecommunications System (UMTS). “*W-CDMA* is the primary competing 3G standard to

cdma2000. It has been selected as the *3G successor to GSM*, and in this context is referred to as the *Universal Mobile Telecommunications System (UMTS)*.

W-CDMA is also used in the Japanese FOMA and J-Phone 3G systems.”

(EX1040, 599-600, Table D.4.)

Table D.4: 3G digital cellular phone standards							
Parameter	cdma2000				W-CDMA		
	1X	1XEV-DO	1XEV-DV	3X	UMTS	FOMA	J-phone
Channel bandwidth (MHz)	1.25	1.25	1.25	3.75	5	5	5
Chip rate (Mchips/s)	1.2288	1.2288	1.2288	3.6864	3.84	3.84	3.84
Peak data rate (Mbps)	.144	2.4	4.8	5–8	2.4 ^a	2.4 ^a	2.4 ^a
Modulation	QPSK/MPK (DL), BPSK/QPSK (UL)				QPSK (DL), BPSK (UL)		
Coding	Convolutional (low rate), Turbo (high rate)						
Power control (Hz)	800	800	800	800	1500	1500	1500

^a 8–10 Mbps with HSDPA.

216. At the time of the invention, home appliances with cellular connectivity were known. For example, a patent application filed on March 8, 2006 discloses “a receiver configured to receive a signal from a wide-area wireless communication system comprising a plurality of transmitters configured to redundantly broadcast one or more wireless signals,” “the receiver and said processor are embedded within the appliance,” “the appliance is an air conditioner or heater regulated by a thermostat, a clothes dryer, a refrigerator, a freezer, or a dishwasher,” and “the one or more wireless signals is any of an *analog cellular signal, a digital cellular signal*, a general packet radio service

signal, an *enhanced data rate for GSM evolution (EDGE) service signal*.”

(EX1031, Claims 14-16, 18.)

217. It would have been obvious for a POSITA to combine and apply Goldsmith’s disclosure of conventional wireless communication protocols such as 3G using W-CDMA (UMTS), GSM, and EDGE to Lim. As discussed above, Lim and Goldsmith are analogous art to the ’706 patent, from the same field of endeavor, and all relate to the same technical problem of providing wireless communications between devices. Goldsmith discloses conventional cellular data technologies. (EX1040, 12-13.) A POSITA would be motivated to use the conventional cellular data technologies and wireless network communications techniques such as 3G using W-CDMA (UMTS), GSM, and EDGE as taught by Goldsmith to improve the usability of Lim in the same way. (*Supra* § IX.E.2.) Combining the teachings of Lim and Goldsmith as such would yield predictable results of effectively improving usability and convenience of the control system.

218. Further, it would have been obvious to try combining the wireless communication techniques of Goldsmith (e.g., 3G over W-CDMA (UMTS), GSM, and EDGE) with the teachings of Lim, without requiring much effort and with a reasonable expectation of success. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated

by successful implementations in the field. There was a finite number of potential wireless network communications, such as infrared, BlueTooth, and Wi-Fi, that were commonly known in the industry and were easy to apply to Lim. The known benefits and feasibility of including a known cellular data technology and wireless networking technique such as 3G over W-CDMA (UMTS), GSM, and EDGE as taught by Goldsmith to connect in-home devices with a remote server would prompt the application of Goldsmith in the same field based on design incentives and other market forces.

F. Ground 6: Lim and Chatterjee Render Obvious Claim 17-

22

1. Summary of Chatterjee

219. Chatterjee was filed on August 23, 2011, and is prior art under §102(e). (EX1012, 1.) The Examiner never found, and Applicant never cited, Chatterjee during prosecution. Chatterjee generally relates to “a system and method for providing home automation using a mobile device.” (EX1012, Abstract.)

220. Chatterjee describes that “home automation systems provide centralized control for lighting, HVAC (heating, ventilation and air conditioning), appliances (such as refrigerators and dishwashers), and similar systems.” (EX1012, [0001].)

221. Chatterjee discloses that “each home appliance device 120a-120c includes a wireless transceiver 125a-125c and device controller 125a-125c for facilitating communication with the mobile device. As will be used herein, home appliance devices represent any electrical or mechanical appliance, system, or machine used to perform a household function (e.g., *oven for cooking, dishwasher for cleaning, light fixtures for illumination, refrigerator for storage, and HVAC for cooling/heating the home environment*, etc.).” (EX1012, [0012].)

222. Specifically, Chatterjee discloses that the appliances can be controlled via a device controller integrated into the appliance devices. “Device controller 125a-125c may be a device or module electronically coupled to the home appliance device 120a-120c or an integrated unit of the home appliance device 120a-120, and is configured to execute programming instructions *and control operations on the home appliance device such as controlling the temperature of a HVAC or toggling the light system on and off.*” *Id.*

2. Claim 17: “The client device according to claim 16, wherein the primary functionality of the appliance is associated with a food storage, handling, or preparation.”

223. Claim 1 is obvious in view of Lim. (*Supra* § IX.A.2) Claims 17-19, 22 are obvious in further view of Chatterjee.

224. Lim discloses controlling various appliances, such as “*televisions, VCRs, DVRs, DVD players, cable or satellite converter set-top boxes (‘STBs’), amplifiers, CD players, game consoles, home lighting, drapery, fans, HVAC systems, thermostats, personal computers*, etc.” (EX1005, [0017].)

225. Chatterjee discloses that “*home automation systems* provide centralized control for *lighting, HVAC (heating, ventilation and air conditioning), appliances (such as refrigerators and dishwashers)*, and similar systems.” (EX1012, [0001].) Chatterjee discloses that “[a]s will be used herein, home appliance devices represent any electrical or mechanical appliance, system, or machine used to perform a household function (e.g., *oven for cooking, dishwasher for cleaning, light fixtures for illumination, refrigerator for storage, and HVAC for cooling/heating the home environment*, etc.).” (EX1012, [0012].) Chatterjee discloses that the appliances can be controlled via a device controller integrated into the appliance devices. “Device controller 125a-125c may be a device or module electronically coupled to the home appliance device 120a-120c or an integrated unit of the home appliance device 120a-120, and is configured to execute programming instructions *and control operations on the home appliance device such as controlling the temperature of a HVAC or toggling the light system on and off.*” *Id.*

226. Further, Chatterjee discloses, with reference to FIG. 2, that the controlled home appliance includes a refrigerator.

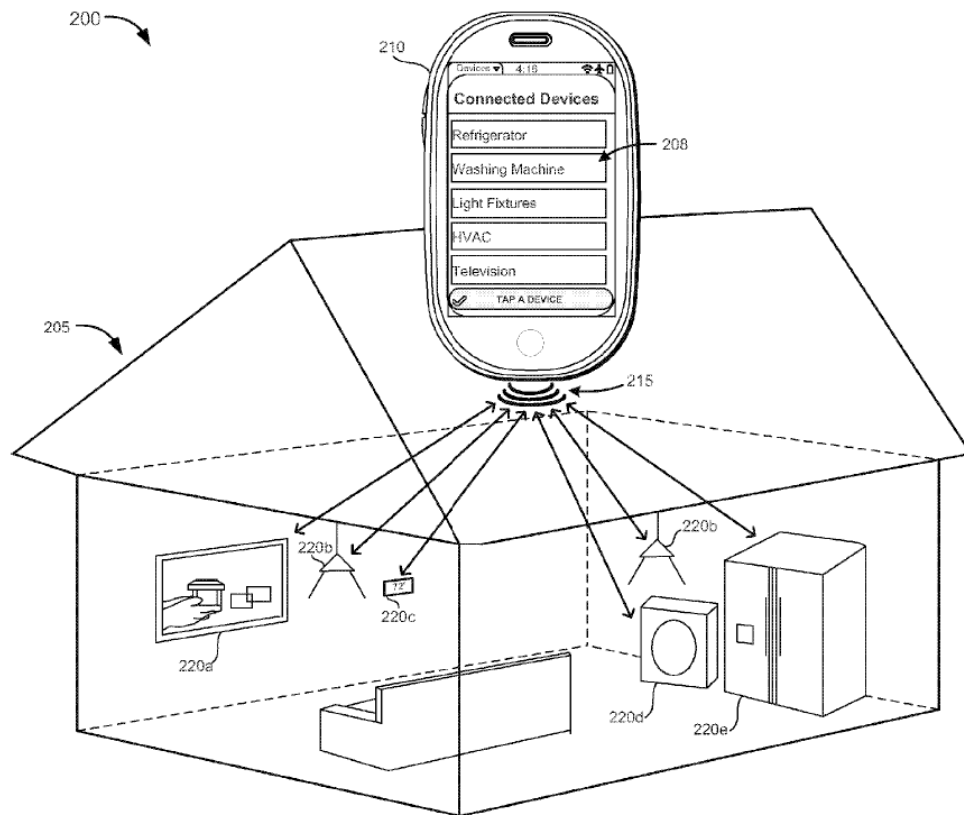


FIG. 2

227. It would have been obvious to a POSITA to combine the teachings of Lim and Chatterjee. Both Lim and Chatterjee are analogous art to the '706 patent. (EX1001, Claim 1, 135:54-59; EX1005, [0017], [0007].) All relate to a home automation system for remotely controlling home appliances.

Chatterjee discloses “a system and method for providing home automation using a mobile device.” (EX1012, Abstract.) Thus, Lim and Chatterjee are from

the same field of endeavor and reasonably pertinent to the same technical problems of remote control of home appliances. Combining Chatterjee with Lim would improve and expand the capabilities of Lim in the same way. Combining the teachings of Lim and Chatterjee as such would yield predictable results of enabling home automation.

228. Because Lim explicitly provides that its system can be used to control *home automation devices, HVAC, home lighting and thermostat*, respectively, and Chatterjee enumerates exemplary home automation devices and control of HVAC and home lighting systems, it would have been obvious to try combining the teachings of Lim and Chatterjee such that Lim can be used to control the home automation devices of Chatterjee.

229. Prior art such as Chatterjee has successfully demonstrated that the controlled smart appliances can be an oven, a dishwasher, light fixtures, and a refrigerator, and thus, there would have been a reasonable expectation of success for combining Lim and Chatterjee. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. Further, there are a finite number of identified and predictable home appliances to try controlling remotely. Thus, it would have been obvious to a POSITA to combine the teachings of Chatterjee and Lim to use Lim's techniques to control home appliances such as an oven, a

dishwasher, light fixtures, and a refrigerator as disclosed by Chatterjee. The known benefits and feasibility of remote controlling home appliances such as oven, a dishwasher, light fixtures, and a refrigerator, as disclosed by Chatterjee would prompt the application of Chatterjee in the same field based on design incentives and other market forces.

3. Claim 18: “The client device according to claim 17, wherein the primary function of the appliance is heating food, and wherein the appliance is a microwave oven, an electric mixer, a stove, an oven, or an induction cooker.”

230. As discussed, Chatterjee discloses that “*home automation systems* provide centralized control for *lighting, HVAC (heating, ventilation and air conditioning), appliances (such as refrigerators and dishwashers)*, and similar systems.” (EX1012, [0001].)

231. Chatterjee specifically discloses that “[a]s will be used herein, home appliance devices represent any electrical or mechanical appliance, system, or machine used to perform a household function (e.g., *oven for cooking*, dishwasher for cleaning, light fixtures for illumination, refrigerator for storage, and HVAC for cooling/heating the home environment, etc.).” (EX1012, [0012].)

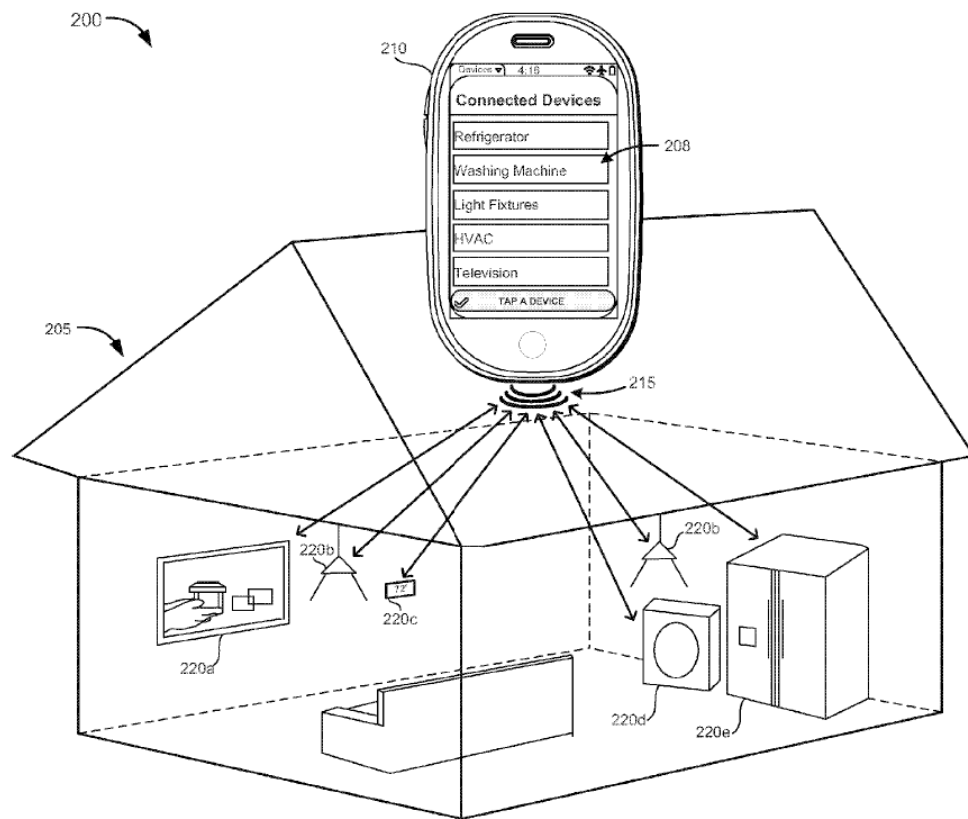
232. It would have been obvious to a POSITA to combine the teachings of Lim and Chatterjee. (*Supra* § IX.F.2.)

4. **Claim 19:** “The client device according to claim 17, wherein the appliance is a refrigerator, a freezer, a food processor, a dishwasher, a food blender, a beverage maker, a coffeemaker, or an iced-tea maker.”

233. As discussed, Chatterjee discloses that “*home automation systems* provide centralized control for *lighting, HVAC (heating, ventilation and air conditioning), appliances (such as refrigerators and dishwashers)*, and similar systems.” (EX1012, [0001].)

234. Chatterjee specifically discloses that the controlled home appliance includes a refrigerator. Chatterjee discloses that “[a]s will be used herein, home appliance devices represent any electrical or mechanical appliance, system, or machine used to perform a household function (e.g., oven for cooking, dishwasher for cleaning, light fixtures for illumination, *refrigerator for storage*, and HVAC for cooling/heating the home environment, etc.).” (EX1012, [0012].)

235. Further, Chatterjee discloses, with reference to FIG. 2, that the controlled home appliance includes a refrigerator. FIG. 2 depicts, “a smart dish washer or washing machine 220d, and a *smart refrigerator 220e*.” (EX1012, [0014].)

**FIG. 2**

236. It would have been obvious to a POSITA to combine the teachings of Lim and Chatterjee. (*Supra* § IX.F.2.)

5. Claim 22: “The client device according to claim 16, wherein the primary function of the appliance is associated with cleaning, wherein the appliance primary function is associated with a clothes cleaning and the appliance is a washing machine, or wherein the appliance is a vacuum cleaner.”

237. As discussed, Chatterjee discloses that “*home automation systems* provide *centralized control for* lighting, HVAC (heating, ventilation and air

conditioning), *appliances (such as refrigerators and dishwashers)*, and similar systems.” (EX1012, [0001].)

238. Chatterjee specifically discloses, with reference to FIG. 2, that the controlled home appliance includes a washing machine. “In the present example of FIG. 2, *home appliance devices* include a television 220a, light fixtures/system 202b, HVAC 120c, a smart dish washer or *washing machine 220d*, and a smart refrigerator 220e.” (EX1012, [0014].)

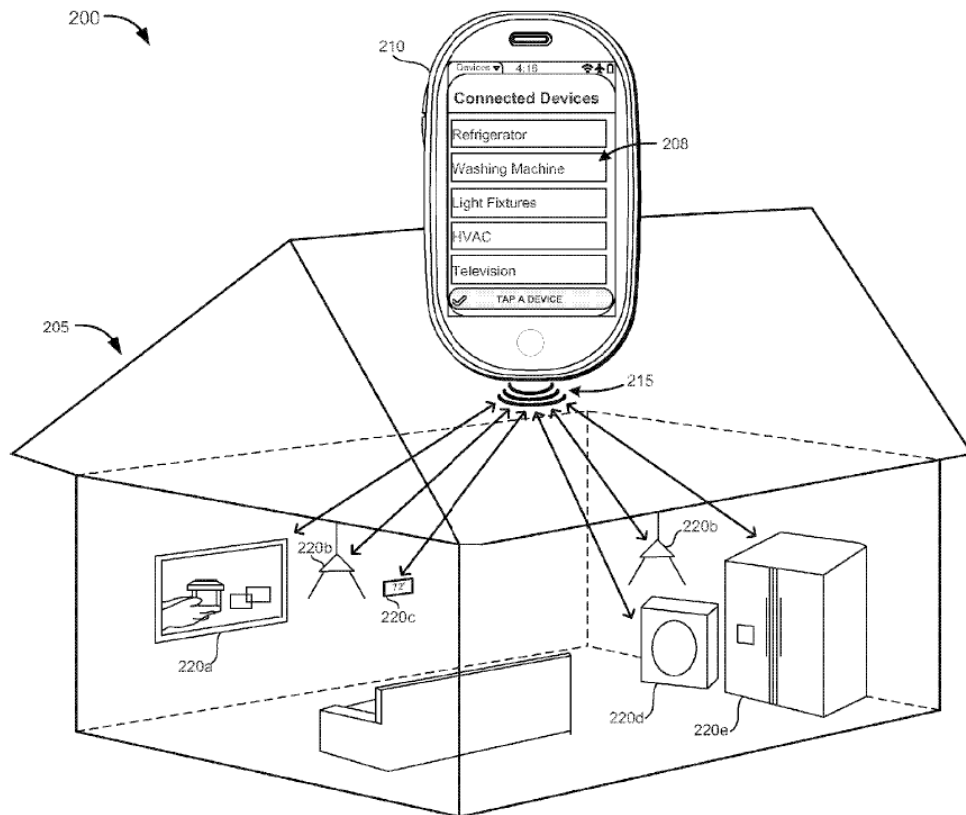


FIG. 2

239. It would have been obvious to a POSITA to combine the teachings of Lim and Chatterjee. (*Supra* § IX.F.2.)

G. Ground 7: Lim, and Rosenberger Render Obvious Claims
24-25

1. Summary of Rosenberger

240. Rosenberger was filed on October 4, 2011, and is prior art under §102(e). (EX1013, 1.) The Examiner never found, and Applicant never cited, Rosenberger during prosecution. Rosenberger relates to “improvements in speech-recognizing control devices that respond to oral commands from a system user to produce a desired effect or result.” (EX1013, 1:7-13.)

241. Rosenberger discloses that a device may include a multi-colored LED status light to visually indicate various device states and modes. .
“Preferably, device D also includes ... a *multi-colored LED status light 34 for visually indicating various device states and modes.*” (EX1013, 8:8-16.)

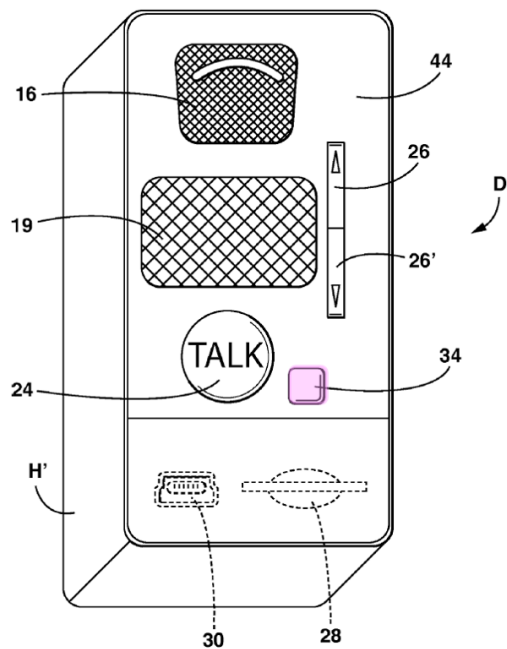


FIG. 2B

242. Rosenberg discloses that the multi-colored LED status light may serve to prompt users to provide speech input after receiving and recognizing a speech trigger phrase. *“Upon receiving and recognizing a speech trigger phrase* and determining that it is in a better position to handle subsequent user interaction than any other device that simultaneously recognized the same speech trigger phrase (see device coordination discussion below), or when the user depresses the ‘Push to Talk’ button 24 on the device, or in the event the device is instructed to wake up and expect a subsequent speech command by a system controller, the device beeps, *changes its status light 34* or plays a prerecorded or synthesized audio message (e.g. ‘How may I help you?’) through

speaker 19 and/or 20 *to prompt the user to say one of the speech commands from a known vocabulary or grammar stored in the speech pattern memory 14.*” (EX1013, 8:20-32.)

2. **Claim 24: “The client device according to claim 1, wherein the first actuator is an electric light source for converting an electrical energy into light that emits a visible or non-visible light for illumination or indication, and the non-visible light is infrared, ultraviolet, X-rays, or gamma rays.”**

243. Claim 1 is obvious in view of Lim. (*Supra* § IX.A.2.) Claims 24-25 are obvious in view of Lim or in further view of Rosenberger.

Rosenberger discloses, with reference to FIG. 2B, a multi-colored LED status light in the device that visually indicate various device states and modes.

“Preferably, device D also includes ... a *multi-colored LED status light 34* for *visually indicating various device states and modes.*” (EX1013, 8:8-16.)

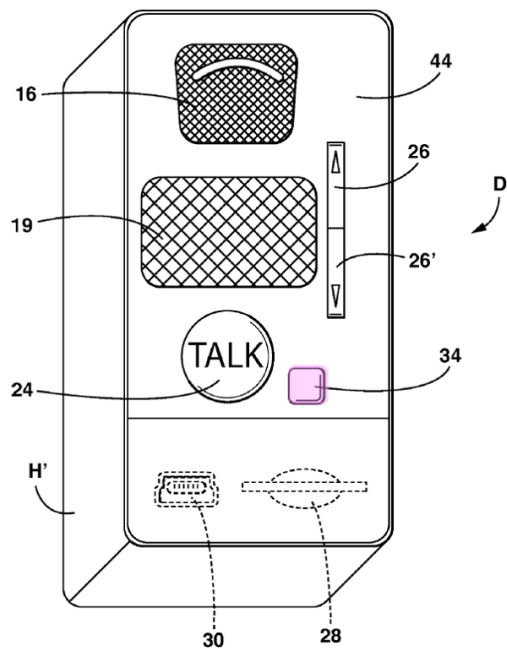


FIG. 2B

244. Specifically, Rosenberg discloses that “[u]pon receiving and recognizing a speech trigger phrase and determining that it is in a better position to handle subsequent user interaction than any other device that simultaneously recognized the same speech trigger phrase (see device coordination discussion below), or when the user depresses the ‘Push to Talk’ button 24 on the device, or in the event the device is instructed to wake up and expect a subsequent speech command by a system controller, the device beeps, changes its status light 34 or plays a prerecorded or synthesized audio message (e.g. ‘How may I help you?’) through speaker 19 and/or 20 to prompt the user

to say one of the speech commands from a known vocabulary or grammar stored in the speech pattern memory 14.” (EX1013, 8:20-32.)

245. As discussed, Lim’s *client device* includes *LEDs*. Lim discloses “a *controlling device 100* for use in commanding the functional operations of one or more appliances may include, . . . , a means 202 to provide feedback to the user (e.g., *one or more LEDs*, illuminable keys, display, buzzer, voice synthesizer with associated speaker, and/or the like)[.]” (EX1005, [0019]; *supra* §§IX.A.2.e, IX.A.2.h.) A POSITA would have understood that these are electric light sources for converting an electrical energy into light that emits a visible light for illumination or indication. “Light-emitting diodes (LEDs) indicators are diodes that emit light when current passes in the forward direction.” (EX1018, 174.) This is consistent with the ’706 patent, which explains that “an actuator may be a light source that emits visible or non-visible light (infrared, ultraviolet, X-rays, or gamma rays) such as for illumination or indication . . . The light source may be an electric light source for converting electrical energy into light . . . The electric light source may be based on Solid-State Lighting (SSL) such as a *Light Emitting Diode (LED)*[.]” (EX1001, 39:10-21.)

246. At the time of the invention, it would have been obvious to combine the teachings of Rosenberger with Lim. Both Rosenberger and Lim relate to

processing audio information such as human speech for controlling devices or providing services through devices. (See EX1005, [0007], [0027].)

Rosenberger relates to “improvements in speech-recognizing control devices that respond to oral commands from a system user to produce a desired effect or result.” (EX1013, 1:7-13.) Thus, Rosenberger and Lim are analogous to the ’706 patent, from the same field of endeavor, and all relate to the same goal of processing and responding to audio commands.

247. Rosenberger discloses incorporating a multi-colored LED light in the device that responds to a speech trigger phrase received to “visually indicat[e] various device states and modes”, for example by changing colors. Further, Lim itself discloses, “[t]his and subsequent prompts for voice input may take the form of an *illuminated LED*.” (EX1005, [0027]; *supra* §§IX.A.2.g, IX.A.2.h.) The technique of incorporating a light in the device that turns on/off and changes color to indicate the device status and prompt user to provide speech input can be combined with the teachings of Lim to improve the usability of Lim’ interface device, with a reasonable expectation of success.

248. Specifically, the Lim-Rosenberger combination results in a system that allows control of devices in response to processing of human voice data while incorporating the advantage of Rosenberger to signal or prompt users to provide voice input via its status light. For example, the Lim-Rosenberger

combination would include a status light in the audio interface device, which turns on/off and/or changes color to indicate different device states and modes, as taught by Lim/Rosenberger.

249. The technique of incorporating an indicator light in the audio interface device disclosed in the Lim-Rosenberger combination yield the predictable result of improving usability of the device as the changes of the light can indicate to a user the current state or mode the device is operating in, and serves as an additional way to prompt users to provide the “first human voice data” and “second human voice data” to control the device, particularly as Lim explicitly discloses that the prompts for audio input may “take the form of an *illuminated LED*”. (EX1005, [0027].) Because both Lim and Rosenberger relates to capturing human voice data for controlling devices or providing services, a POSITA would be motivated to use the known techniques of Rosenberger to improve the usability of Lim’s interface device in the same way by enabling users to understand the shifts in device status and modes through the changes in the LED light, and to understand when the device requires additional voice input.

250. Further, it would have been obvious to try combining the teachings of Lim and Rosenberger. There are only a finite number of identified and predictable solutions for indicating to a user the device state or mode or prompt

user to provide speech input, such as visual cues, auditory cues, and tactile cues. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. Prior art such as Rosenberger has successfully demonstrated that devices may include a light for indicating device states and modes and prompting users to provide speech input, and thus, there would have been a reasonable expectation of success for combining Lim and Rosenberger. The known benefits of Rosenberger would prompt its application in the same field based on design incentives and other market forces.

3. Claim 25: “The client device according to claim 24, wherein the electric light source comprises a lamp, an incandescent lamp, a gas discharge lamp, a fluorescent lamp, a Solid-State Lighting (SSL), a Light Emitting Diode (LED), an Organic LED (OLED), a polymer LED (PLED), or a laser diode.”

251. As discussed, Rosenberger discloses a multi-colored LED status light in the device that visually indicate various device states and modes. Rosenberger states that “[p]referably, device D also includes ... a *multi-colored LED status light 34 for visually indicating various device states and modes.*” (EX1013, 8:8-16.)

252. Further, As discussed, Lim’s first actuators include *LEDs* in the *client device*. Lim discloses “a *controlling device 100* for use in commanding the functional operations of one or more appliances may include, . . . , a means

202 to provide feedback to the user (e.g., *one or more LEDs*, illuminable keys, display, buzzer, voice synthesizer with associated speaker, and/or the like)[.]” (EX1005, [0019]; *supra* §§IX.A.2.e, IX.A.2.h.)

253. It would have been obvious to a POSITA to combine the teachings of Lim and Rosenberger. (*Supra* § IX.G.2.)

28 H. Ground 8: Lim and Rossing Render Obvious Claims 9, 26-

1. Summary of Rossing

254. Rossing was published by at least July 23, 2007, and is prior art under §102(a), (b). (EX1041, 1.) The Examiner never found, and Applicant never cited, Rossing during prosecution. Rossing is a textbook titled “Springer Handbook of Acoustics.” (EX1014, Title.) Rossing discloses how conventional microphones and speakers operate.

255. Rossing discloses how a conventional microphone operates. Rossing states that “[c]ommon to virtually all microphones ever made is a diaphragm. Most microphones do not directly sense the instantaneous pressure deviations of an airborne acoustic wave. Instead, the *sound waves impinging on a diaphragm cause movement of the diaphragm*, and it is *this movement that is sensed and converted to an electrical audio signal.*” (EX1014, 757.)

256. Rossing also discloses different types of microphones such as a condenser, an electret, a dynamic, a ribbon, a carbon, or a piezoelectric

microphone. “Two types of microphones avoid any mechanical attachment to the diaphragm: the *ribbon microphone* and the *condenser microphone*. A popular variant of the *dynamic microphone*, the ribbon microphone, uses a thin metal ribbon diaphragm suspended in a magnetic field.” (EX1014, 758.) “A popular modern variant is the electret condenser microphone, perfected in 1962 by Sessler and West of Bell Laboratories.” (EX1014, 759.)

257. Rossing discloses additionally, the piezoelectric microphones and carbon microphones. (EX1014, 758.)

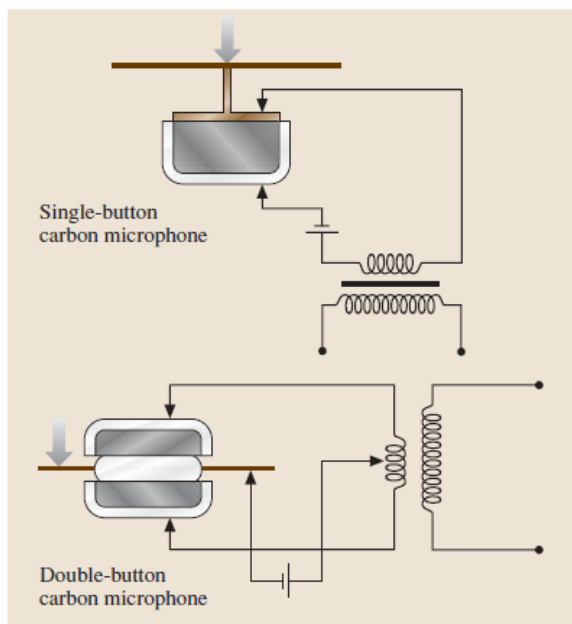


Fig. 18.11 A carbon microphone (After [18.25])

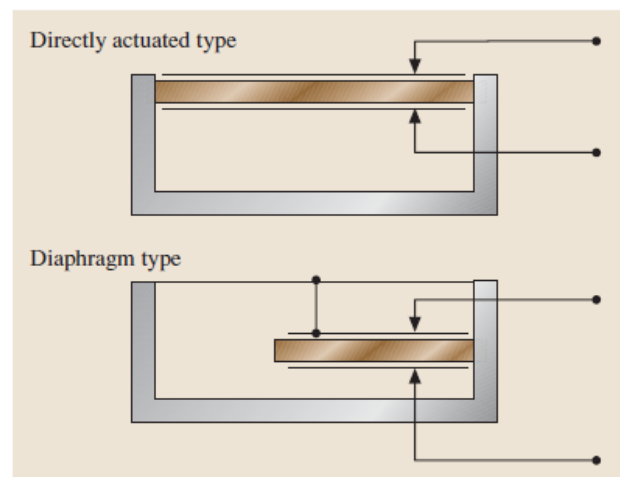


Fig. 18.12 Piezoelectric microphones (After [18.29])

258. Rossing also discloses how a conventional speaker operates. Rossing discloses that “in a manner reminiscent of microphones, few loudspeakers convert directly between electrical and acoustical energy. Instead, the *electrical energy is converted to mechanical energy, specifically the*

movement of a diaphragm, often cone-shaped or dome-shaped, which then radiates acoustical energy, sometimes aided by an acoustical coupling horn or lens.” (EX1014, 763.) “In the low-frequency range, the *linear motion of an electrodynamical loudspeaker*, for example, can be described by a single-degree-of-freedom oscillator.” (EX1014, 903.)

259. Rossing discloses that the soundwaves outputted by speakers are omnidirectional. “*Sound radiates from a loudspeaker in all directions*, depending on angle and frequency,” and that “it is rare for a speaker to have truly constant directionality across its entire pass-band, in part from that fact that most are at least somewhat directional at mid and high frequencies, and, because of the long wavelengths involved, almost unavoidably *omni-directional at low frequencies*.” (EX1014, 765.)

260. Further, Rossing discloses that there can be different types of speakers including electromagnetic, piezoelectric, and electrostatic. “Many of the same transduction methods that have been used in microphones have at least been tried for loudspeakers including *magnetic (also known as dynamic)*, *piezoelectric*, and condenser.” (EX1014, 763.)

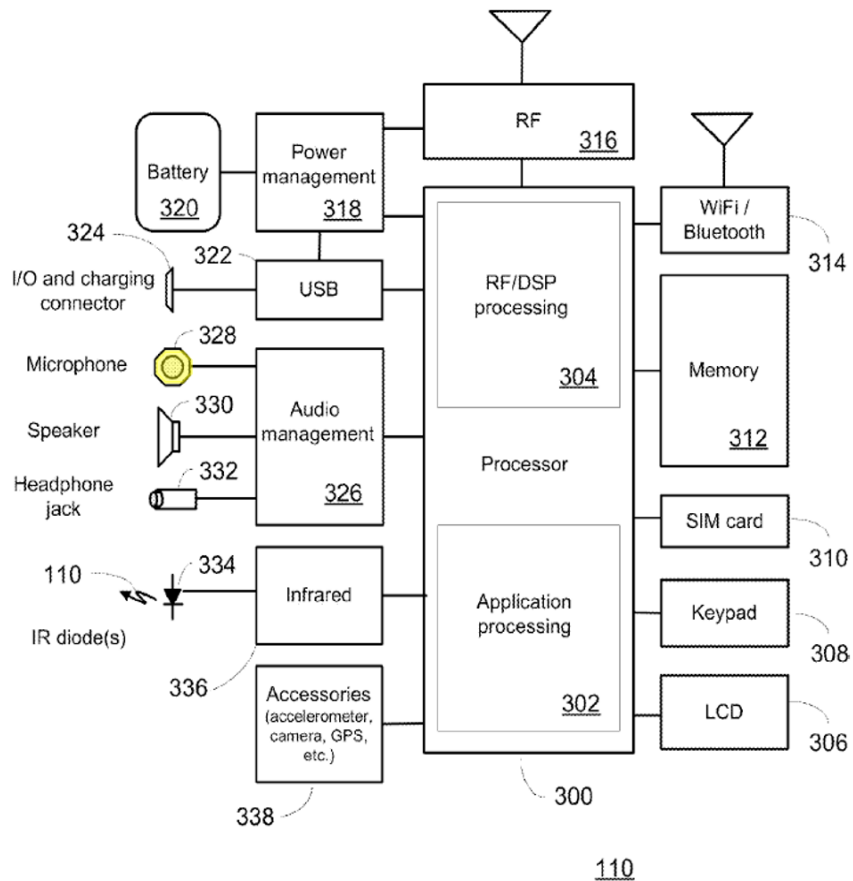
261. Rossing is a textbook published by Springer and was well-known among POSITAs. A POSITA would have looked to Rossing for detailed

specifics and techniques of using microphones and speakers in the system disclosed in Lim.

2. Claim 9: “The client device according to claim 1, wherein the microphone is an omnidirectional, unidirectional, or bidirectional microphone that is based on the sensing an incident sound-based motion of a diaphragm or a ribbon, or wherein the microphone comprises a condenser, an electret, a dynamic, a ribbon, a carbon, or a piezoelectric microphone.”

262. Claim 1 is obvious in view of Lim. (*Supra* § IX.A.2) Claims 9, 26-28 are obvious in further view of Rossing.

263. A POSITA would understand that the claim refers to a standard microphone. Lim discloses that the *controlling device* has a *microphone*. For example, “a *controlling device 100* for use in commanding the functional operations of one or more appliances may include . . . speech input means comprising a *microphone 224* and associated circuitry 222 for example an analog to digital converter, speech digitizer, etc., as known in the art.” (EX1005, [0019].) “A representative *smart device*, illustrated in FIG. 3 in the form of a smart phone, may include . . . an audio management system 326 with associated *microphone 328*, speaker 330, and headphone jack 332 [.]” (EX1005, [0023].)



264. Rossing discloses that a microphone includes a diaphragm and operates by sensing movement of the diaphragm. Rossing states that “[c]ommon to virtually all microphones ever made is a diaphragm. Most microphones do not directly sense the instantaneous pressure deviations of an airborne acoustic wave. Instead, the sound waves impinging on a diaphragm cause movement of the diaphragm, and it is this movement that is sensed and converted to an electrical audio signal.” (EX1014, 757.)

265. Rossing also discloses other variety of microphones such as the ribbon microphone or the condenser microphone. “Two types of microphones

avoid any mechanical attachment to the diaphragm: the ribbon microphone and the condenser microphone. A popular variant of the dynamic microphone, the ribbon microphone, uses a thin metal ribbon diaphragm suspended in a magnetic field. Movement of the diaphragm induces a current in the diaphragm, which can then be amplified. In effect, the diaphragm acts as a single-turn moving coil.”

(EX1014, 758.) “The condenser microphone is based on the notion of electrical capacitance. A metal, or other conducting, diaphragm is placed close to a second, fixed conducting plate, forming a capacitor, and a polarizing voltage is applied between the plates. Movement of the diaphragm causes alterations in the capacitance, in turn causing corresponding alteration of the charge on the plates, which is converted to a dynamic voltage by a resistor, and amplified as necessary.” *Id.*

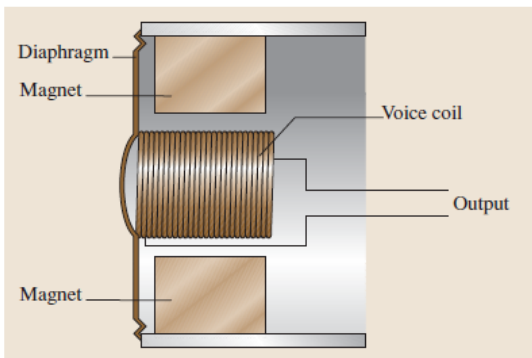


Fig. 18.10 A dynamic microphone uses a coil of wire attached to a diaphragm, suspended in a magnetic field (After [18.24])

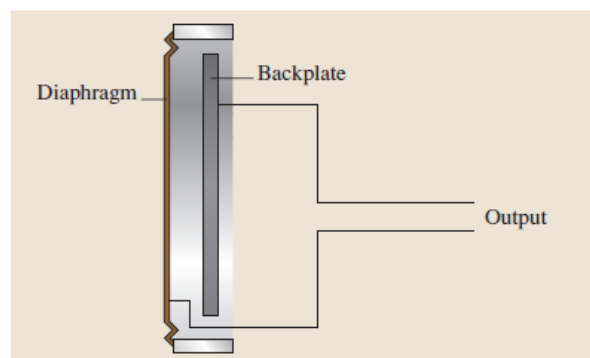


Fig. 18.9 A condenser microphone consists of a very thin diaphragm suspended parallel to a backplate (After [18.24])

266. Rossing discloses piezoelectric microphones and carbon microphones. “Many early telephone transmitters used carbon in one form or

another, typically carbon granules coupled to the diaphragm such that vibration of the diaphragm would dynamically squeeze the granules, causing a variation in resistance that could be electrically sensed by an applied voltage. This arrangement could be scaled up in size and voltage enough to produce a sizeable signal, of particular importance prior to the advent of electrical amplification.” (EX1014, 758.) “Another type of self-generating microphone is the crystal microphone, based on the piezoelectric effect discovered by the Curies in 1880. Here, the diaphragm constricts a thin crystal made of Rochelle salt, ceramic, or similar material, directly producing a voltage. The low compliance of the piezoelectric element typically limits the performance of such a microphone, especially the extent of its frequency response.” *Id.*

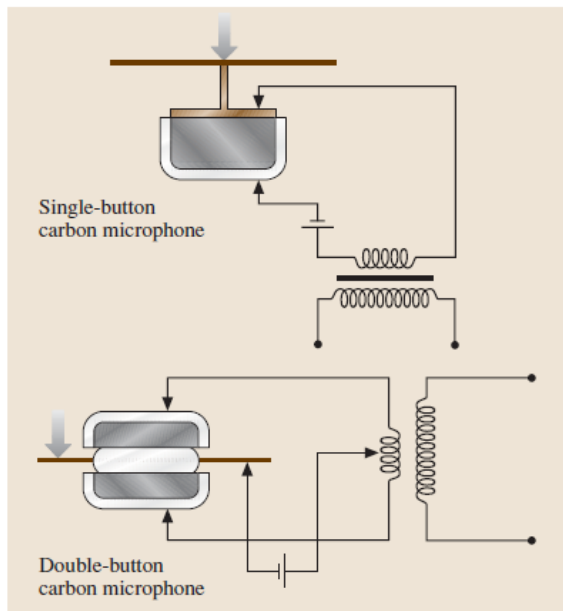


Fig. 18.11 A carbon microphone (After [18.25])

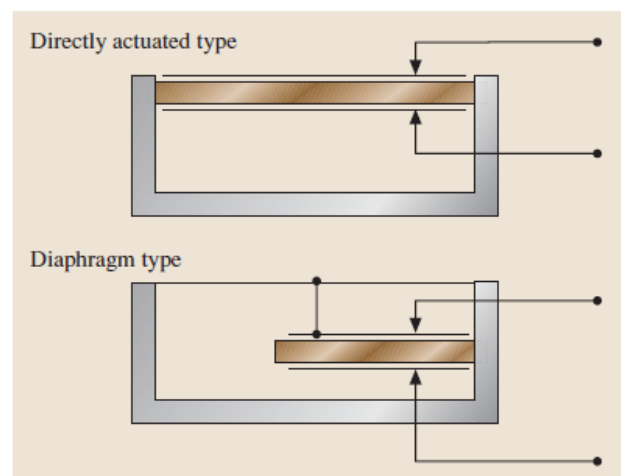


Fig. 18.12 Piezoelectric microphones (After [18.29])

267. Further, Rossing discloses an electret microphone. “A popular modern variant is the electret condenser microphone, perfected in 1962 by Sessler and West of Bell Laboratories. An electret is an object possessing a permanent electrostatic charge, making it rather like the electrical analog of the permanent magnet. Use of an electret to polarize the capacitor in a condenser microphone eliminates the need to supply a polarizing voltage for the capacitor. Since electret condenser microphones are used almost universally in cell phones, as well as other applications, they are probably the most popular type in current use. The diaphragm of electret condenser microphones is usually made of a thin sheet of flexible plastic which has had a metal coating deposited on it, a notably lightweight arrangement that permits good sensitivity and frequency response. Such microphones also usually exhibit good sample-to-sample consistency, making them practical for multi-microphone arrays.” (EX1014, 759.)

268. Rossing also discloses that omnidirectional microphones are conventional. Rossing discloses that “for measurement of the lateral energy fraction (LEF), the early part (up to 80ms) of this lateral sound energy is compared with the energy of the direct sound plus all early reflections picked up by an ordinary omnidirectional microphone where h_l is the impulse response pressure recorded with a figure-of-eight microphone, whereas h is captured through the (usual) omnidirectional microphone.” (EX1014, 309.)

269. Both Lim and Rossing are related to operating microphone(s) and speaker(s). (EX1005, [0017], [0019], [0023], [0027]-[0029], [0035]-[0036].) As discussed, Rossing is a textbook providing basic information on how microphones and speakers operate. (EX1014, 757-758, 763, 765, 903.) Thus, Lim and Rossing are analogous art to the '706 patent, from the same field of endeavor, and all relate to the same technical problems of operating microphone(s) and speaker(s). Thus, a POSITA would have been motivated to look to Rossing for techniques and details regarding these components for implementing the system described in Lim.

270. It would have been obvious to a POSITA to apply Rossing's teachings related to conventional components to Lim, as various microphone features can improve Lim's microphone in the same way and yield predictable results. The known benefits of various features would prompt the application of Rossing in the same field based on design incentives and market forces. Further, it would have been obvious to try combining Rossing with the teachings of Lim, for example by using an omnidirectional, unidirectional, or bidirectional microphone that is based on the sensing an incident sound-based motion of a diaphragm or a ribbon, or a condenser, an electret, a dynamic, a ribbon, a carbon, or a piezoelectric microphone in the client device to capture the first and second human data, without requiring much effort and with a reasonable

expectation of success. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. There was a finite number of types of microphones, such as a condenser, an electret, a dynamic, a ribbon, a carbon, or a piezoelectric microphone, that were commonly known in the industry and easy to manufacture and integrate into Lim.

3. Claim 26: “The client device according to claim 1, wherein the first actuator is a motion actuator that causes a linear or rotary motion.”

271. As discussed, Lim teaches operating an actuator (e.g., *speaker or speaker 303*) consistent with the descriptions of the '706 patent in the client device (e.g., *controlling device 100 or smart device 110*) in response to the received first message (e.g., *information* such as recognized speech, analysis of or information associated with the recognized speech, and/or additional prompts). (*Supra* §§ IX.A.2.e, IX.A.2.h; EX1001, 105:48-52, 105:61-106:4; EX1005, [0027]-[0029].) For example, Lim discloses several exemplary use cases of operating the speaker to “*solicit additional identifying information,*” “*present[] [] a short list of possible brand identities,*” “prompt[] [user] to *spell the first few characters of the brand name,*” “request[] [user] to *speak the name of a geographic region or a service provider.*” (EX1005, [0028].)

272. Rossing discloses that a speaker is a motion actuator that causes linear motion. First, Rossing explains that a speaker is a motion actuator. Rossing explains that a speaker converts electrical energy to mechanical energy. “In a manner reminiscent of microphones, few loudspeakers convert directly between electrical and acoustical energy. Instead, the *electrical energy is converted to mechanical energy, specifically the movement of a diaphragm*, often cone-shaped or dome-shaped, which then radiates acoustical energy, sometimes aided by an acoustical coupling horn or lens.” (EX1014, 763.) As loudspeakers convert electrical energy to mechanical energy resulting in movement of a diaphragm, it is clear that loudspeakers are motion actuators.

273. Second, Rossing discloses that a speaker is a motion actuator that causes linear motion. Rossing discloses that “in the low-frequency range, the *linear motion of an electrodynamical loudspeaker*, for example, can be described by a single-degree-of-freedom oscillator.” (EX1014, 903.) Further, Rossing describes that the dynamic or moving coil loudspeaker move axially. “Ernst W. Siemens was the first to describe the *dynamic or moving-coil loudspeaker*, with a circular coil of wire in a magnetic field and supported so that *it could move axially*.” (EX1014, 18.) Thus, Rossing discloses that an electrodynamical loudspeaker itself is a motion actuator that causes linear motion.

274. As discussed, Lim and Rossing are analogous art to the '706 patent, from the same field of endeavor, and all relate to the same technical problems of operating microphone(s) and speaker(s). Thus, a POSITA would have been motivated to look to Rossing for techniques and details related to speakers for implementing Lim. Further, it would have been obvious to try combining Rossing with the teachings of Lim. (*Supra* § IX.H.2.)

4. Claim 27: “The client device according to claim 1, wherein the first actuator is a sounder for converting an electrical energy to an omnidirectional, unidirectional, or bidirectional pattern emitted, audible or inaudible, sound waves.”

275. A POSITA would have understood that this claim refers to a speaker. As discussed above, Lim teaches operating a *speaker or speaker 303* in the client device. (*Supra* §§ IX.A.2.e, IX.A.2.h; EX1005, [0037].) As discussed above, at the time of the invention, a POSITA would have understood that a speaker is a sounder for converting an electrical energy to sound waves. (*Supra* § IX.A.2.e; EX1018, 122; EX1014, 763.)

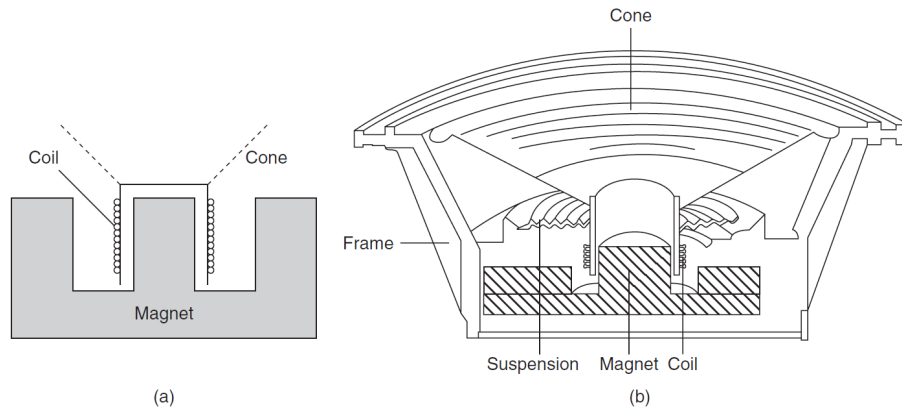


Figure 10.8 Moving-coil loudspeaker: (a) cross-section of coil and magnet, and (b) cutaway view of complete unit

276. Further, in light of Rossing, a POSITA would have understood that the speaker operates by emitting audible sound waves that are of an omnidirectional, unidirectional, or bidirectional pattern. For example, “[s]ound *radiates from a loudspeaker in all directions*, depending on angle and frequency ... It is rare for a speaker to have truly constant directionality across its entire pass-band, in part from that fact that most are at least somewhat directional at mid and high frequencies, and, because of the long wavelengths involved, almost unavoidably *omni-directional at low frequencies*.” (EX1014, 765.) It would have been obvious to combine Lim and Rossing. (*Supra* § IX.H.2.)

5. Claim 28: “The client device according to claim 27, wherein the sounder comprises an electromagnetic loudspeaker, a piezoelectric speaker, an electrostatic loudspeaker (ESL), a ribbon or planar magnetic loudspeaker, or a bending wave loudspeaker, or wherein the sounder comprises an electric bell, a buzzer, a chime, a whistle, or a ringer.”

277. A POSITA would have understood that this claim refers to a speaker. As discussed, Lim teaches operating an actuator (e.g., *speaker or speaker 303*) consistent with the descriptions of the '706 patent in the client device (e.g., *controlling device 100 or smart device 110*) in response to the received first message (e.g., *information* such as recognized speech, analysis of or information associated with the recognized speech, and/or additional prompts). (*Supra* §§ IX.A.2.e, IX.A.2.h; EX1001, 105:48-52, 105:61-106:4; EX1005, [0027]-[0029].)

278. Further, Lim discloses that the *controlling device* has a *buzzer*. For example, “a *controlling device 100* for use in commanding the functional operations of one or more appliances may include, . . . , a means 202 to provide feedback to the user (e.g., one or more LEDs, illuminable keys, display, *buzzer*, voice synthesizer with associated speaker, and/or the like)[.]” (EX1005, [0019].)

279. Rossing discloses that there are different types of speaker at the time of the invention, such as an electromagnetic speaker, a piezoelectric speaker, an electrostatic loudspeaker, or a magnetic loudspeaker. “[M]any of the same transduction methods that have been used in microphones have at least been tried for loudspeakers including *magnetic (also known as dynamic), piezoelectric, and condenser.*” (EX1014, 763.) “In 1929, E. W. Kellogg

filed a patent for an *electrostatic loudspeaker*, consisting of panels not unlike large condenser microphones.” *Id.* Rossing also discloses using “*small loudspeaker units (piezoelectric or electro magnetic)* and the microphones 1/4” or even 1/8“ condenser types.” (EX1014, 321-322.)

280. As discussed, Lim and Rossing are analogous art to the ’706 patent, from the same field of endeavor, and all relate to the same technical problems of operating microphone(s) and speaker(s). Thus, a POSITA would have been motivated to look to Rossing for techniques and details related to speakers for implementing Lim. It would have been obvious to a POSITA to apply Rossing’s teachings related to conventional speakers to Lim’s speaker, as various speaker features can improve Lim’s speaker in the same way and yield predictable results. The known benefits of various features would prompt the application of Rossing in the same field based on design incentives and other market forces.

281. Further, it would have been obvious to try combining the technical features of Rossing with the teachings of Lim, for example, by using an electromagnetic loudspeaker, a piezoelectric speaker, an electrostatic loudspeaker (ESL), a ribbon or planar magnetic loudspeaker, or a bending wave loudspeaker in the client device to output audio reply, without requiring much effort and with a reasonable expectation of success. (*Supra* § IX.H.2.) There

was a finite number of types of speakers, such as an electromagnetic loudspeaker, a piezoelectric speaker, an electrostatic loudspeaker (ESL), a ribbon or planar magnetic loudspeaker, that were commonly seen in the industry and easy to manufacture and integrate into the Lim system. (EX1014, 321-322, 763.)

I. Ground 9: Williams and Lim Render Obvious Claims 1, 5-6, 10, 12, 16, 20-21, 23, 29.

1. Summary of Williams

282. Williams was filed on January 28, 2011, and is prior art under §102(e). (EX1006, 1.) The Examiner never found, and Applicant never cited, Williams during prosecution. Williams relates to “utilizing audio information that may already exist within a home or other location.” (EX1006, [0007].) For example, “[a] user may ask a question, such as ‘What’s the recipe for deviled eggs?’” and the system “may use the speech synthesis functionality of the system to provide audio answers to spoken questions.” (EX1006, [0048].) Further, Williams’ system “may accept spoken commands from a user regarding on-premises devices, and may respond by interacting with such devices through available network connections.” (*Id.*, [0051]; *see also id.*, [0001], [0008], [0009], [0024].)

283. Various components of Williams are depicted in FIG. 1, which illustrates “an operational environment in which applications may utilize an

application engine, and may respond to *audio from user premises* to provide various services to users.” (EX1006, [0003].) Williams discloses that “[a]n individual *interface device 116* may include a microphone 202 that is configured to detect ambient noise, sounds, and *speech*.” (*Id.*, [0023].) Further, “[w]ithin the *home 102* is a user 104 and several devices ... [t]he illustrated devices include a *media device 106*, representing any one or more of various types of devices such as *televisions, audio players, video players*.” (*Id.*, [0011].) For network connection, “the devices within the *home 102* are illustrated as connecting to the network 114 via the in-home router 112.” (EX1006, [0013].)

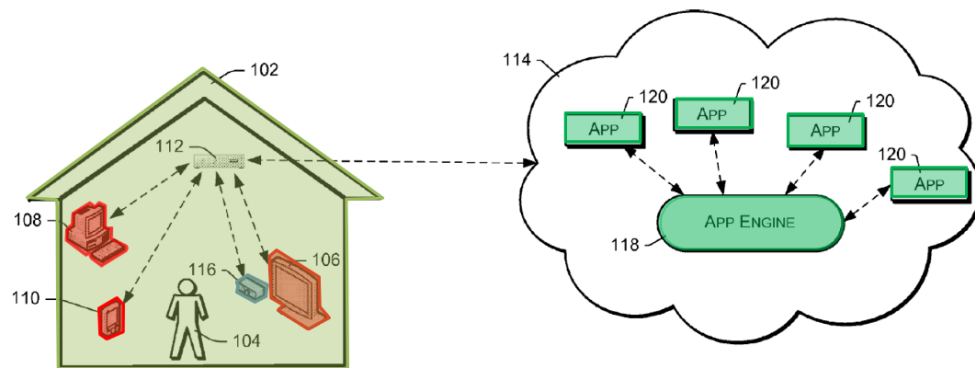


FIG. 1

284. As shown in FIG. 1, “[t]he network 114 represents what has come to be known as the ‘cloud,’ which may include a vast array of network-based entities, servers, clients, applications, and services.” (EX1006, [0014].)

Williams discloses that the network 114 includes “servers” including “a *server* 400 that may be used to implement the functionality of the application engine 118 and/or any of the applications 120.” (*Id.*, [0052].)

285. Williams discloses that the *interface device 116* receives *speech commands*, which are processed by the *server* and cause actuation of a speaker of *the interface device 116* and/or control *on-premise devices*. “In operation, the application engine 118 [of the *server 400*] receives *audio-based information* from the *interface devices 116*. The audio information may include audio streams, *user commands or notifications derived from vocal utterances*, environmental information derived from on-premises audio, and so forth. The application engine 118 [of the *server 400*] processes the audio-based information to determine various data about user activities, status, environment, commands, etc. This data can then be obtained by authorized applications 120, which can *act on the information to provide or enhance services to the user 104*.” (EX1006, [0022].) For example, the server can “provide audio 222 for eventual transmission to the *interface device 116*, to be played on the speaker 206.” (EX1006, [0037].) Further, Williams discloses “allow[ing] a user to *control various on-premises devices and equipment, such as media equipment and home-automation devices*. For example, such an application may accept spoken commands from a user regarding on-premises devices, and

may respond by interacting with such devices through available network connections.” (EX1006, [0051].)

2. A POSITA would have been motivated to combine Williams and Lim

286. At the time of the invention, it would have been obvious for a POSITA to combine Williams and Lim. Williams and Lim both relate to processing and responding to human speech commands and controlling in-home devices accordingly. Williams discloses that “the application engine 118 is configured to receive the audio-based information 210. Depending on the type or format of the received information, the application engine 118 processes it to identify and create event, status, and/or command data relating to in-home activities.” (EX1006, [0027].) “The application 120 may use the information from the event notifications 216 to initiate or customize services 218 on behalf of users associated with the home 102.” (EX1006, [0036].) Lim discloses that “a controlling device may be provisioned with means to receive voice input from a user, e.g., a microphone, such that when placed in a setup mode the controlling device may solicit spoken appliance descriptive information, for example brand and model number, to be processed by a speech recognition system in order to identify the appliance to be controlled and the command data to which it is responsive.” (EX1005, [0007].) Thus, both Williams and Lim

are analogous art, from the same field of endeavor, and all relate to the same technical problems of processing and responding to human speech commands (e.g., to provide services and/or to control appliances).

287. Lim teaches a technique for communicating information for controlling *home appliances* from a remote *server*. Lim discloses that the *server* transmits the information to the *controlling device* (rather than the *controlled devices*/appliance), which then transmits a command to the *controlled device*. For example, “[o]nce the desired function has been uniquely identified, at step 610 the indicated command code data may be provisioned to the *controlling device*. As appropriate for the particular implementation, such provisioning may comprise downloading the data itself, supply of a pointer to an entry in a local database, etc.” (EX1005, [0036].) Then “the *controlling device 100* may be capable of transmitting *commands* to the appliances, using any convenient, IR, RF, Point-to-Point, or *networked protocol 120*, to cause the appliances to perform operational functions.” (EX1005, [0017].)

288. The Williams-Lim combination would result in a system where the *server 400* sends information for controlling *controlled devices* to its *interface device 116* (rather than the *controlled devices*), which then transmits commands to the *controlled devices*. This combination would predictably enhance the reliability and scalability of the system by having a centralized, local hub (i.e.,

the controlling device) that receives control information from the remote server and transmits commands to the home appliances and other controlled devices. Moreover, the combination would yield predictable results of reducing the processing and network burden on the remote server, improving overall system responsiveness and efficiency. By adopting Lim's communication technique, the cloud server in Williams would no longer need to maintain continuous Internet connections with every appliance in the home. Instead, the interface device could serve as a hub communication node, receiving control data from the server and issuing local commands to the appropriate appliance. The server only needs to establish and maintain connection with the hub, not with numerous individual controlled devices. This predictably reduces bandwidth usage, improves latency, simplifies network management, and makes the system easier to scale, troubleshoot, and manage.

289. Further, the combination provides improved security, because a single hub communicating with the cloud minimizes the number of Internet-exposed endpoints and allows for one secured connection and centralized authentication/encryption handling. The hub/client device's connection with the controlled devices can be more reliable and faster than Internet connections, and thus can be better suited than the server for handling coordination among the controlled devices. Furthermore, in addition to providing improved security,

the combination also simplifies management of security rules, as the appliances need not have any firewall rules configured to allow external devices (*e.g.*, the server device) to directly communicate with them. In addition, since the hub/client initiates a communication session with the server (*e.g.*, by sending the first and second human voice data to the server), and firewalls are configured to allow responses to client initiated requests, no special firewall rules are needed for the hub/client device either. Also, to the extent the server system comprises a cluster of servers, where each server in the cluster has its own different IP address, the combination does not require any special firewall rules allowing for any of the servers in the cluster to initiate a connection to either the hub/client device or any of the controlled devices.

290. The known benefits of Lim would prompt the application of Lim in the same field based on design incentives and market forces and yield the predictable result of enhancing the simplicity and reliability of the system. Because both Williams and Lim includes voice data processing and device control, a POSITA would be motivated to use the known communication techniques of Lim to improve the system of Williams in the same way. Further, it would have been obvious to try combining the teachings of Lim and Williams. There are only a finite number of identified and predictable solutions for transmitting messages and control signals from a remote server to

home appliances, direct communications or via a hub device. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. Prior art such as Lim has successfully demonstrated that the hub approach provides improved speed, reliability, security, and scalability, and thus there would have been a reasonable expectation of success for combining Williams and Lim.

3. Claim 1

a. 1[PR][1]: “A client device for use with a Wireless Local Area Network (WLAN) in a building”

291. Both Williams and Lim disclose this. (*Supra* § IX.A.2.a.)

292. For example, Williams discloses a *client device* and for use with a *Wireless Local Area Network (WLAN)* in a *building*.

293. First, Williams discloses a *client device* in a *building*. For example, Williams states that “the *user’s home 102* may be equipped with one or more on-premises *audio monitoring devices 116* . . . having a microphone and a network interface”. (EX1006, [0016].) “The *interface device* may also have a speaker or other form of audio output.” *Id.* The *device 116* is in “network communications with various entities . . . via the network 114.” (*Id.*, [0023].) A POSITA would have understood that the device 116 communicates with and receives information from one or more server devices, such as server 400, and is thus a client device. (*Id.*, [0052]-[0057].)

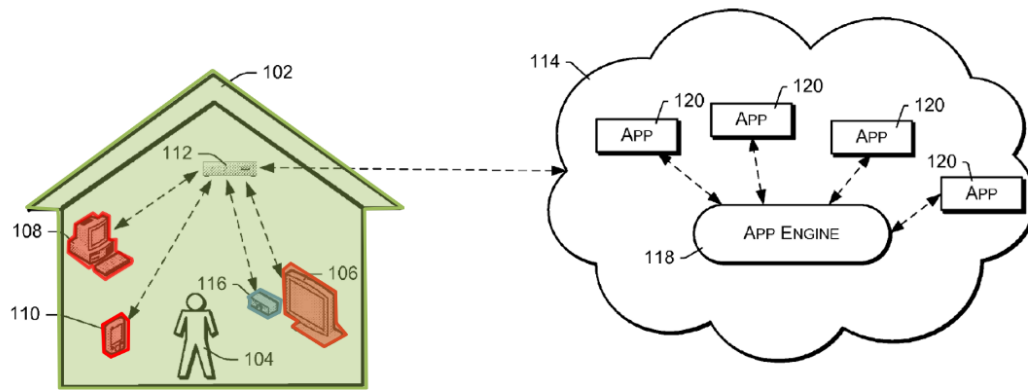


FIG. 1

294. FIG. 2 provides additional device on Williams' client device.

FIG. 2 "is a block diagram illustrating additional details regarding the system of FIG. 1." (EX1006, [0004].) With reference to FIG. 2, Williams discloses that "[a]n individual *interface device 116* may include a microphone 202 that is configured to detect ambient noise, sounds, and speech. The *interface device 102* [sic] may also include a network interface 204 that facilitates network communications with various entities, including the application engine 118 and one or more applications 120, via the network 114. The *interface device* may also include a speaker 206, and operating logic 208." (EX1006, [0023].)

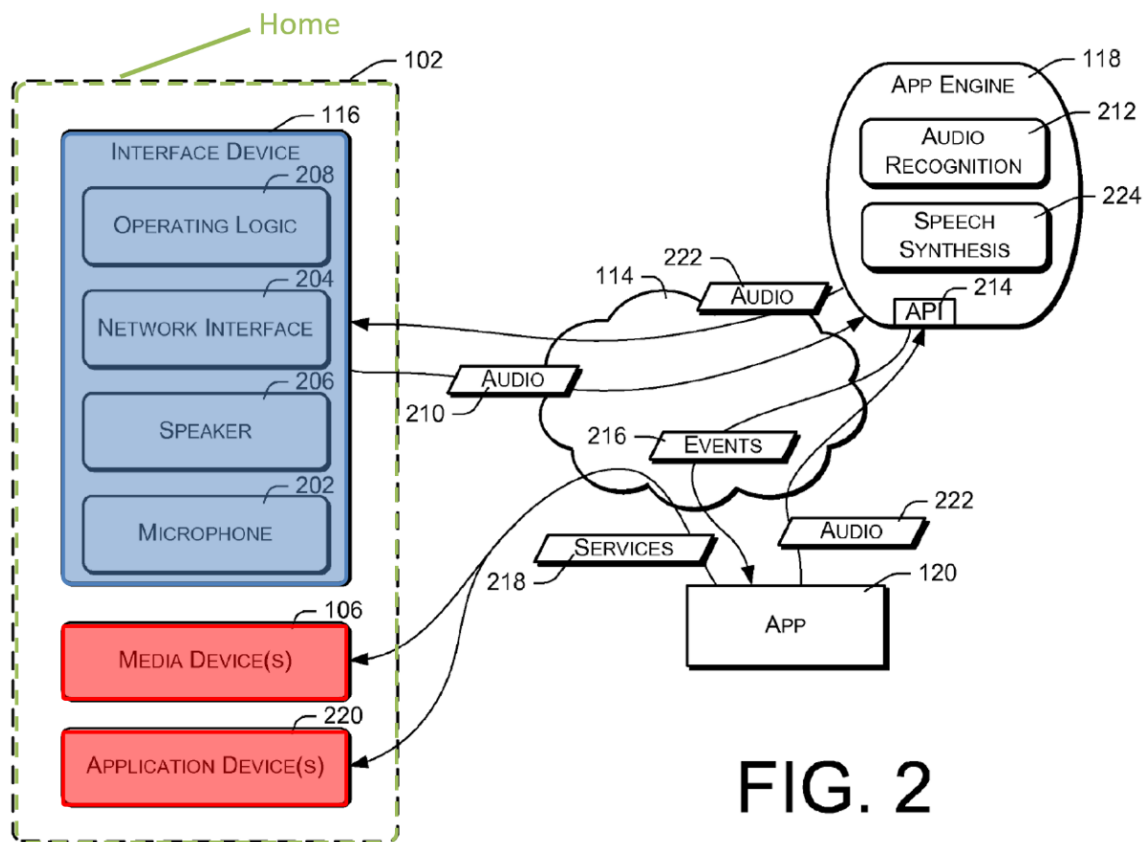


FIG. 2

295. Williams discloses a *Wireless Local Area Network (WLAN)*.

Williams discloses that the client device (i.e., *audio monitoring devices 116*) and the *controlled device* can connect to a local *router or access point* that in turn connects to the Internet. With reference to FIG. 1, Williams discloses “the *devices shown within the home 102* are merely examples of a wide variety of devices that may be present within a user premises or associated with a user. Many such devices may have some sort of *network connectivity*. In this case, the *in-home devices* connect to a *router or access point 112*, which is in turn connected to a *public network 114*. Connection between in-home devices and

the router 112 may be through wired or wireless technologies.” (EX1006, [0012].) In other words, Williams expressly discloses that each of the *interface device 116* and the *media devices 106/108/110* communicates over a wireless network through wireless router/access point 112. “[T]he *interface devices 116* communicate with and transmit environmental information to a cloud-based application service or engine 118, *via the router 112* and the network 114.” (EX1006, [0020], [0023].)

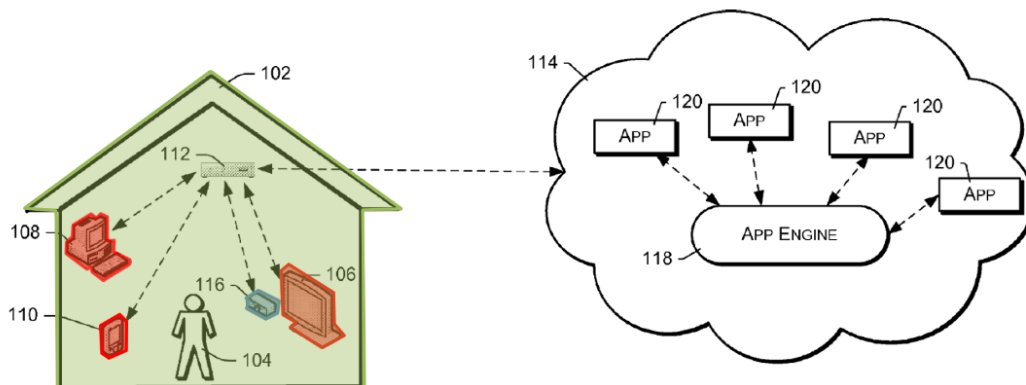


FIG. 1

296. A POSITA would have understood that the in-home wireless network in Williams is a WLAN network. A WLAN network is characterized by a local access point (e.g., router) that broadcast wireless signals to wireless-enabled devices. It was common knowledge that “with a *wireless LAN*, the computers have to find a way to connect, or associate, themselves to the LAN,

because they are not physically connected. The way they do this is by *tuning themselves to the wireless router* using the name of the router . . . Once a computer has connected, or associated, itself to the access point, it becomes part of the LAN . . . *Now the computer can send and receive information* to and from other computers on the LAN or *to and from the Internet by transmitting over wireless to the wireless router (or access point)*. The wireless router acts as the central communication routing point.” (EX1007, 11, 100.) Such a local wireless network through a local router is exactly what is shown in FIG. 1 of Williams. A POSITA would have recognized that Williams discloses a WLAN network in the *home 102*.

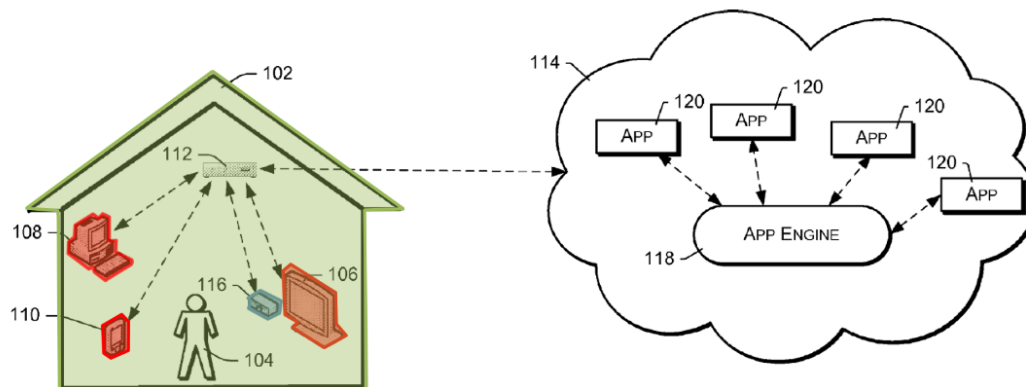


FIG. 1

297. Williams’ WLAN network is consistent with the description of the ’706 patent. The ’706 patent explains that a device can “communicate (such as

send sensor info or receive actuator commands) with the router (or gateway) or the control server using the same or different *WANs used by the router*[.]” (EX1001, 28:7-11.) The ’706 patent also explains that “[t]he external network or one or more of the in-building (or in-vehicle) networks may be a Local Area Network (LAN), and the router, the first device, or the second device may comprise a LAN interface, and the LAN interface may include a LAN port and a LAN transceiver.” (*Id.*, 46:1-5.)

298. Alternatively, I note that Williams also discloses network 114 may be a WLAN. (EX1006, [0015].) Williams states, “[t]he network 114 may thus include various types of communication networks, including *local-area networks*, wide-area networks, the Internet, wireless networks, cable television networks, telephone networks, cellular communications networks, etc. The techniques discussed herein may also be practiced in smaller networks, including *localized* and/or private networks.” *Id.*

299. Williams’ *client device* is for use with a *Wireless Local Area Network (WLAN)*. As discussed above, Williams’ *client device* connects to a WLAN network and thus is for use with a WLAN. (EX1006, [0012].) Further, Williams’ *audio interface device 116* has the necessary configuration (e.g., a wireless network interface) for use with a *Wireless Local Area Network (WLAN)*. With reference to FIG. 2, Williams discloses that “[t]he *interface*

device [116] may also include a *network interface 204* that facilitates network communications with various entities, including the application engine 118 and one or more applications 120, via *the network 114*.” (EX1006, [0023], [0016].) “To collect the audio information, *network-enabled* microphones can be placed at different activity centers within a home or user premises. The microphones may be incorporated in small, self-contained units, with *wireless networking capabilities*, and configured to transmit audio-based information to a cloud-based application engine or service.” (EX1006, [0007].)

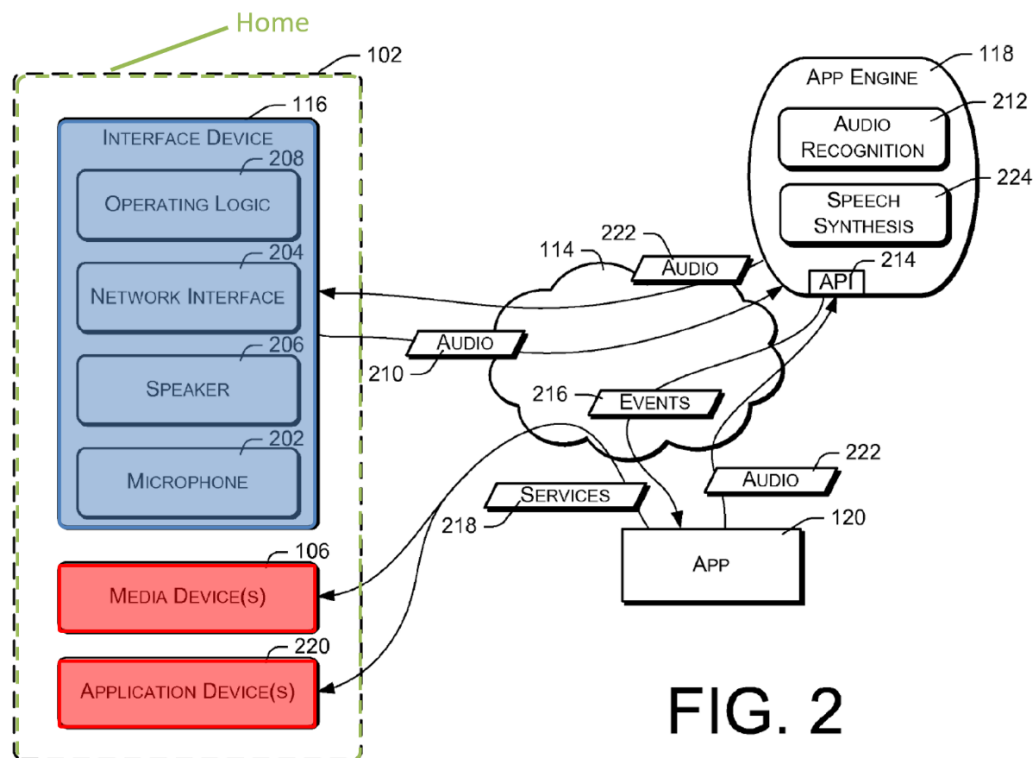


FIG. 2

300. As discussed above, Williams discloses that the *client device* is in a *building*. Williams discloses that “[t]he user’s *home 102* may be equipped

with one or more on-premises *audio monitoring devices 116*, referred to herein as *in-home audio interface devices*.” (EX1006, [0016], [0023].) The “*audio interface devices 116* can be placed within the *home 102* so that their microphones detect ambient sound or noise within the *home 102*.” (EX1006, [0019].)

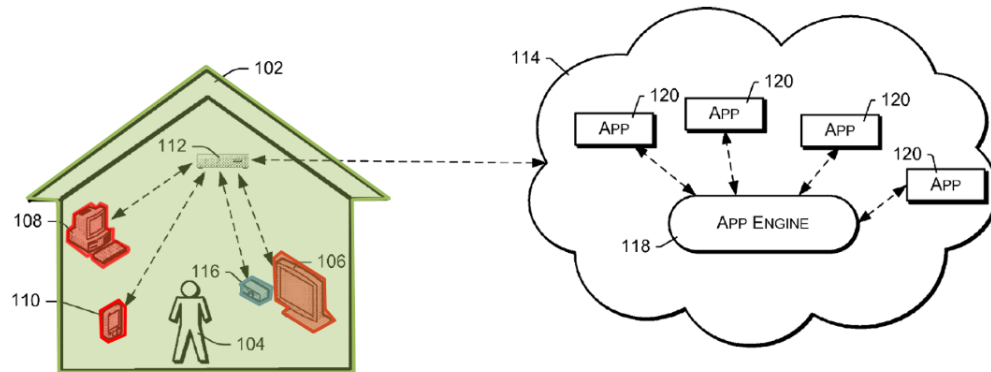


FIG. 1

301. Similarly, with reference to FIG. 2, Williams discloses that “*in-home audio interface devices 116* may be located within the *home 102*.” (EX1006, [0023].)

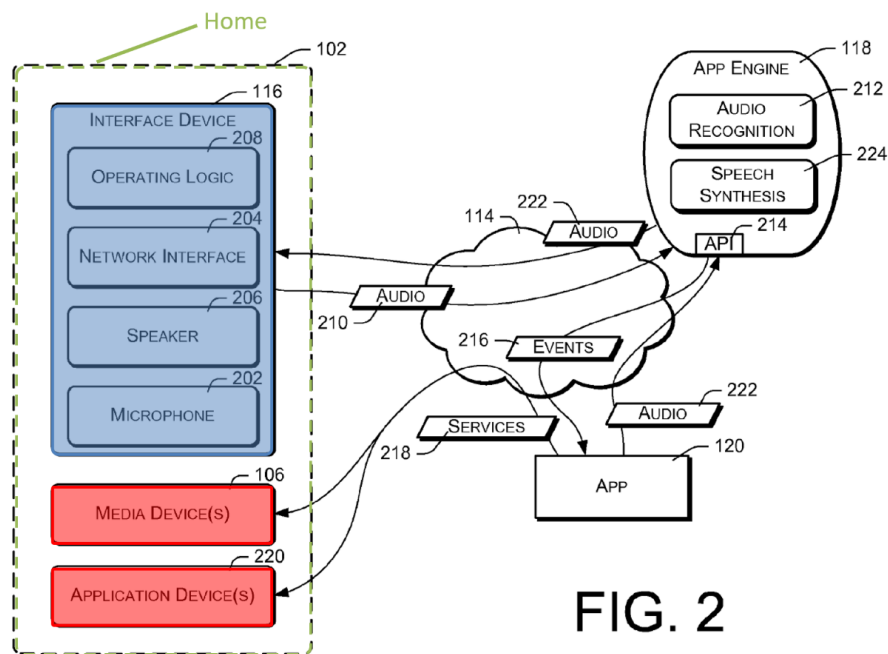


FIG. 2

b. 1[PR][2]: “and with a controlled device that comprises a second actuator in the building, the client device comprising:”

302. Both Williams and Lim disclose this. (*Supra* § IX.A.2.b.) For example, William discloses a **controlled device** that comprises a second actuator in a **building**. First, Williams discloses a **controlled device** in a **building**.

“FIG. 1 illustrates an environment 100 in which these techniques might be practiced. The environment includes **a home or other user premises 102**. User premises may include **houses**, offices, automobiles, and other spaces.”

(EX1006, [0010].) With reference to FIG. 1, Williams discloses that “[w]ithin the **home 102** is a user 104 and several devices ... [t]he illustrated devices include a **media device 106**, representing any one or more of various types of devices such as **televisions, audio players, video players**” within the home.

(EX1006, [0011], [0010].) “The illustrated devices also include a *computer 108*, which represents one or more of various types of devices such as laptop computers, desktop computers, tablet computers, netbooks, other network-enabled devices, and so forth. A *personal computing device 110* may also be associated with the user, such as a smartphone, pager, PDA (personal digital assistant), book reader device, or other type of portable device, including various types of electronic communications devices.” (EX1006, [0011].)

303. Williams notes that “the devices shown within the *home 102* are merely examples of a wide variety of devices that may be present within a user premises or associated with a user.” (EX1006, [0012].) For example, Williams discloses that “[c]loud-based or network-based applications such as the applications 120 may communicate and operate in conjunction with a wide variety of network-connected devices, including *entertainment devices, game boxes, media devices, home automation and security devices, communications devices*, and so forth.” (*Id.*, [0021], [0007]).

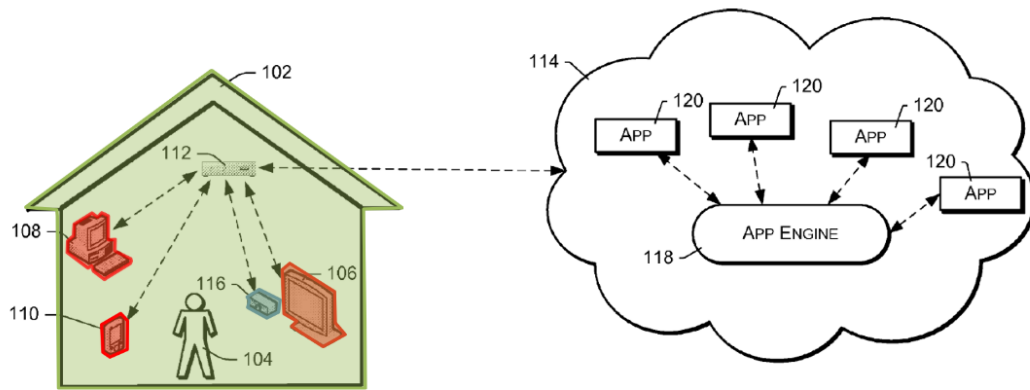


FIG. 1

304. FIG. 2 “is a block diagram illustrating additional details regarding the system of FIG. 1.” (EX1006, [0004].) With reference to FIG. 2, Williams discloses that “[t]he application 120 may use the information ... to initiative or customize services 218 on behalf of users associated with the *home 102* ... [s]uch services may be provided through any of the *media devices 106* located in the home, as well as through other *application devices 220, including computers 108, personal devices 110, and other devices available to users.*” (EX1006, [0036].)

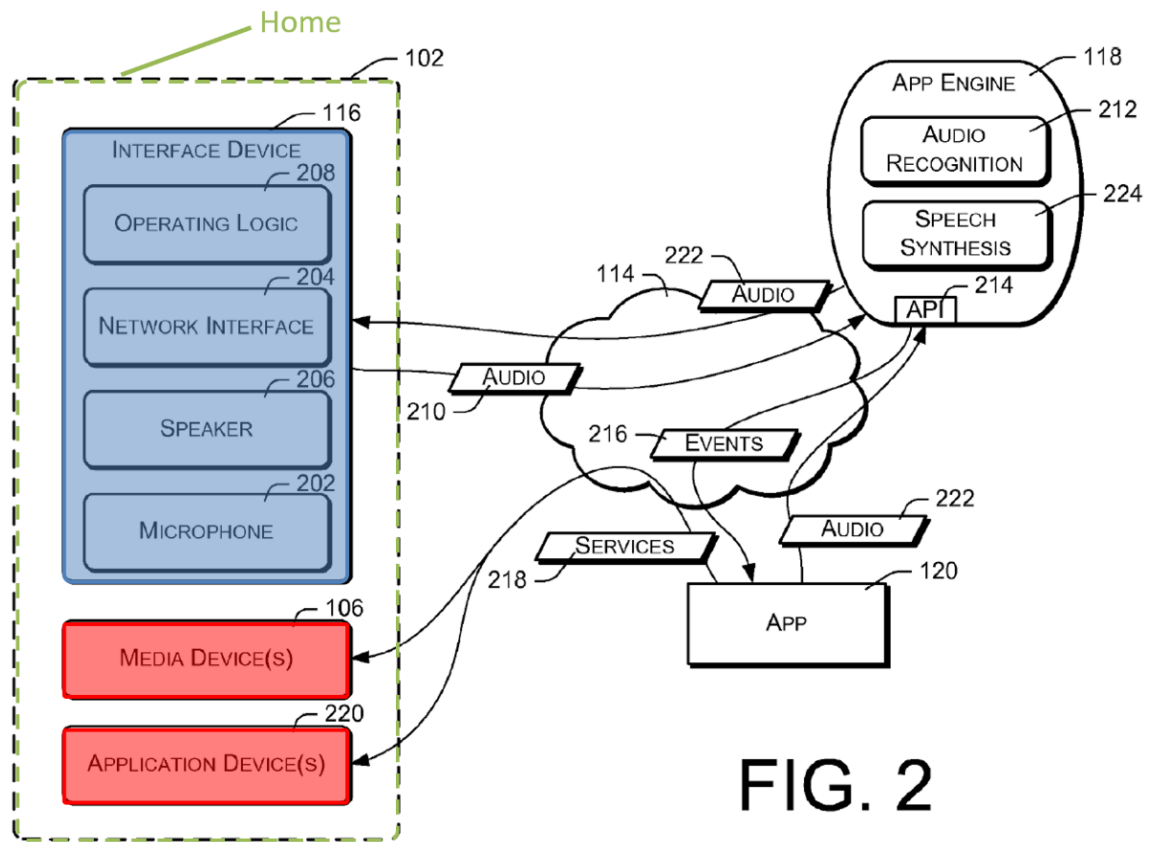


FIG. 2

305. The *devices 106, 108, and 110* are controlled devices. Williams discloses that “[a]n application might also be designed to allow a user to *control* various *on-premises devices and equipment*, such as *media equipment* and *home-automation devices*.” (EX1006, [0051].) Further, “such an application may accept spoken commands from a user regarding on-premises devices, and may respond by interacting with *such devices* through available network connections.” (EX1006, [0051], claim 20.) “Cloud-based or network-based applications such as the applications 120 may communicate and *operate* in conjunction with a wide variety of network-connected devices, including

entertainment devices, game boxes, media devices, home automation and security devices, communications devices, and so forth.” (EX1006, [0021].)

All of these in-home devices can be controlled and thus are controlled devices.

306. Williams’ *controlled devices* have actuators. One example of the “second actuator” is an actuator providing visual information. As discussed, the ’706 patent explains that a display is an actuator. (*Supra* § IX.A.2.b; EX1001, 40:51-41-7, *see also, id.*, 25:33-38, 109:41-46, 110:60-66, 144:63-145:2.) Williams teaches that “[w]ithin the home 102 is a user 104 and several devices ... [t]he illustrated devices include a *media device 106*, representing any one or more of various types of devices such as *televisions, audio players, video players*” within the home. (EX1006, [0011]; *see also id.*, [0009]-[0010], [0054].) Williams also discloses that “[t]he applications 120 may be web-based applications that are accessible to users via a *network browser*, operating in conjunction with the *computer 108* or another Internet terminal or access device.” (EX1006, [0021].) Consistent with prior findings of the Board in its Decision on Appeal affirming the Examiner’s rejections of claims 1-30 of the parent patent ’710, an image display device such as a TV is a controlled device with actuators. (EX1006, 396; EX1025, FIG. 15.) Thus, a POSITA would have understood that Williams’ *media devices 106* comprise actuators to provide visual information.

307. Another example of the recited “second actuator” is an actuator providing sound. As discussed, a speaker is an actuator. (*Supra* § IX.A.2.b; EX1001, 105:48-52, 105:61-106:4; EX1018, 122; EX1014, 763.) Williams’ controlled devices include **media device 106** such as **televisions, audio players, video players**. (EX1006, [0011]; *see also id.*, [0010].) Williams discloses “services may be provided through any of the **media devices 106** located in the home.” (EX1006, [0036].) For example, Williams discloses providing “content items that are supplied to consuming devices such as **electronic reader 104**.” (EX1006, [0054].) A POSITA would have understood that Williams’ **media devices 106** comprise speakers to produce and control sound. Thus, Williams’ **media devices 106** comprise actuators.

308. Another example of the “second actuator” is a motion actuator. Williams discloses that “[c]loud-based or network-based applications such as the applications 120 may communicate and **operate** in conjunction with a wide variety of network-connected devices, including entertainment devices, game boxes, media devices, **home automation and security devices**, communications devices, and so forth.” (EX1006, [0021]; *see also id.*, [0036] and [0051].) A POSITA would have understood that home automation and security devices (e.g., automated doors or windows, automated lights, automated HVAC systems, automated cameras, automated locks, automated kitchen appliances) have

motion actuators that can be operated. As discussed, at the time of the invention, it was known that heating and cooling systems are integrated with motors and fans. (*Supra* § IX.A.2.b; EX1020, 401, Fig. 13-3.)

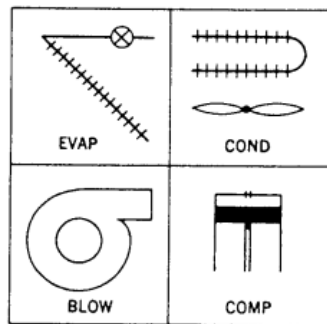


Fig 13-1. Self contained air conditioner

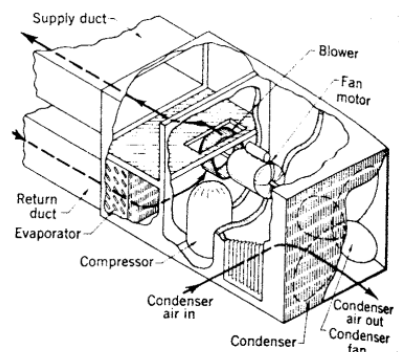


Fig 13-3. Horizontal self contained air conditioned unit

309. Further, consistent with the Board’s Decision on Appeal affirming the Examiner’s rejections of claims 1-30 of the parent patent ’710, an air conditioner is a controlled device with actuators. “As the Examiner indicates, Abe’s in-building systems in Figure 15 include image display device 51 and *air conditioner 52 that are controlled devices with actuators*. See Ans. 6; Abe ¶ 95.” (EX1024, 396; EX1025, FIG. 15.) Thus, Williams’ *home automation and security devices* comprise actuators.

310. As discussed above, Williams discloses a *client device* in a building (e.g., *home 102*). (*Supra* §.) Williams discloses that the *controlled device* is also in a *building* (e.g., *home 102*), same as the *client device*. (EX1006, [0010], [0011], [0023], [0036], FIGs. 1 and 2.)

311. Williams discloses that it is advantageous to place the *client device* and the *controlled device* in the same *building*. “It may be convenient in many situations to place the *audio interface devices* near *media devices* within the *home 102*, such as the *media device 106*” and that “[i]t may also be convenient to place the *interface devices* near activity centers, such as in the kitchen, on desks, and so forth, so that user speech can be clearly received.” (EX1006, [0019].)

312. Williams discloses its architecture may extend to multiple user premises. “FIG. 1 illustrates an environment 100 in which these techniques might be practiced. The environment includes a home or other user premises 102. User premises may include houses, offices, automobiles, and other spaces. Although a single home 102 is illustrated in FIG. 1, most implementations will include multiple premises and users.” (EX1006, [0010].) In other words, there may be multiple user premises, each user premise having a respective interface device 116 (i.e., the recited “client device”) and respective media devices 106 (i.e., the recited “controlled devices”).

c. **1[A]: “a WLAN transceiver for communicating over the WLAN;”**

313. Both Williams and Lim disclose this limitation. (*Supra* § IX.A.2.c.)

314. For example, Williams discloses a *client device* having a WLAN transceiver for communicating over the WLAN. As discussed, Williams' *client device* is part of a WLAN network and wirelessly communicates over the WLAN via a router 112. In light of this disclosure, a POSITA would have understood that Williams' *client device* has a WLAN transceiver. A WLAN transceiver is the hardware component that receives wireless signals and is necessary for WLAN communication. "The mobile WLAN device 12a includes a WLAN transceiver 20 operatively coupled to antenna 22 and processing circuitry 24 operatively coupled to the WLAN transceiver to send and receive suitable information via a WLAN protocol." (EX1027, 3:17-20.) "The mobile WLAN devices 12a-12n send messages 34a-34n wirelessly using their respective WLAN transceivers, *as known in the art.*" (EX1027, 3:38-40.) "[W]ireless terminal' represents any wireless device capable of wireless communication . . . Wireless terminal 100 includes a user interface 102, memory 104, antenna 106, transceiver 110 . . . Antenna 106, coupled to transceiver 110, receives and transmits wireless signals[.]" (EX1028, [0013]-[0015].) Thus, it would have been obvious to a POSITA that Williams' *client device* would have the necessary hardware and software components, including a WLAN transceiver, to communicate in a WLAN network as disclosed.

315. Indeed, Williams’ *client device* has a “network interface”, which requires a transceiver. Williams discloses, with reference to Figure 2, that “[t]he *interface device 102* may also include a *network interface 204* that facilitates network communications with various entities, including the application engine 118 and one or more applications 120, via the network 114.” (EX1006, [0023], [0007], [0012], [0016], [0020].) The ’706 patent explains that “a network interface may include a transceiver or modem and a communication port for coupling to the network[.]” (EX1001, 28:62-64.) Considering this disclosure, a POSITA would have understood that the “network interface 204” contains a WLAN transceiver for coupling the *interface device* to the WLAN network e.g., via a WLAN interface card. (*Id.*, EX1007, 99-100.) “Each computer or device that you want to join your wireless network needs a *wireless network interface card (NIC)*. A wireless NIC provides a number of functions, including: [e]nabling a computer (or device) to connect to your home network through a wireless signal; [s]ecuring the communications path between the *wireless router and your computers and devices* connected over wireless; Providing a way for you to connect your computer to other wireless networks outside your home.” (EX1007, 99-100).

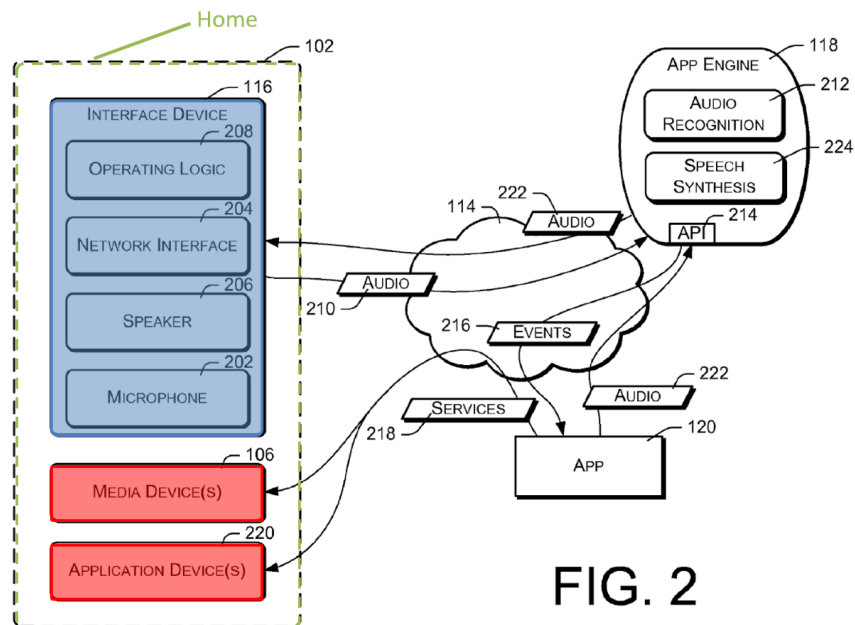


FIG. 2

d. 1[B]: “a microphone for capturing first and second human voice data;”

316. Both Williams and Lim disclose this limitation. (*Supra* § IX.A.2.d.)

317. For example, Williams discloses a *microphone* in the *client device*. With reference to FIG. 1, Williams discloses “[a]n *audio interface device 116* ... having a *microphone* and a network interface.” (EX1006, [0016]; *see also, id.*, [0007] (“network-enabled *microphones* can be placed at different activity centers within a home” “to collect audio information” and “microphones may be incorporated in small, self-contained units”); *id.*, [0019] (“*audio interface devices 116* can be placed within the home 102 so that their *microphones* detect ambient sound or noise within the home 102”; *id.*, claims 1-3 and 21.).

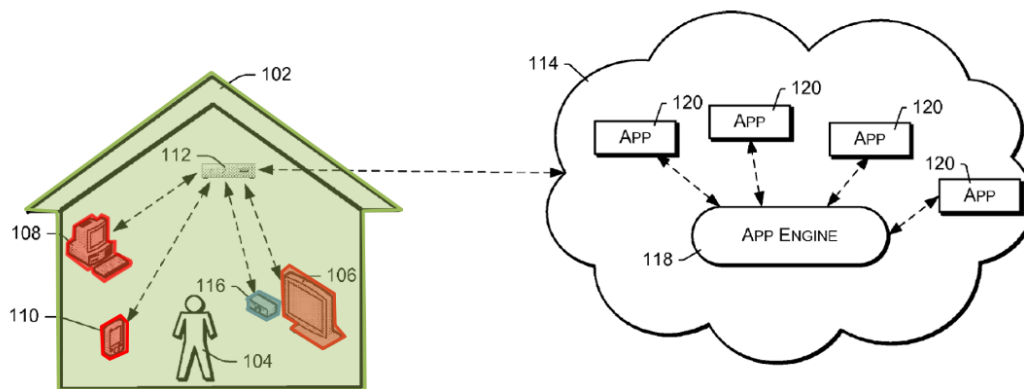
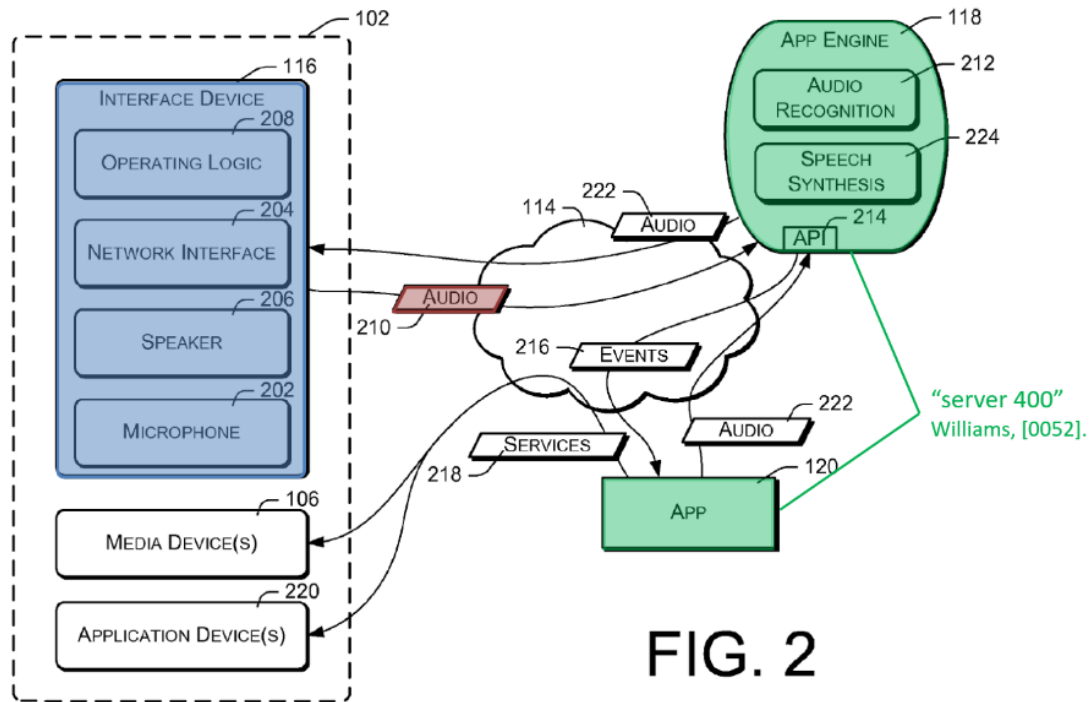


FIG. 1

318. Williams discloses capturing of *human voice data* by the microphone in the *client device*. Williams discloses that the “*in-home interface device* [] compris[es]: a *microphone* configured to receive audio from a nearby user[.]” (EX1006, Claim 21; *see also id.*, claims 1-3.) Williams also discloses a system comprising “a cloud-based service that is accessible by *on-premises audio monitoring devices* to receive *audio-based information*”, where “the *audio-based information* comprises *audio streams*” and/or “*user commands derived from vocal utterances of the users.*” (EX1006, claims 1-3.) Williams further discloses that “[a]udio and audio-based information may be formatted as files, *audio streams*, data objects, notifications, text streams, and so forth”, and that “[t]he audio-based information may comprise [of] an *audio stream* or *data* derived from an *audio stream.*” (EX1006, [0038]–[0039].)

Williams teaches that “one or more *in-home audio interface devices 116* may be located within the home 102. An individual *interface device 116* may include a microphone 202 that is configured to detect ambient noise, sounds, and *speech*.” (EX1006, [0023], *see also, id.*, [0016].) Williams further notes that “[i]t may also be convenient to place the *interface devices* near activity centers, such as in the kitchen, on desks, and so forth, so that *user speech* can be clearly received.” (EX1006, [0019].) Thus, Williams’ microphone captures human voice data.

319. Williams discloses a *microphone* in the *client device* for capturing *first human voice data*. Any of the human voice commands disclosed in Williams that cause an actuator (e.g., *speaker 206*) in the client device (e.g., *interface device 116*) to operate discloses the recited “*first human voice data*.” Referring to FIG. 2, “*audio-based information 210*” discloses the first human voice data as discussed below. (*Id.*, [0022], [0024]-[0025].)



320. Williams discloses other examples of *first human voice data*. For example, Williams discloses that “[a]n application may provide general information in response to *users’ uttered questions*. *A user may ask a question, such as ‘What’s the recipe for deviled eggs?’*” and “the application may use the speech synthesis functionality of the system to *provide audio answers* to spoken questions.” (EX1006, [0048].)

321. As another example, Williams states that “a cloud-based application may allow users to order tickets without needing a computer. *A user may tell the application what movie they want to see*. The application may use pre-configured information about the user (such as location) to determine which

theater is near the user. The application may respond to a spoken command to order movie tickets by using the speech synthesis functionality of the system to *query the user regarding movie selections and times.*” (EX1006, [0045].) “As another example, such an application may allow the user to *inquire about a flight or other event.* The system might respond by sending information to the user via a device associated with the user, or by *audibly responding using speech synthesis.*” (EX1006, [0050].)

322. Williams discloses capturing, by the *microphone* in the *client device*, a *second human voice data*. To the extent that the recited “second human voice data” is different from the recited “first human voice data”, Williams is clear that its system can receive and process *multiple* human voice commands. (EX1006, [0044], [0036], [0021].)

323. Further, Williams discloses human voice commands that can effectuate remote device control (i.e., “*second human voice data*”). Any of the human voice commands disclosed in Williams that causes sending of a control message in the recited manner discloses the recited “*second human voice data.*”

324. For example, “[a]n application might also be designed to allow a user to *control various on-premises devices and equipment, such as media equipment and home-automation devices.* For example, such an application may accept *spoken commands* from a user regarding on-premises devices, and

may respond by interacting with such devices through available network connections.” (EX1006, [0051].) Such *spoken commands* are “second human voice data.” “Cloud-based or network-based applications such as the applications 120 may communicate and operate in conjunction with a wide variety of network-connected devices, including *entertainment devices, game boxes, media devices, home automation and security devices, communications devices, and so forth.*” (EX1006, [0021]; *see also id.*, [0036].)

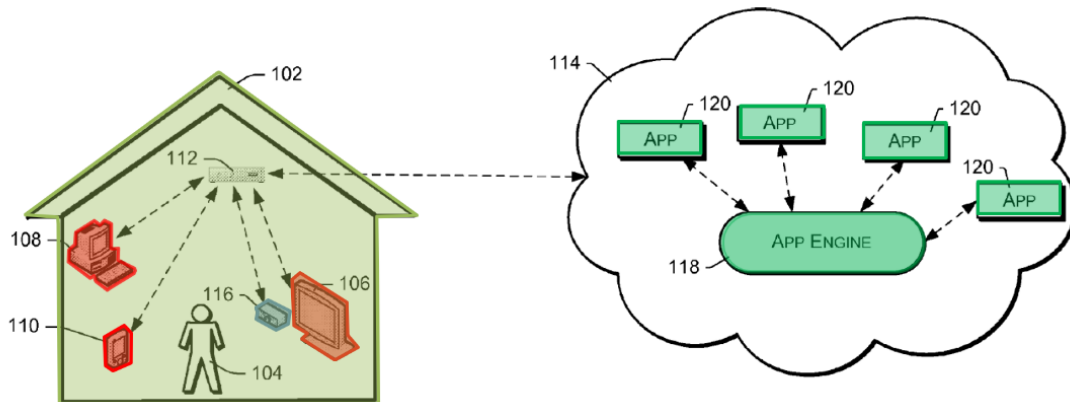


FIG. 1

325. A POSITA would have understood that the *second human voice data* (to the extent different from the first human voice data) is captured by the microphone in the client device and sent to the application engine 118 [run on *server 400*] and application 120 [run on *server 400*] in the same manner as shown in FIG. 2. Alternatively, the “audio 210” can equally be mapped to

include or be both the first and second human voice data because “audio 210” results in both first and second messages. At the time of the invention, it was known to a POSITA that a speech command (e.g., a natural-language query) to a virtual assistant may include at last two parts: a trigger/wake phrase and a specific command (e.g., “turn on the TV”). (EX1052, 2:12-16, 34:63-67.)

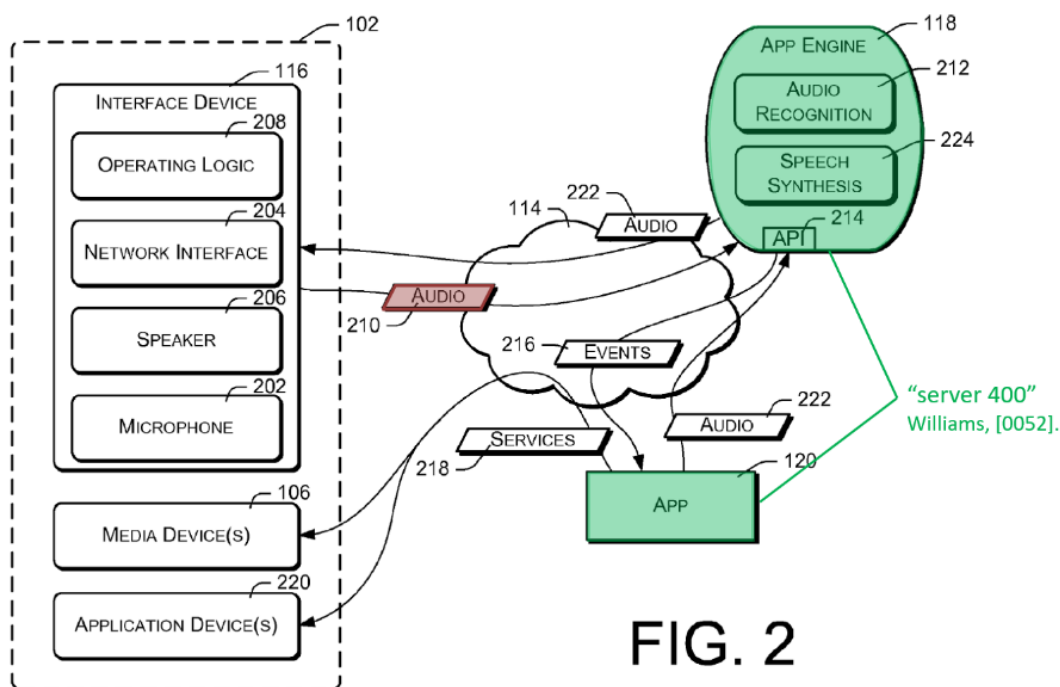


FIG. 2

e. 1[C]: “and a first actuator in the client device,”

326. Both Williams and Lim disclose this limitation. (*Supra* § IX.A.2.e.)

327. For example, Williams discloses a *speaker* in the *client device*.

Williams discloses that “the *interface device* may also have a *speaker* or *other*

form of audio output.” (EX1006, [0016].) With reference to FIG. 2, William discloses that “[t]he *interface device* may also include a *speaker 206*, and operating logic 208.” (EX1006, [0023].)

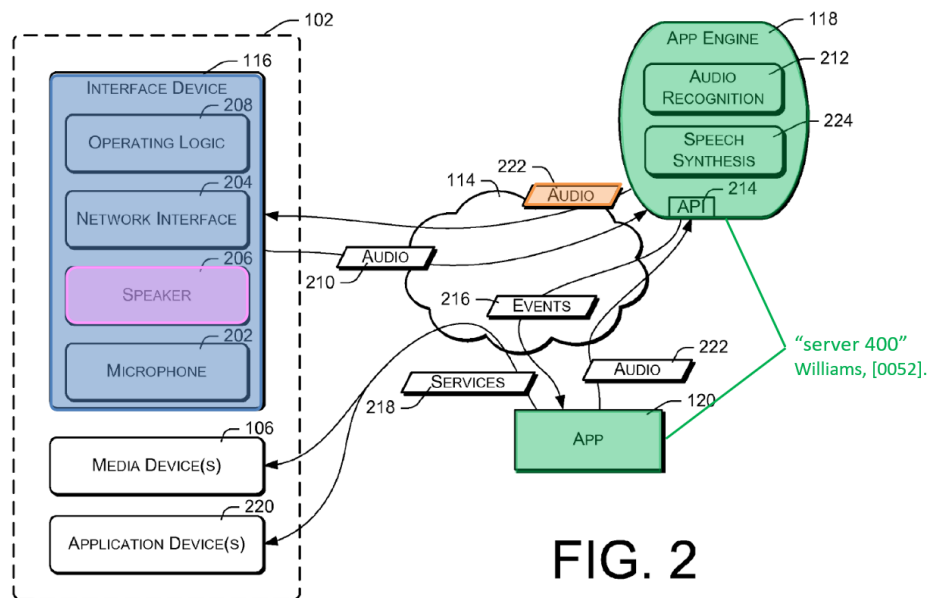


FIG. 2

328. As discussed, a speaker has an actuator to produce sound. (*Supra* § ; EX1001, 105:61-106:4; EX1018, 122.) A speaker converts electrical energy into sound wave transmitted through the air through the movement of a diaphragm. *Id.* Thus, a POSITA would have understood that Williams discloses operating an actuator (e.g., *speaker 206*) in the client device (e.g., *interface device 116*).

f. 1[D][1]: “wherein the client device is configured to: sending, over the Internet via the WLAN, the captured first and second human voice data to an Internet-connected server device external to the building;”

329. Both Williams and Lim disclose a *client device* sending the captured *first human voice data* and *second human voice data* to an *Internet-connected server* device external to the *building* over the *Internet via the WLAN*. (*Supra* § IX.A.2.f.)

330. For example, Williams discloses an *Internet-connected server device* external to the *building*. Williams discloses “a *server 400* that may be used to implement the functionality of the application engine 118 and/or any of the applications 120.” (EX1006, [0052].)

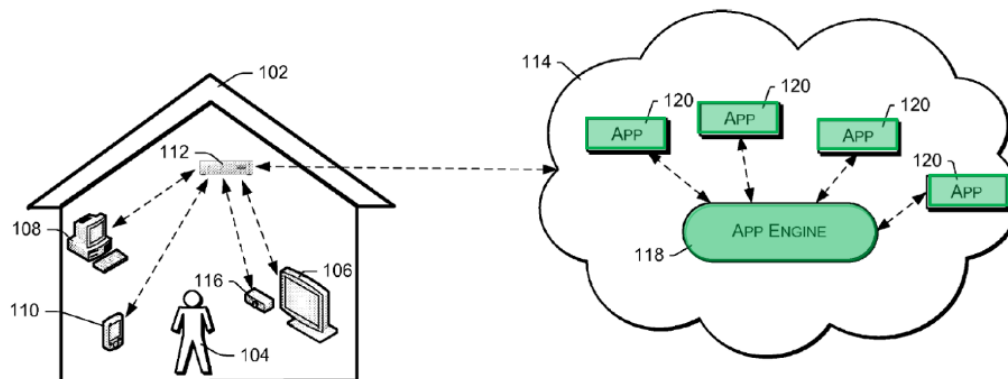


FIG. 1

331. As shown in FIG. 1, Williams discloses the in-home network in connected to cloud network 114. (EX1006, FIG. 1.) A POSITA would have understood that the server 400 implementing the application engine 118 and applications 120 is a cloud server, in other words, *Internet-connected*. For

example, Williams discloses that “the **server 400** may also comprise a **web service component 410** that interacts with remote devices such as computers, media consumption devices, and so forth.” (EX1006, [0055].) Williams discloses “a **cloud-based** application engine receives audio information from the interfaces and provides information to **cloud-based** applications based on the audio within the user premises. The other applications utilize the information to provide or enhance services to the users.” (EX1006, Abstract; *see also id.*, [0007]-[0009].) Williams uses “cloud” and “Internet” interchangeably. (*See, e.g.*, EX1006, [0001] (“Homes and other user premises are increasingly equipped with always-on **Internet or ‘cloud’** connectivity.”).)

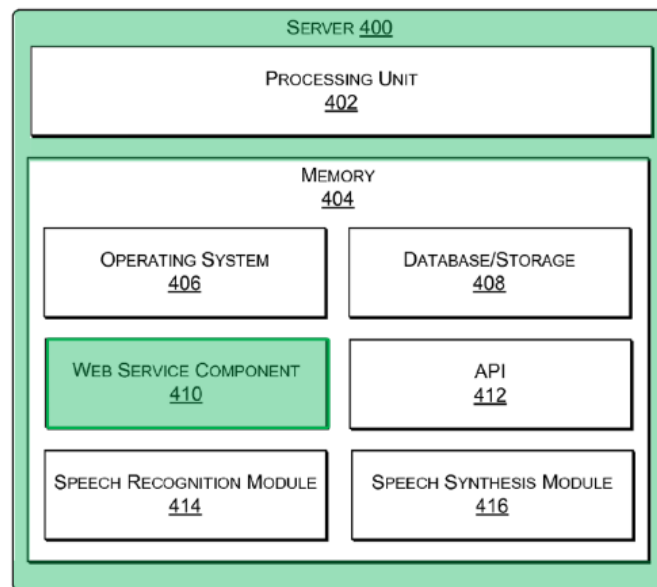


FIG. 4

332. As shown in FIG. 1, the application engine 118 and applications 120 are implemented in the wireless network 114. Williams discloses that “the network 114 represents what has come to be known as *the ‘cloud,’ which may include a vast array of network-based entities, servers, clients, applications, and services.* Blocks within the network 114 represent cloud-based applications and/or services that are relevant to this discussion.” (EX1006, [0014].) “The network 114 may be a conglomeration of various discrete networks and systems, interconnected in various ways so that for functional purposes they appear more or less as a unified network. The network 114 may thus include various types of communication networks, including local-area networks, wide-area networks, *the Internet*, wireless networks, cable television networks, telephone networks, cellular communications networks, etc. The techniques discussed herein may also be practiced in smaller networks, including localized and/or private networks.” (EX1006, [0015].) Further, Williams discloses that the “applications 120 may be *web-based applications* that are accessible to users via a network browser, operating in conjunction with the computer 108 or another Internet terminal or access device.” (EX1006, [0021].) A POSITA would have understood that the in-home wireless network (e.g., via router 112) is connected to the cloud-based *server 400* via the Internet. This is consistent with the descriptions of the ’706 patent. The ’706 patent explains that “[t]he

system may comprise a router in the building, . . . an Internet-connected control server (referred herein also as ‘cloud server’ and ‘gateway server’) external to the building (or vehicle) storing the control logic, and communicatively coupled to the router over the Internet via the external network.” (EX1001, 32:25-42.)

333. Williams discloses that its **server 400** implementing the application engine 118 and applications 120 is external to the **building** (e.g., the user premise 102 in FIG. 1). For example, Williams states that “[s]ervers may be located together or separately, and organized as virtual servers, **server banks, and/or server farms**. The described functionality may be provided by the servers of a single entity or enterprise, or may utilize the servers and/or services of multiple entities or enterprises.” (EX1006, [0052]; *see also id.*, [0020] – [0021].) At the time of the invention, a POSITA would have understood that these “server banks” and the “server farms” disclosed in Williams are outside a residential and that they are connected to the home via the Internet. Indeed, at the time of the invention, server farms are understood to be located in remote facilities outside residential homes. “In recent years large investments have been made to build **data centers**, or **server farms**, purpose-built facilities providing storage and computing services[.]” (EX1015, 277.) “[T]he 10th busiest web site in the world, Wikipedia, is hosted on 350 servers having 856 cores, spread across three **data centers**.” (*Id.*, 282.) “Data centers and server

clusters represent a highly visible ‘hotspot’ with respect to energy consumption.

In a *server farm*, a larger number of high-performance server computers are collocated in one facility. *Electricity is needed for both powering the server computers and for cooling the data center facility.*” (EX1016, 1760.)

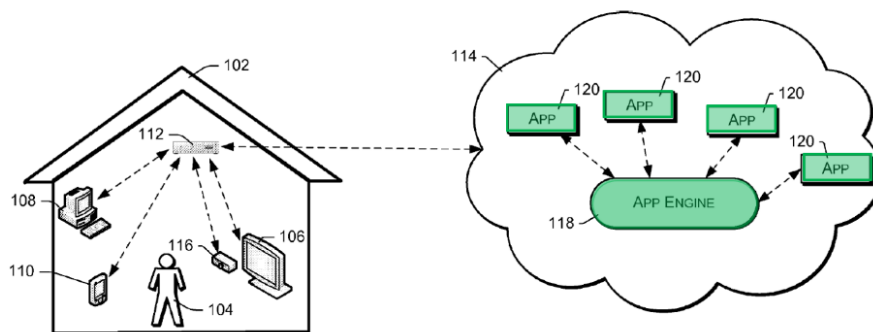


FIG. 1

334. To the extent that the recited “server device” refers to a single server device or multiple server devices, Williams discloses both. Williams discloses that “FIG. 4 illustrates relevant components of *a server 400* that may be used to implement the functionality of the application engine 118 and/or any of the applications 120. Generally, any of these entities may be implemented by *one or more servers*, with the various functionality described above distributed in various ways across the different servers.” (EX1006, [0052].) In other words, Williams discloses that the application engine 118 and/or any of

the applications 120 can be implemented by one server device or multiple server devices.

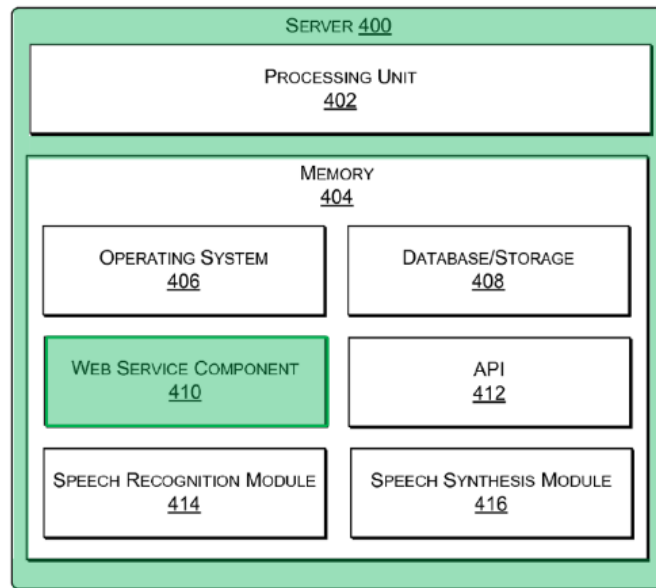


FIG. 4

335. I note that Williams mentions “[s]ome of the applications 120 may serve as resources for programs that execute on local devices such as the computer 108 or the personal device 110. Such local programs may operate in conjunction with the cloud-based applications 120 to provide various different services and functionality, ranging from email services to games.” (EX1006, [0021].) A POSITA would have understood that this does not mean that the server itself is local; rather, the server works with local devices. Williams refers to a local program that may provide a graphical user interface (e.g., a graphical user interface for an email inbox or a game), which can update based

on messages received from an application 120 that is hosted on a remote server device. Indeed, “most Internet-based email accounts use POP3 (Post Office Protocol v.3). POP3 allows an email client to *collect the email on a remote server (POP server)* . . . When an email client wishes to make use of the service, it establishes a TCP connection with the server host. When the connection is established, the POP3 server sends a greeting. The client and POP3 server then exchange commands and responses.” (EX1017, 664.)

336. Second, Williams discloses that the *client device* sends the captured human voice data (including the *first human voice data* and *second human voice data*) to the *server*. As discussed above, application engine 118 and/or any of the applications 120 are implemented on a server device, *server 400*. Williams discloses that “[i]n operation, the application engine 118 [of *server 400*] receives *audio-based information* from the *interface devices 116*. The audio information may include *audio streams, user commands or notifications derived from vocal utterances*, environmental information derived from on-premises audio, and so forth.” (EX1006, [0022], *see also id.*, [0020].)

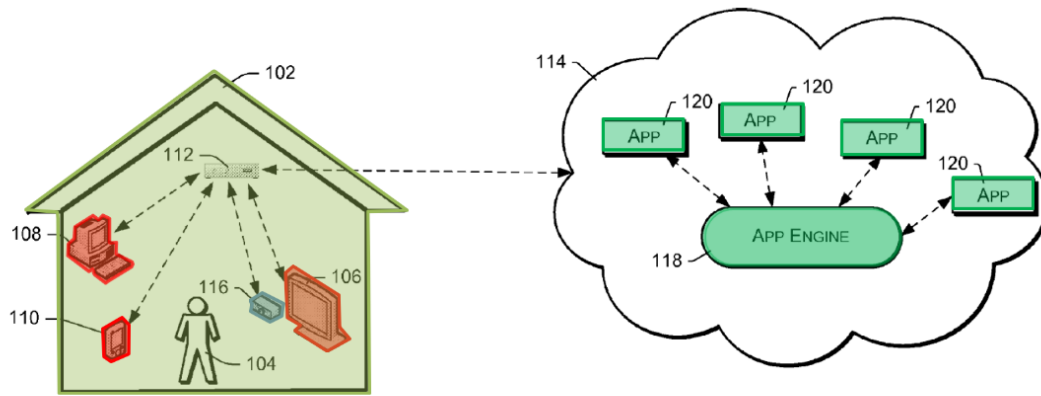
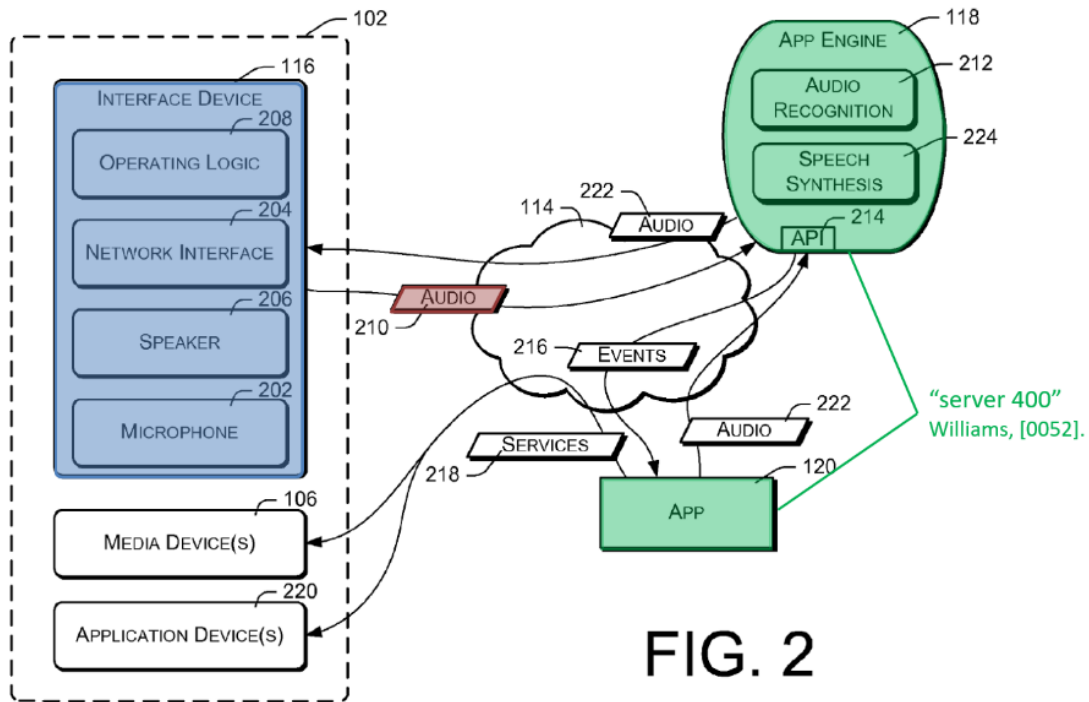


FIG. 1

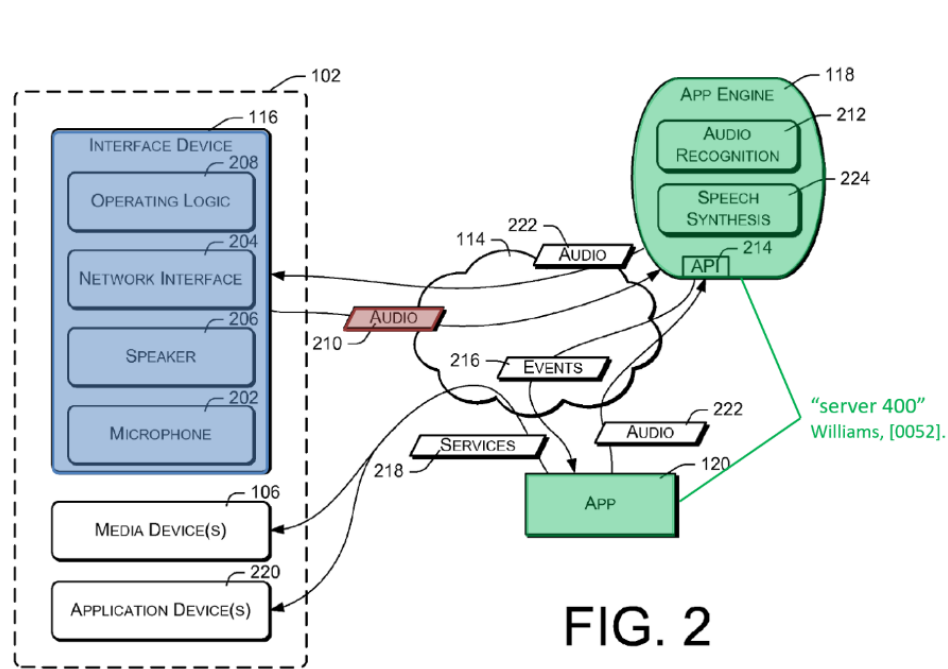
337. Further, “FIG. 2 illustrates additional details regarding interactions between the described devices and services. As mentioned above, one or more in-home audio interface devices 116 may be located within the home 102. An individual *interface device 116* may include a microphone 202 that is configured to detect ambient *noise, sounds, and speech*. The *interface device 102* [sic] may also include a network interface 204 that facilitates network communications with various entities, including the application engine 118 and one or more applications 120 [of *server 400*], via the network 114.” (EX1006, [0023].)



338. Williams also discloses that “the *interface device 116* is configured to send *audio-based information 210* to the application engine 118 [of *server 400*], based on *ambient audio* detected by the microphone 202 of the *interface device 116*. The *audio-based information 210* may comprise a continuous audio stream, or may comprise separate audio streams corresponding to *different periods of activity or noise within the home 102* and nearby the *interface device 116*. For example, an audio stream may be transmitted whenever ambient noise levels exceed a minimum threshold.” (EX1006, [0024].) Williams further discloses that “the application engine 118 [of *server 400*] is configured to receive the *audio-based information 210*.” Further, “[a]udio and audio-based

information may be formatted as files, *audio streams*, *data objects*, notifications, text streams, and so forth” when communicated. (EX1006, [0038].) As shown in FIG. 2, *audio 210* is sent to the *server* by the *interface device 116*.

339. As discussed, any of the human voice commands disclosed in Williams that cause an actuator (e.g., *speaker 206*) in the client device (e.g., *interface device 116*) to operate discloses the recited “*first human voice data*.” (*Supra* § .) Referring to FIG. 2, “*audio-based information 210*” discloses the first human voice data. (*Id.*, [0022], [0024]-[0025].)



340. And any of the human voice commands disclosed in Williams that cause sending of a control message in the recited manner discloses the recited

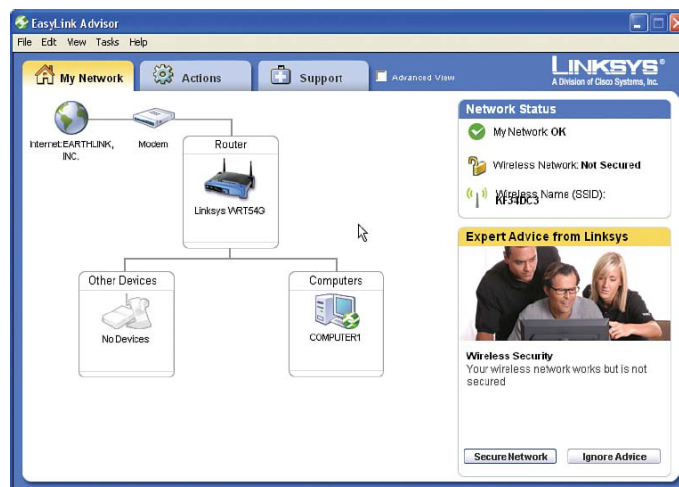
“*second human voice data.*” (*Infra* § IX.I.2.f; *supra* § IX.I.2.d.) For example, “[a]n application might also be designed to allow a user to *control various on-premises devices and equipment, such as media equipment and home-automation devices.* For example, such an application may accept *spoken commands* from a user regarding on-premises devices, and may respond by interacting with such devices through available network connections.”

(EX1006, [0051].) Such *spoken commands* are “second human voice data.” It would have been obvious to a POSITA that the *second human voice data* is similarly sent to the *server*.

341. Williams discloses that the *client device* sends the captured human voice data (including the *first human voice data* and *second human voice data*) to an *Internet-connected server* device external to the *building* over the *Internet via the WLAN*. For example, with reference to FIG. 1, the audio data is sent by *interface device 116* to the router 112 via the in-home wireless network (i.e., the WLAN) and to the *server* via the Internet (e.g., network 114). Williams discloses “the *interface devices 116* communicate with and transmit environmental information to a cloud-based application service or engine 118 [of *server 400*], *via the router 112 and the network 114.*” (EX1006, [0020]; *see also supra* § IX.I.2.a.)

342. As discussed, a WLAN network is characterized by a local access point (e.g., router) that broadcast wireless signals to wireless-enabled devices. (*Supra* § IX.I.2.a; EX1007, 11, 100.) Thus, a POSITA would have recognized that Williams discloses a WLAN network in the *home 102*. In other words, Williams' *client device* and controlled devices are connected to a WLAN network via a router. As discussed above, a router accesses a server over the Internet. (*Supra* § IX.A.2.f.) Indeed, this was the common configuration for a home network. (*Id.*; EX1007, 11, see also, *Id.*, 100.) For example, “[f]igure 7-28 shows what the initial *network* should look like if things are working properly, including *connectivity to the Internet*.” (*Id.*, 96; see also *id.*, Figure 7-28.)

Figure 7-28 EasyLink Graphical View of Your Network



343. Thus, Williams' network architecture of sending data (e.g., *first* and *second human voice data*) from the client device to the server and receiving

messages from the server to the client device via the in-home wireless network (WLAN) which routes data to and from the *server* via the Internet (network 114) discloses the recited architecture of “over the Internet via the WLAN.”

344. I note that network 114 by itself also discloses both the WLAN and the Internet. “*The network 114* may thus include various types of communication networks, including *local-area networks*, wide-area networks, *the Internet, wireless networks*, cable television networks, telephone networks, cellular communications networks, etc.” (*Supra* § IX.I.2.a.)

345. In FIG. 2, *audio 210* is sent via the wireless network 114. Williams discloses that the *interface device 116*, the application engine 118, and the application 120 [of *server 400*] all communicates over the same wireless network (e.g., network 114). (*Supra* § IX.I.2.a.) Here, I map “audio 210” as the first human voice data, however, as discussed, a POSITA would have understood that the “audio 210” can equally be mapped to include or be both the first and second human voice data.

g. 1[D][2]: “receiving, from the server device over the Internet via the WLAN, first and second messages, in response to the sending of the captured first and second human voice data;”

346. Both Williams and Lim disclose the *client device* receiving, from the *server* device over the Internet via the WLAN, *first* and *second message*, in

response to the sending of the captured *first* and *second human voice data*.

(*Supra* § IX.A.2.g.)

347. First, Williams discloses that the client device receives a *first message* from the *server* in response to the sending of the captured *first human voice data*. William discloses, with reference to FIG. 2, “API 214 of the application engine 118 [run on *server 400*] may also allow the application 120 [run on *server 400*] to provide *audio 222* for eventual transmission to the *interface device 116*, to be played on the speaker 206.” (EX1006, [0037].) “The *audio* may be in the form of text, in which speech synthesis or text-to-speech conversion may be performed by the application engine 118 or by the operating logic 108 of the interface device 116. In FIG. 2, the application engine 118 is illustrated as having a speech synthesis module 224. Alternatively, the *audio 222* may be provided from the application 120 as a digital audio stream.” (*Id.*)

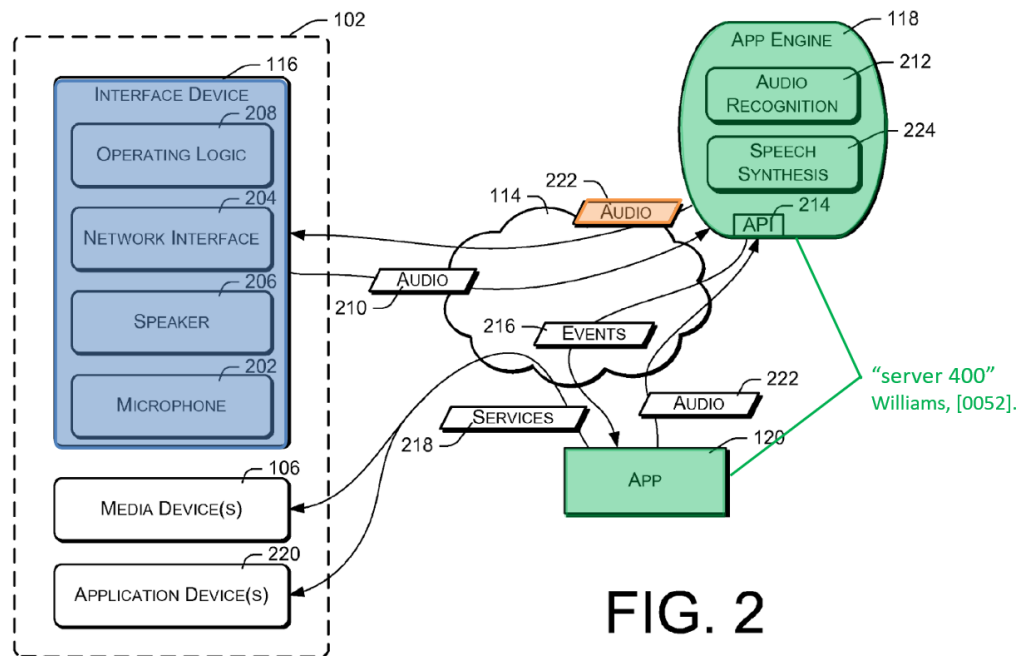


FIG. 2

348. Williams teaches that the *first message* is received by the *client device* from the *server* “in response to the sending of the captured *first human voice data*” as recited. As discussed, Williams discloses the client device sending the captured *first* and *second human voice data* to the *server*. (*Supra* § IX.I.3.f.) Williams teaches that the server device, *server 400*, processes the captured human voice data and the *first message* is sent to and received by the client device in response. “[T]he application engine 118 [run on *server 400*] is configured to receive the *audio-based information 210* ... the application engine 118 [run on *server 400*] *processes* it to identify and create event, status, and/or command data relating to in-home activities”. (EX1006, [0027].) “The application engine 118 [run on *server 400*] may keep a record of data

objects or event descriptors ... Event descriptor objects may be created to identify or indicate the following types of information: *spoken commands uttered by users* [.]” (EX1006, [0027] - [0028].) “The application engine 118 [run on *server 400*] *processes* the audio-based information to determine various data about user activities, status, environment, commands, etc. This data can then be obtained by authorized applications 120, which can *act on the information to provide or enhance services to the user 104.*” (EX1006, [0022].) For example, “the application engine may include audio recognition logic 212, such as speech-to-text conversion logic and other sound recognition functionality to recognize various types of sounds and media . . . [T]he application engine 118 exposes an application interface 214 (also referred to as an application programming interface or API) to the cloud-based applications 120. The API 214 allows an application 120 to obtain event descriptors that have been created by the application engine 118.” (*Id.*, [0034]-[0035].) “The API 214 of the application engine 118 may also allow the application 120 to provide *audio 222* for eventual transmission to the *interface device 116*, to be played on the speaker 206.” (*Id.*, [0037].) Further, Williams discloses that “the cloud-based service [running on the *cloud server*] is responsive via the one or more application interfaces to provide *audio* to the *on-premises audio monitoring devices* at least partly in response to the cloud-based applications,” or “at least

partly in response to network-based applications.” (EX1006, Claims 9 and 16.)

It would have been obvious that the *first message* is received “in response to the sending of the captured *first . . . human voice data*” as recited because the *first message* is generated as the result of speech processing of the first human voice data.

349. Williams discloses several examples of providing to the user an *audio response* (i.e., “first message”) generated by the *cloud server* in response to the sending of the captured first human voice data. For example, Williams discloses that “[a]n application may provide general information in response to users’ uttered questions. A user may ask a question, such as ‘What’s the recipe for deviled eggs?’ The application may respond by emailing or otherwise providing a recipe for deviled eggs. In some cases, the application may use the speech synthesis functionality of the system to provide *audio answers to spoken questions*.” (EX1006, [0048].) As another example, “such an application may allow the user to inquire about a flight or other event. The system might respond by sending information to the user via a device associated with the user, or by *audibly responding* using speech synthesis.” (EX1006, [0050].) As another example, Williams discloses “a cloud-based application may allow users to order tickets without needing a computer. A user may tell the application what movie they want to see. The application may use pre-configured information about the

user (such as location) to determine which theater is near the user. The application may respond to a spoken command to order movie tickets by using the speech synthesis functionality of the system to *query the user regarding movie selections and times.*” (EX1006, [0045].) A POSITA would have understood that the audio response or information associated with the audio response sent to the client device disclose the “first message”.

350. Williams discloses that the *first message* is received by the *client device* from the *server* device over the Internet via the WLAN in response to the sending of the captured *first human voice data*. With reference to FIG. 1, Williams discloses “the in-home devices connect to *a router or access point 112*, which is in turn connected to *a public network 114*. Connection between in-home devices and the router 112 may be through wired or *wireless technologies*.” (EX1006, [0012].) Thus, it would have been obvious that the *audio 222* is received by the “*router or access point 112*” from the *cloud server* via *the Internet* or “*public network 114*” and then wirelessly transmitted to the *interface device* via the home wireless network (i.e., the WLAN). (*Id.*; *supra* § IX.I.3.f.)

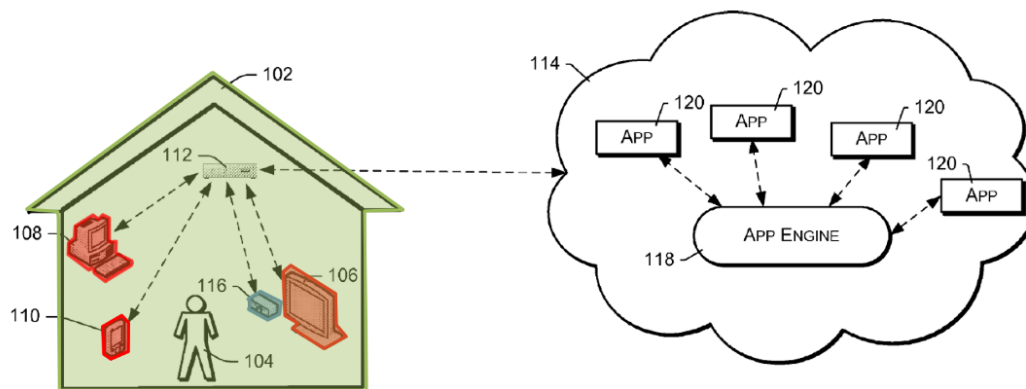


FIG. 1

351. Further, as shown in FIG. 2, **audio 222** is sent by the **cloud server** via the **wireless network 114** (i.e., “the Internet”) and the **interface device 116** receives the **audio 222** via the **wireless network 114**, which by itself includes both WLAN and the Internet and thus discloses receiving data “over the Internet via the WLAN”. (See also *supra* § IX.I.2.a.; EX1006, [0015].)

352. Williams discloses receiving, from the **server device over the Internet via the WLAN**, a **second message** in response to the sending of the captured **second human voice data**. The **second human voice data** (to the extent it is different from first human voice data) would be processed in the same way as shown in FIG. 2. With reference to FIG. 2, Williams discloses that “[t]he application 120 [of the **server**] may use the information from the event notifications 216 to initiate or customize **services 218** on behalf of users associated

with the home 102. Such *services* may be provided through any of the *media devices 106* located in the home, as well as through other *application devices 220*, including computers 108, personal devices 110, and other devices available to users.” (EX1006, [0036], *see also, id.*, [0021], [0038], [0040].) Alternatively, the “audio 210” can include or be both the first and second human voice data because it triggers both first and second messages.

353. As shown in FIG. 2 below, William’s *media devices 106* and *application devices 220* receives *services 218* from *server 400* over the wireless network 114 (e.g., the Internet) and over the in-home WLAN (via router 112 in FIG. 1). (See also EX1006, [0052]-[0056].)

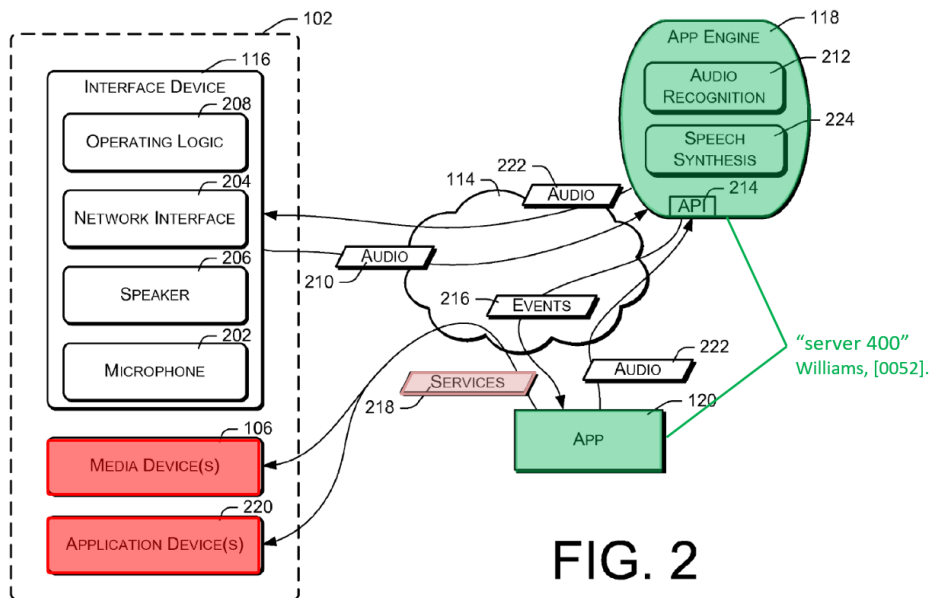


FIG. 2

354. Similarly, with reference to FIG. 3, “[a]t 310, the applications [of the *server*] provide and/or enhance their *services* based on the notifications. For

example, applications may act in response to received commands, or may provide *certain information* to a user that relates to the detected environment within the user premises.” (EX1006, [0042].)

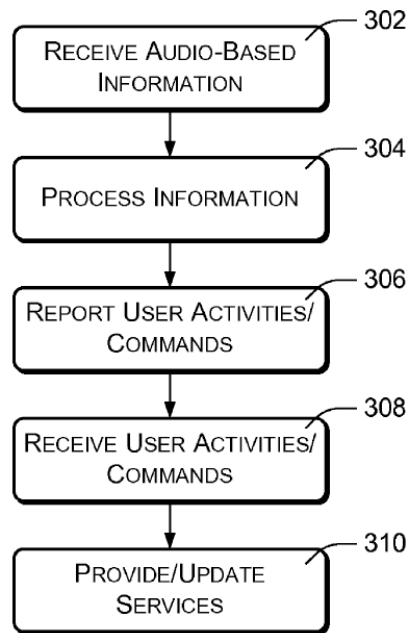


FIG. 3

355. A POSITA would have understood that providing *services 218* to a controlled device (e.g., *media devices 106 and/or application devices 220*) involves sending *information* (second message) to the controlled device. Williams discloses that providing services includes “providing information.” (EX1006, [0042].) Further, FIG. 2 expressly depicts that providing *services 218*

involves transmitting *information* by the application 120 [of the *server*] to the *media devices 106 and/or application devices 220*. Further, Williams discloses that “[*s*]*ervices* may also be provided in conjunction with other types of systems, including *telephone systems, media players, automation systems and devices*, and so forth. Examples of applications 120 and associated *services 218* will be described below.” (EX1006, [0036].) A POSITA would have understood that, in order to operate a controlled device, *information related to the service 218* (e.g., a control message) is sent to and received by the controlled device. It was common knowledge that wirelessly controlling a device involves sending some information to the device wirelessly. For example, a control signal would be provided to a coffee maker appliance to turn off the appliance. “Similarly, the processing device 150 may provide a *control signal to turn off the coffee maker appliance 110* when the coffee maker appliance 110 reaches a ‘warming an empty pot’ state.” (EX1019, 3:19-22.) As another example, a control signal would be provided to turn the appliance on. “In like manner, when the processing device 150 determines that the coffee maker appliance 110 has completed the ‘brew state’, it may *communicates a control signal to turn on other appliances, such as the clock radio 140*.” (*Id.*, 6:23-27.) “A method for remotely processing a locally-generated voice command to control a local device [comprises] ... generating a command signal . . . *transmitting the command signal* to the local

device at the local site *to effect a change in a state of the local device.*” (EX1008, claim 1; *see also*, EX1012, [0012].)

356. As discussed, Williams’ network architecture of sending data from the client device to the server and receiving messages by the client device from the router 112 via the in-home wireless network (WLAN) which routes data/messages to and from the *server* via the Internet (network 114) discloses the recited architecture of “over the Internet via the WLAN.”

357. To the extent that Williams does not disclose that the *client device* receives its *second message*, Lim discloses its *client device* receives a *first message* and a *second message* from the *server* in response to the sending of the captured *first human voice data* and *second human voice data*. (*Supra* § IX.A.2.g.) It would have been obvious to a POSITA that the Williams-Lim combination discloses this limitation. (*Supra* § IX.I.2.) In the Williams-Lim system, the *server 400*, instead of directly communicating with all *controlled devices*, send information (e.g., related to *services 218*) to the *interface device 116*, and the *interface device 116* can then transmit commands to the *controlled devices* as taught by Lim, resulting in a more simplified, reliable, and secure system that is easier to scale, troubleshoot, and manage.

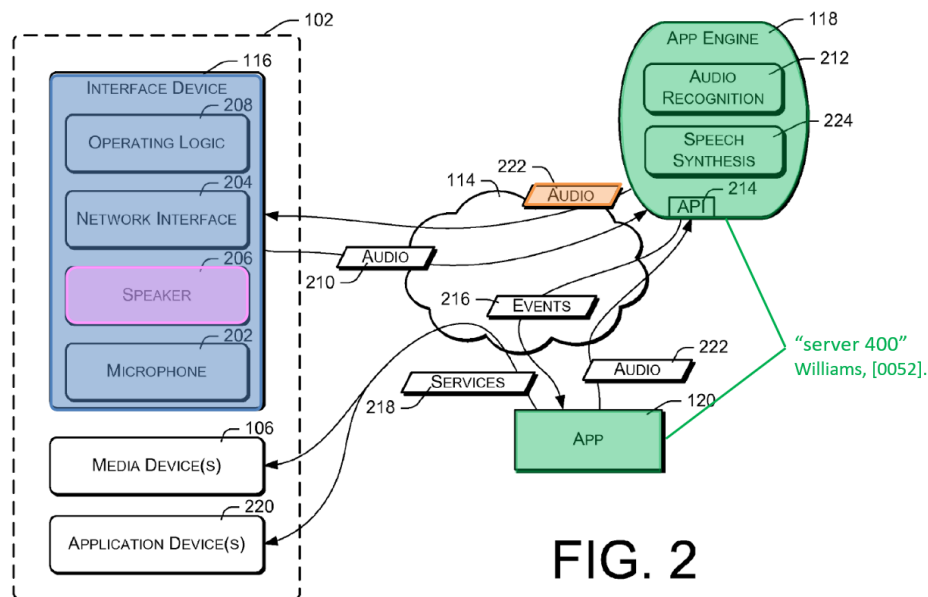
h. 1[D][3]: “operating the first actuator in response to the received first message;”

358. Both Williams and Lim disclose this limitation. (*Supra* § IX.A.2.h.)

359. Williams discloses operating a *first actuator* in the *client device* in response to the received *first message*. First, Williams discloses a *first actuator/speaker* in the *client device*. As discussed, Williams discloses a *speaker* in the *client device*. Williams discloses that “the *interface device* may also have a *speaker* or *other form of audio output*.” (EX1006, [0016].) With reference to FIG. 2, William discloses that “[t]he *interface device* may also include a *speaker 206*, and operating logic 208.” (EX1006, [0023].)

360. Williams discloses operating a *first actuator/speaker* in the *client device* in response to the received *first message*. Specifically, Williams discloses that, “[t]he API 214 of the application engine 118 may also allow the application 120 to provide *audio 222* for eventual transmission to the *interface device 116*, *to be played on the speaker 206*. The audio may be in the form of text, in which speech synthesis or text-to-speech conversion may be performed by the application engine 118 or by the operating logic 108 of the interface device 116. In FIG. 2, the application engine 118 is illustrated as having a speech synthesis module 224. Alternatively, the *audio 222* may be provided from the application 120 as a digital audio stream.” (EX1006, [0037].) It

would have been obvious that the first actuator is operated in response to the **audio 222** (first message) received from the server 400.



361. As discussed above, a speaker is an actuator. (*Supra* §§ IX.A.2.b; EX1001, 105:48-52, EX1001, 105:61-106:4; EX1014, 763; EX1018, 122.) Thus, a POSITA would have understood that Williams discloses operating an actuator (e.g., **speaker 206**) in the client device (e.g., **interface device 116**) in response to the received first message (e.g., **audio 222**).

362. Williams discloses several exemplary use cases of operating the **speaker**. For example, “[t]he architecture above can be utilized to provide a wide variety of services and functionality, of which the following are simple examples.” (EX1006, [0043].) For example, Williams discloses that “[a]n application may provide general information in response to users’ uttered

questions. A user may ask a question, such as ‘What’s the recipe for deviled eggs?’ The application may respond by emailing or otherwise providing a recipe for deviled eggs. In some cases, the application may use the speech synthesis functionality of the system to provide *audio answers to spoken questions.*” (EX1006, [0048].)

363. As another example, Williams states that “such an application may allow the user to inquire about a flight or other event. The system might respond by sending information to the user via a device associated with the user, or by *audibly responding* using speech synthesis.” (EX1006, [0050].) As another example, Williams discloses “[a] user may tell the application what movie they want to see. The application may use pre-configured information about the user (such as location) to determine which theater is near the user. The application may respond to a spoken command to order movie tickets by using the speech synthesis functionality of the system to *query the user regarding movie selections and times.*” (EX1006, [0045].)

i. 1[D][4]: “and sending, to the controlled device over the WLAN, a control message in response to the received second message;”

364. Williams-Lim discloses a *client device* sending, to the *controlled device* over the *WLAN*, a *control message* in response to the received *second message*. (*Supra* § IX.A.2.i.)

365. Williams discloses sending, to the *controlled device* over the WLAN, a *control message*. As discussed, with reference to FIG. 2, Williams discloses that “[t]he application 120 [of the server] may use the information from the event notifications 216 to initiate or customize *services 218* on behalf of users associated with the home 102. Such *services* may be provided through any of the *media devices 106* located in the home, as well as through other *application devices 220*, including computers 108, personal devices 110, and other devices available to users.” (EX1006, [0036], *see also, id.*, [0021], [0038], [0040].) Williams discloses that providing *services* includes “providing information.” (EX1006, [0042].) Further, FIG. 2 expressly depicts that providing *services 218* involves transmitting information by the application 120 [of the *server*] to the *media devices 106 and/or application devices 220*.

366. As discussed, a POSITA would have understood that, in order to operate a *controlled device*, some information (e.g., a *control message* related to the *service 218*) is sent to the *controlled device*. It was common knowledge that wirelessly controlling a device involves sending some information to the device wirelessly. For example, a control signal would be provided to a coffee maker appliance to turn off the appliance. “Similarly, the processing device 150 may provide a *control signal to turn off the coffee maker appliance 110* when the coffee maker appliance 110 reaches a ‘warming an empty pot’ state.” (EX1019,

3:19-22.) As another example, a control signal would be provided to turn the appliance on. “In like manner, when the processing device 150 determines that the coffee maker appliance 110 has completed the ‘brew state’, it may *communicates a control signal to turn on other appliances, such as the clock radio 140.*” (*Id.*, 6:23-27.) “A method for remotely processing a locally-generated voice command to control a local device [comprises] ... generating a command signal . . . *transmitting the command signal* to the local device at the local site *to effect a change in a state of the local device.*” (EX1008, claim 1; *see also*, EX1012, [0012].) Thus, Williams discloses sending *control message* to the *controlled device*.

367. As discussed, Williams’ *client device* and *controlled devices* are connected to a WLAN network via a router. (*Supra* §§ IX.I.2.a, IX.I.2.f.) As discussed in a textbook titled “Wireless Home Networking Simplified”, “with a wireless LAN, the computers have to find a way to connect, or associate, themselves to the LAN, because they are not physically connected. The way they do this is by *tuning themselves to the wireless router* using the name of the router . . . *Once a computer has connected, or associated, itself to the access point, it becomes part of the LAN . . . Now the computer can send and receive information to and from other computers on the LAN[.]*” (EX1007, 11, *see also*, *Id.*, 100.) As both Williams’ *client device* and *controlled devices* are

connected to the same WLAN network, they may send and receive information to and from each other. Thus, Williams' *client device* sends the *control message* to the *controlled device* over the *WLAN*.

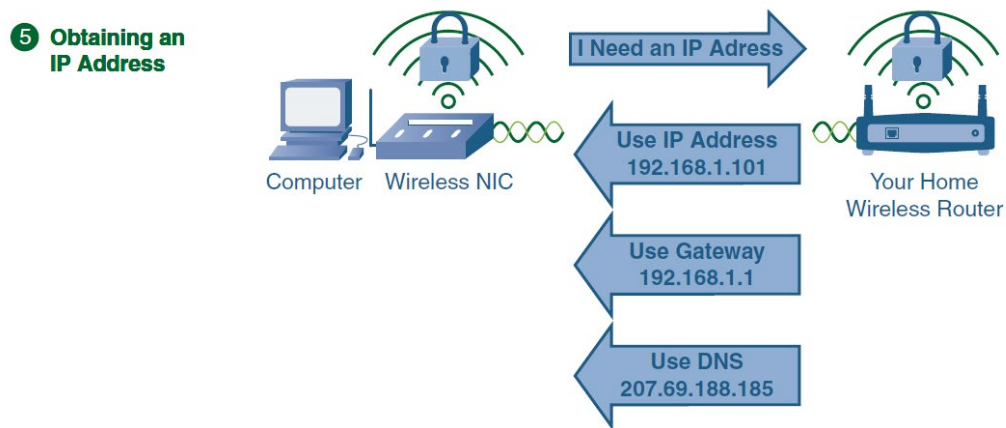
368. To the extent that Williams does not disclose that the control message is sent from the client device, Lim discloses that the *client device* sends a *control message* to the *controlled device* in response to the received *second message* over the *WLAN*. (*Supra* § IX.A.2.i.) It would have been obvious to a POSITA that the Williams-Lim combination discloses this limitation. (*Supra* § IX.I.2.)

j. 1[E]: “and wherein the client device is addressable in the WLAN and in the Internet using an Internet Protocol (IP) address”

369. Both Williams and Lim disclose this limitation. (*Supra* § IX.A.2.j.)

370. As discussed, Williams discloses that its client device operates in a WLAN (e.g., home network formed by router 112), which is connected to the Internet. (*Supra* §§ IX.I.2.a, IX.I.2.g) A POSITA would have understood that this wireless network involves associating each device with a device identifier or address. Indeed, at the time of the invention, it was well-known that networked devices are associated with IP addresses. The IP address may be an assigned IP address for the device (e.g., by the router), the router's IP address, a combination

of the two, or a globally unique IP address. *“Each computer or device that you want to join your wireless network needs a wireless network interface card (NIC).”* (EX1007, 99.) “If the wireless router grants access, it then typically *assigns the NIC an IP address* to use on the wireless network, at which point we can begin exchanging data,” *“each device (computer, laptop, and so on) in a home network needs to have an IP address*, which is how the device is known on the network . . . Most home networks use IP addresses in the range of 192.168.1.100 to 192.168.1.149, and the *router assigns each device an address* from this pool when it boots.” (*Id.*, 108, 210, *see also, id.*, 175.)



4. Claim 5: “The client device according to claim 1, wherein each of the first and second actuators is configured for directly or indirectly affecting, changing, producing, or creating a physical phenomenon.”

371. Both Williams and Lim disclose this limitation. (*Supra* § IX.A.3.)

For example, as discussed, the “first actuator” and the “second actuator”

disclosed in Williams include: speakers, displays, LED lights, HVAC-related motors, etc. (*Supra* §§ IX.A.2.b, IX.A.2.e)

372. As discussed, a speaker is configured to directly or indirectly affect, change, produce, or create a physical phenomenon, namely, audio or sound. (*Supra* § IX.A.2.b, .)

373. As discussed, a display is configured to directly or indirectly affect, change, produce, or create a physical phenomenon, namely, light. (*Supra* § IX.A.2.b, .)

374. As discussed, an LED light is configured to directly or indirectly affect, change, produce, or create a physical phenomenon, namely, light. (*Supra* §§ IX.A.2.e.)

375. As discussed, HVAC-related motors are configured to directly or indirectly affect, change, produce, or create a physical phenomenon, namely, motion, temperature, or humidity. (*Supra* § IX.A.2.b, .)

5. Claim 6: “The client device according to claim 5, wherein the physical phenomenon comprises temperature, humidity, pressure, audio, vibration, light, motion, sound, proximity, flow rate, electrical voltage, or electrical current.”

376. Both Williams and Lim disclose this limitation. (*Supra* § IX.A.4)

As discussed above, Williams discloses a first actuator and a second actuator

that directly or indirectly affect, change, produce, or create at least audio, light, motion, sound, temperature, humidity, etc. (*Supra* § IX.I.3.)

6. Claim 10: “The client device according to claim 1, further comprising a volatile or non-volatile memory for storing the IP address.”

377. Both Williams and Lim disclose a client device comprising a volatile or non-volatile memory for storing the IP address. (*Supra* § IX.A.5.) For example, Williams discloses that “[t]he *interface device* may also include a speaker 206, and operating logic 208. The operating logic 208 may be implemented as one or more *programmable processing units, associated memory*, and appropriate instructions stored in the memory and executed by the progressing unit.” (EX1006, [0023].)

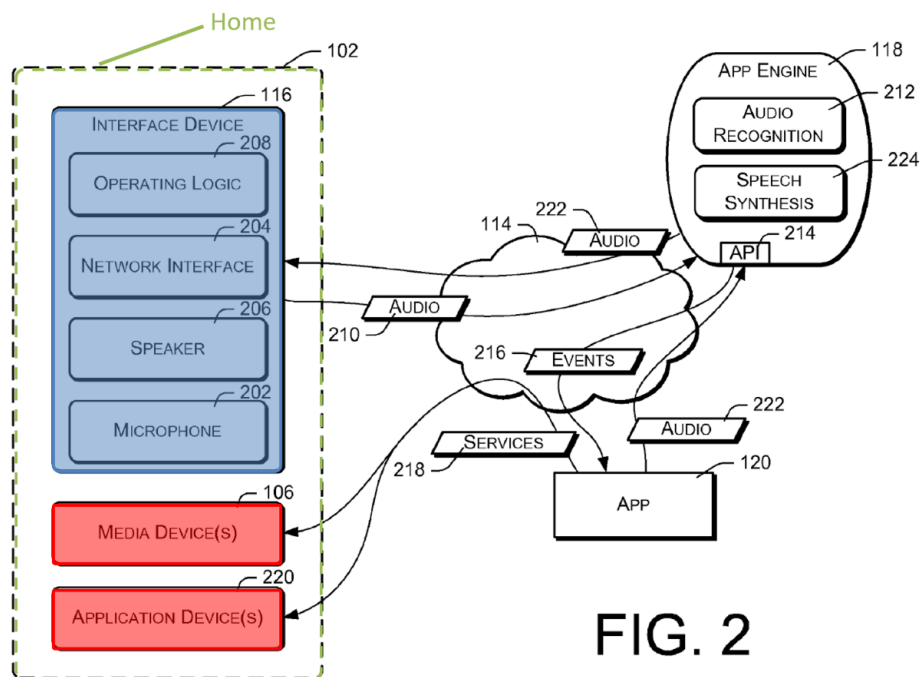
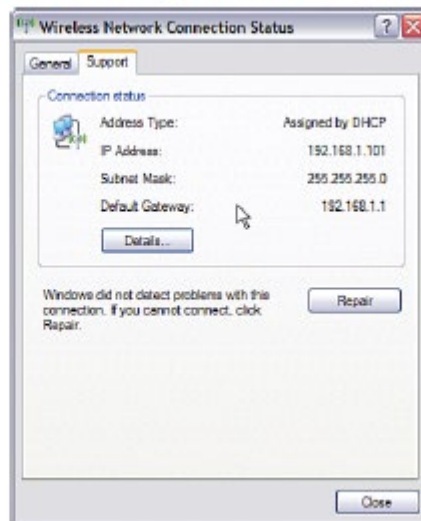


FIG. 2

378. As discussed above, Williams discloses that the client device is addressable in the Internet and WLAN with an IP address and that it communicates via WLAN and with remote server over the Internet via a wireless router. (*Supra* §§ IX.A.2.a, IX.A.2.j; EX1006, [0012] – [0013], [0020], Figure 1; EX1005, [0027], [0038], FIG. 5b.)

379. A POSITA would have understood that the memory in the *interface device* as disclosed in Williams can be used to store the associated IP addresses. For example, as discussed above and shown below, networked devices can display the IP addresses, which means the IP addresses are locally stored in the device. (*Supra* § IX.A.5; EX1007, 211, Figure 10-44, *see also, Id.*, 265.)

Figure 10-44 Verifying IP Address Assignment with Windows XP



380. Thus, a POSITA would have understood that the “associated memory” as disclosed in Williams’ client device (e.g., *interface device*) locally store the IP addresses.

7. Claim 12: “The client device according to claim 1, wherein the IP address is a static or dynamic Internet Protocol (IP) address that is IPv4 or IPv6 type address.”

381. Both Williams and Lim disclose this claim. (*Supra* § IX.A.6.) For example, as discussed above, Williams discloses that the controlling device is addressable in the Internet with an IP address and that it communicates via WLAN and with remote server over the Internet via a wireless router. (*Supra* §§ IX.I.2.a, IX.I.2.j; EX1006, [0012] – [0013], [0020], Figure 1; EX1005, [0027], [0038], FIG. 5b; EX1007, 99, 166, 210.)

382. As discussed, at the time of the invention, it was well-known that Internet Protocol (IP) addresses are either static or dynamic, and are IPv4 addresses. (*Supra* § IX.A.6.) “In the case of today’s Internet, these addresses are Internet protocol version 4 (IPv4) addresses.” (EX1029, 127.) “Internet protocol (IP) addresses are the unique numbers used to identify individual connections to the Internet.” *Id.* “The broadband networks typically assign a *dynamic IP address* to your broadband service. Dynamic means the IP address can change[.]” (EX1007, 277.) Further, IP address may be a “*static IP address*, which means . . . your address never changes.” *Id.*

8. Claim 16: “The client device according to claim 1, wherein the controlled device is integrated in, is part of, or is entirely included in, a household appliance having a primary function.”

383. Both Williams and Lim disclose a controlled device that is integrated in, is part of, or is entirely included in, an appliance. (*Supra* § IX.A.7.) As discussed, the controlled devices in the Williams system are “various *on-premises devices and equipment*, such as *media equipment* and *home-automation devices*” which can include devices such as “*televisions, audio players, video players*, and so forth.” (*Supra* § ; EX1006, [0051], [0011].) These devices are appliances.

9. Claim 20: “The client device according to claim 16, wherein the primary function of the appliance is associated with an environmental control, and the appliance is part of a Heating, Ventilation and Air Conditioning (HVAC) system.”

384. Williams-Lim discloses this limitation. Williams discloses controlling “*home-automation devices*.” (EX1006, [0051].) As discussed, Lim discloses controlling various appliances, such as “televisions, VCRs, DVRs, DVD players, cable or satellite converter set-top boxes (‘STBs’), amplifiers, CD players, game consoles, home lighting, drapery, *fans, HVAC systems, thermostats*, personal computers, etc.” (*Supra* § IX.I.2.b; EX1005, [0017].) These disclose appliances whose primary functionality is associated with environmental control. It would have been obvious to combine Williams and Lim. (*Supra* § IX.I.2.)

10. Claim 21: “The client device according to claim 20, wherein the primary function of the appliance is associated with a temperature control, and wherein the appliance is an air conditioner or a heater.”

385. Williams-Lim discloses this limitation. As discussed, Williams discloses controlling “*home-automation devices*” and Lim discloses controlling various appliances, such as “*fans, HVAC systems, thermostats*[.]” (*Supra* § IX.I.2.b; EX1006, [0051]; EX1005, [0017].) A POSITA would have understood that fans, HVAC systems, and thermostats are appliances associated with temperature control. Further, “HVAC” stands for heating, ventilation, and air conditioning and thus an HVAC system comprises an air conditioner or a heater. It would have been obvious to a POSITA that the Williams-Lim combination discloses this limitation. (*Supra* § IX.I.2.)

11. Claim 23: “The client device according to claim 16, wherein the appliance is an answering machine, a telephone set, a home cinema system, a High Fidelity (HiFi) system, a Compact Disc (CD) or Digital Video Disc (DVD) player, an electric furnace, a trash compactor, a smoke detector, a light fixture, or a dehumidifier.”

386. Both Williams and Lim disclose this limitation. (*Supra* §§IX.A.10, IX.A.2.a; EX1005, [0017].) For example, as discussed, the controlled device in the Williams system are devices such as “*televisions, audio players, video players*”. (*Supra* § IX.I.2.b; EX1006, [0011].) These disclose a home cinema system. Further, it would have been obvious to a POSITA that Williams’ “video players” and “audio players” include DVD players and CD

players. Indeed, CDs has been released commercially as early as 1982. (*See* EX1014, 746.)

12. Claim 29: “The client device according to claim 27, wherein the operating of the first actuator comprises playing a digital audio content that is pre-recorded or synthesized, or wherein the operating of the first actuator comprises simulating the voice of a human being or generating music, or wherein the operating of the first actuator comprises sounding a syllable, a word, a phrase, a sentence, a short story, or a long story, using male or female voice.”

387. Both Williams and Lim disclose this limitation. (*Supra* §§ IX.A.11, IX.A.2.e.) For example, as discussed above, Williams teaches “provid[ing] audio 222 for eventual transmission to the interface device 116, to be played on the *speaker 206*.” (*Supra* § IX.I.2.e, IX.I.2.h; EX1006, [0037].) Further, “[t]he audio may be in the form of text, in which *speech synthesis or text-to-speech conversion* may be performed by the application engine 118 or by the operating logic 108 of the interface device 116.” (*Id.*, *see also id.*, [0045] and [0050].) As another example, Williams discloses that “the application may respond to a spoken command to order movie tickets by using the *speech synthesis functionality* of the system to *query the user regarding movie selections and time*.” (*Id.*, [0046].) Thus, Williams discloses at least playing digital audio content that is synthesized and simulating the voice of a human being, and sounding a syllable, a word, a phrase, a sentence, a short story, or a long story, using male or female voice.

J. Ground 10: Williams, Lim, and Wittenberg Render Obvious Claim 2

1. Claim 2: “The client device according to claim 1, wherein the server device is configured for processing the first and second human voice data using a voice recognition algorithm for identifying a voice of a specific person.”

388. Claim 1 is obvious in view of Williams-Lim. (*Supra* § IX.I.2.)

Claim 2 is obvious in further view of Wittenberg.

389. Wittenberg discloses claim 2. (*Supra* § IX.B.2.)

390. It would have been obvious to a POSITA to combine the teachings of Williams-Lim and Wittenberg. Both Wittenberg and Williams-Lim relate to remotely processing audio information such as speech for controlling devices or providing services through devices. For example, Williams discloses that “[t]he application 120 may use the information from the event notifications 216 to initiate or customize services 218 on behalf of users associated with the home 102. Such services may be provided through any of the media devices 106 located in the home, as well as through other application devices 220, including computers 108, personal devices 110, and other devices available to users.” (EX1006, [0036].) Lim relates to “controlling devices such as universal remote controls” and “specific appliances to be controlled.” (EX1005, [0007].) Lim discloses that “the *controlling device* may prompt the user to speak the brand name of the appliance to be added to the configuration of the controlling device .

. . The resulting spoken syllables may be digitized and presented to a speech recognition means for processing . . . all or part of said speech recognition processing . . . may be performed by programming resident on a *remote server 500* accessible via a network 502 such as the *Internet* or PSTN.” (EX1005, [0027].) Wittenberg discloses “a method for remotely processing a locally-generated voice command to control a local device” and furthermore preventing unauthorized persons from controlling the local devices. (See EX1008, Claim 1.) Thus, Williams-Lim and Wittenberg are analogous art to the ’706 patent, from the same field of endeavor, and all relate to the same problem of controlling devices based on audio commands and ensuring security within the command/control system architecture.

391. A POSITA would have been motivated to combine Williams-Lim with Wittenberg to include the voice recognition of Wittenberg to achieve greater security and with a reasonable expectation of success. Williams discloses authorization and authentication safeguards to address security concerns. “Authorization and authentication safeguards are employed to ensure that only entities authorized by users are able to access this information.” (EX1006, [0008].) Wittenberg teaches additional processing techniques, for example, “the method comprising: (a) receiving at a local site an acoustic signal and generating an audio signal from the acoustic signal; (b) transmitting the

audio signal to a remote site; (c) *performing speech recognition processing* on the audio signal at the remote site to identify a voice command from the audio signal; (d) *performing voice recognition processing* on the audio signal at the remote site to determine whether the audio signal has been supplied by an authorized user[.]” (EX1008, Claim 1.) The voice recognition processing techniques can be combined with the teachings of Williams-Lim to yield a command/control system architecture that provides added security by determining whether an authorized person issued the voice command, with a reasonable expectation of success.

392. Wittenberg describes a security issue that unauthorized users may be able to control devices via audio commands. “For example, if an unauthorized person gains access to the portion of the system that receives voice commands, that person can instruct the system to perform unauthorized commands which may be harmful.” (EX1008, 2:21-30.) Wittenberg expressly teaches the benefits for including voice recognition during processing to address the issue and provide enhanced security. “Voice recognition processing provides an *additional degree of security*, which prevents an unauthorized person at the local site from affecting or manipulating the local controllable device in some manner.” (EX1008, 5:61-6:6.)

393. Wittenberg recognizes the benefits of applying its techniques in numerous circumstances. “There are a numerous circumstances in the government/military, commercial, and private sectors where it would be advantageous to control a local device with a locally-generated voice command without placing the demands of speech processing on a local device and with the capability to provide a significant degree of security in the process of interpreting and carrying out voice commands.” (*Id.*, 2:25-31.) Specifically, Wittenberg recognizes the benefits of applying its techniques in home appliances. “For example, in the case where the local controllable device is a television, voice recognition processing can prevent an unauthorized person (e.g., a child) from accessing certain channels or ordering pay-per-view shows, whereas an authorized person (e.g., a parent) can be authorized to access all channels by issuing voice commands via a telephone or the like.” (EX1008, 6:7-13.)

394. The Williams-Lim-Wittenberg combination results in a system in which Wittenberg’s voice recognition capabilities are used to analyze human audio commands in Williams-Lim. For example, the Williams-Lim-Wittenberg combination would determine if the person issuing the voice data is authorized to make the command as a part of processing at the server (application engine 118) as taught by Wittenberg. This combination would

predictably enhance the security of the system because only authorized users would be able to control devices through their voice commands. The known benefits of Wittenberg would prompt the application of Wittenberg in the same field based on design incentives and market forces and yield the predictable result of improving the security of the control and command systems and prevent control by unauthorized users.

395. Because both Williams-Lim and Wittenberg includes voice data processing and device control, a POSITA would be motivated to use the known algorithm and techniques of voice recognition processing of Wittenberg to improve the security of Williams-Lim in the same way. Further, it would have been obvious to try combining the teachings of Wittenberg and Williams-Lim. There are only a finite number of identified and predictable solutions for user authentication, such as authorization via biometrics like facial recognition, fingerprint, or making use of contextual data like device location and time to supplement the voice data processing. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. Prior art such as Wittenberg has successfully demonstrated that performing voice recognition can be implemented to improve security of the system and prevent unauthorized control, and thus, there would have been a reasonable expectation of success for

combining Williams-Lim and Wittenberg. Moreover, at the time of the invention, algorithms and processing techniques for performing voice recognition were known. “Algorithms and processing techniques for performing voice recognition are well known” (EX1008, 6:1-3.)

K. Ground 11: Williams, Lim, and Gruber Render Obvious Claim 3-4, 11

1. Claim 3: “The client device according to claim 1, further comprising a sensor that outputs sensor data that responds to a physical phenomenon, wherein the client device is further configured for sending to the server device, via the WLAN over the Internet, the sensor data, and wherein the first message is received in response to the sent sensor data.”

396. Claim 1 is obvious in view of Williams-Lim. (*Supra* § IX.I.2.)

Claims 3-4, 11 are obvious in further view of Gruber.

397. Gruber discloses claim 3. (*Supra* § IX.C.2.)

398. It would have been obvious to a POSITA to combine the teachings of Williams-Lim and Gruber. Williams-Lim and Gruber both relate to processing and responding to human speech commands. Williams discloses that “the application engine 118 is configured to receive the audio-based information 210. Depending on the type or format of the received information, the application engine 118 processes it to identify and create event, status, and/or command data relating to in-home activities.” (EX1006, [0027].) “The application 120 may use the information from the event notifications 216 to initiate or customize services 218 on behalf of users associated with the home

102.” (EX1006, [0036].) Lim relates to “controlling devices such as universal remote controls” and “specific appliances to be controlled.”

(EX1005, [0007].) Lim discloses that “the *controlling device* may prompt the user to speak the brand name of the appliance to be added to the configuration of the controlling device . . . The resulting spoken syllables may be digitized and presented to a speech recognition means for processing . . . all or part of said speech recognition processing . . . may be performed by programming resident on a *remote server 500* accessible via a network 502 such as the *Internet* or PSTN.” (EX1005, [0027].) Gruber discloses that the “invention relates to virtual assistants, and more specifically to mechanisms for improving interpretation and processing of commands provided to such an assistant.” (EX1009, [0007].) Thus, Williams-Lim and Gruber are analogous art to the ’706 patent, from the same field of endeavor, and all relate to the same technical problems of processing and responding to human speech commands (e.g., to provide services).

399. A POSITA would have been motivated to combine Williams-Lim and Gruber to include the speech processing techniques of Gruber to achieve improved speech recognition and with a reasonable expectation of success. Gruber teaches additional speech processing techniques of using contextual information obtained from device sensors to clarify the user’s intent, reduce

numbers of candidate interpretations, and/or constrain solutions during speech recognition and natural language processing. “A virtual assistant uses context information to supplement natural language or gestural input from a user.

Context helps to clarify the user’s intent and to reduce the number of candidate interpretations of the user’s input, and reduces the need for the user to provide excessive clarification input. Context can include any available information that is usable by the assistant to supplement explicit user input to constrain an information-processing problem and/or to personalize results. Context can be used to constrain solutions during various phases of processing, including, for example, speech recognition, natural language processing, task flow processing, and dialog generation.” (EX1009, Abstract.) The technique of using sensor data as contextual information can be combined with the teachings of William to improve the accuracy of speech processing, with a reasonable expectation of success.

400. Further, Lim itself discloses that the client device may be a smart phone that includes sensors. Lim discloses “a representative smart device, illustrated in FIG. 3 in the form of a smart phone, may include . . . accessory features 338 such as a digital camera, GPS, accelerometer, etc.” (EX1005, [0023].)

401. Specifically, the Williams-Lim-Gruber combination would result in a system that can capture sensor data (e.g., temperature, location) using one or more sensors (e.g., as taught by Gruber/Lim) in the interface device and transmit such data and/or related information to Williams-Lim's server to supplement audio processing as taught by Williams-Lim and/or Gruber. Williams-Lim discloses a system that can capture sensor data (e.g., audio, location information) using sensors (microphones, GPS) and transmit the captured sensor data to the server. Williams discloses that "the application engine 118 receives audio-based information from the interface devices 116," and "[a]n individual interface device 116 may include a microphone 202 that is configured to detect ambient noise, sounds, and speech." (See EX1006, [0022], [0023].) Gruber discloses the benefits of supplementing speech processing with captured sensor data and/or related information. "This helps to clarify the user's intent and to reduce the number of candidate interpretations of the user's input, and reduces the need for the user to provide excessive clarification input." (EX1009, [0013].) For example, the Williams-Lim-Gruber combination would capture sensor data in the audio interface device and transmit the captured sensor data to Williams' server to supplement processing, Williams' server (e.g., server 400) can use the captured sensor data as contextual information to process human voice data as taught by Gruber to determine how to respond (e.g., audio

responses, services). to supplement speech processing. Combining the teachings of Williams-Lim and Gruber as such would yield predictable results of improving audio processing.

402. Incorporating Gruber's speech processing techniques into Williams-Lim yields the predictable result of improving accuracy of human voice data processing and improving the usability of the control system, because the system is more intelligent and the users are not required to provide excessive clarification input. Because both Williams-Lim and Gruber relates to processing of human voice data to provide services, a POSITA would be motivated to use the known techniques of Gruber to improve the speech processing capabilities of Williams-Lim in the same way. Further, it would have been obvious to try combining the teachings of Williams-Lim and Gruber. There are only a finite number of identified and predictable solutions for processing voice data and improving accuracy of the processing, such as capturing higher-fidelity audio data or drawing from non-audio cues. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. Prior art such as Gruber has successfully demonstrated that device sensors can gather contextual information that would be useful in supplementing speech

processing, and thus, there would have been a reasonable expectation of success for combining Williams-Lim and Gruber.

403. Thus, it would have been obvious to a POSITA to make use of device sensor data to process human speech without requiring excessive clarifications from users. The known benefits of Gruber would prompt the application of Gruber in the same field based on design incentives and other market forces.

2. Claim 4: “The client device according to claim 3, wherein the sensor is a thermoelectric sensor that responds to a temperature or to a temperature gradient of an object using conduction, convection, or radiation, or wherein the sensor is a photoelectric sensor that responds to a visible or an invisible light or gamma rays.”

404. Gruber discloses claim 4. (*Supra* § IX.C.3.)

405. It would have been obvious to a POSITA to combine the teachings of Williams-Lim and Gruber. (*Supra* § IX.K.1.)

3. Claim 11: “The client device according to claim 1, wherein the client device is further addressed by a Media Access Control (MAC) layer address that is MAC-48, Extended Unique Identifier (EUI) EUI-48, or EUI-64 address type.”

406. As discussed, both Williams and Lim disclose that the client device is addressable in the Internet and that it communicates via WLAN and with remote server over the Internet via a wireless router. (*Supra* §§ IX.A.2.a, IX.A.2.j, IX.I.2.a, IX.I.2.j; EX1006, [0012] – [0013], [0020], Figure 1; EX1005, [0027], [0038], FIG. 5b.)

407. Further, as discussed, Gruber discloses claim 11. (*Supra* § IX.C.4.) Gruber discloses that a client device can have signatures such as “MAC addresses”. (EX1009, [0218] - [0225].) At the time of the invention, it was well-known that networked devices are associated with MAC addresses that are of MAC-48, EUI-48, or EUI-64 type. “*Each computer or device that you want to join your wireless network needs a wireless network interface card (NIC)*” and “*each wireless card has a unique identifier called a MAC address.*” (EX1007, 99, 166.) “Most MAC addresses use one of the IEEE standardized protocols; *MAC-48, EUI-48®, and EUI-64®.*” (EX1026, 2:50-59.)

408. It would have been obvious to a POSITA to combine the teachings of Williams-Lim and Gruber and use the device addresses for wireless communication and/or supplementing speech processing. (*Supra* § IX.K.1.)

L. Ground 12: Williams, Lim, and Benesty Render Obvious Claims 7-8

1. Claim 7: “The client device according to claim 1, wherein the client device comprises multiple microphones, and wherein the capturing comprises capturing, by the multiple microphones in the client device, the first and second human voice data.”

409. Claim 1 is obvious in view of Williams-Lim. (*Supra* § IX.I.2.) Claims 7-8 are obvious in further view of Benesty.

410. Benesty discloses claim 7. (*Supra* § IX.D.2.)

411. It would have been obvious to a POSITA to apply Benesty's techniques of including multiple microphones to Williams-Lim's client device. Both Williams-Lim and Benesty are related to capturing and processing human audio data. Williams-Lim is directed to hands-free audio communication of a user with a client device. For example, FIG. 1 of Williams illustrates "an operational environment in which applications may utilize an application engine, and may respond to *audio from user premises* to provide various services to users." (EX1006, [0003].) Lim discloses that "a *controlling device* may be provisioned with means to receive voice input from a user, e.g., a *microphone*". (EX1005, [0007].) Benesty discloses hands-free audio communication and speech processing techniques. Benesty states that "hands-free audio communication is now a major feature in mobile communication systems as well as audio and video conferencing systems. One problem that becomes evident to users of these systems is the decrease in communication quality due to the pickup of room reverberation and background noise." (EX1010, 1021.) Thus, Williams-Lim and Benesty are analogous art to the '706 patent, from the same field of endeavor, and all relate to the same technical problem of providing hands-free audio communication between users and devices.

412. The Williams-Lim-Benesty combination would result in a system where multiple microphones as taught by Benesty are incorporated in Williams-

Lim's client device to capture human voice data to improve the quality of captured audio. For example, Benesty's microphone array(s) may be included in Williams' audio interface device to capture the first and second human voice data. Because Williams-Lim and Benesty relates to audio capturing and processing, a POSITA would be motivated to use the known techniques of Benesty to improve Williams-Lim's ability to capture and process audio, especially in a room where the microphone is not placed near the mouth of the user. Even in use cases where background noise is desired, a microphone array can capture richer audio information, enabling more efficient and accurate processing, for example, separating or balancing speech and background noise when desired.

413. Combining the teachings of Williams-Lim and Benesty as such would yield predictable results of effectively improve audio capturing and processing. Further, it would have been obvious to try combining the technical features of Benesty with the teachings of Williams-Lim, as there is a finite number of identified, predictable resolutions, without requiring much effort and with a reasonable expectation of success. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. There was a finite number of potential solutions to improve audio signal pickup, such as additional software

processing or incorporating additional hardware components. The known benefits of Benesty would prompt the application of Benesty in the same field based on design incentives and other market forces to produce a system architecture that responds to captured human voice data accurately, having improved audio communication signal pickup.

2. Claim 8: “The client device according to claim 7, wherein the multiple microphones are arranged as a directional microphones array operative to estimate a number, magnitude, frequency, Direction-Of-Arrival (DOA), distance, or speed of a phenomenon impinging the microphones array.”

414. Benesty discloses claim 8. (*Supra* §§ IX.D.2 - IX.D.3.)

415. It would have been obvious to a POSITA to combine the teachings of Williams-Lim and Benesty. (*Supra* § IX.L.1.)

M. Ground 13: Williams, Lim, and Goldsmith Render Obvious Claims 13-15

1. Claim 13: “The client device according to claim 1, wherein the WLAN is according to, or base on, Institute of Electrical and Electronics Engineers (IEEE) 802.11-2012, IEEE 802.11a, IEEE 802.11b, IEEE 802.11g, IEEE 802.11n, or IEEE 802.11ac.”

416. Claim 1 is obvious in view of Williams-Lim. (*Supra* § IX.I.2.)

Claims 13-15 are obvious in further view of Goldsmith. Goldsmith discloses claim 13. (*Supra* § IX.E.4.)

417. It would have been obvious for a POSITA to apply Goldsmith’s disclosure of various types of wireless networking techniques and protocols to

Williams-Lim. Both Williams-Lim and Goldsmith are related to wireless communication technologies. As discussed, Williams discloses that the interface device 116 and home devices (media devices 106 and application devices 220) communicate with a wireless network (e.g., via a router). (*Supra* § IX.I.2.a, IX.I.2.f - IX.I.2.g, IX.I.2.i; EX1006, [0012] – [0013], [0020], Figure 1.) Williams expressly discloses usage of “other wireless data communications technologies” between interface device and application engine and “various network communications between the components of FIG. 2 (which includes the client device, the controlled device, and the server device) may be performed using existing networking protocols and techniques.” (EX1006, [0020], [0012], [0013], [0038].) Lim discloses that access to “a remote server 500 accessible via a network 502 such as the Internet” “may be via an intermediary appliance such as STB 104, illustrated at 506, or may be via a *local network connection 508, such as WiFi or Bluetooth, through a gateway device such as a router* (not illustrated).” (EX1005, [0027].) Goldsmith discloses various existing wireless connection systems in a chapter titled “1.4 Current Wireless Systems” (EX1040, 8-21.) Thus, Williams-Lim and Goldsmith are analogous art to the ’706 patent, from the same field of endeavor, and all relate to the same technical problem of providing wireless communications between devices.

418. A POSITA would be motivated to use the known wireless networking techniques of WLAN over IEEE 802.11b, 802.11a, and/or 802.11g to improve the usability of Williams-Lim in the same way. Combining the teachings of Williams-Lim and Goldsmith as such would yield predictable results of effectively improving usability and convenience of the control system.

419. A POSITA would have looked to Goldsmith's disclosure of WLAN based on IEEE 802.11b, IEEE 802.11a, and IEEE 802.11g, and understood that the WLAN communications between devices as disclosed in Williams-Lim can be WLAN based on IEEE 802.11b, 802.11a, and/or 802.11g, especially since Goldsmith explains the popularity of 802.11b wireless LANs and the wide coverage of locations with 802.11b base stations installed. (EX1040, 15-16.) 802.11a can support more users at higher data rates, and 802.11g can be used in either the 2.4 GHz and 5 GHz bands. Goldsmith discloses that "many wireless LAN cards and access points support all three standards to avoid incompatibilities." *Id.*

420. Further, it would have been obvious to try combining the wireless communication techniques of Goldsmith (e.g., WLAN based on IEEE 802.11b, 802.11a, and/or 802.11g) with the teachings of Williams-Lim, without requiring much effort and with a reasonable expectation of success. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as

demonstrated by successful implementations in the field. There was a finite number of potential wireless network communications, such as infrared, BlueTooth, Zigbee, 3G, 4G, UWB, and GSM, that were commonly known in the industry and were easy to apply to Williams-Lim. The known benefits and feasibility of including a well-known wireless networking technique such as WLAN based on IEEE 802.11b, 802.11a, and/or 802.11g as taught by Goldsmith to connect in-home devices with a remote server would prompt the application of Goldsmith in the same field based on design incentives and other market forces.

2. Claim 14: “The client device according to claim 1, wherein the WLAN uses an unlicensed radio frequency band that is an Industrial, Scientific and Medical (ISM) radio band.”

421. Goldsmith discloses claim 14. (*Supra* § IX.E.3.)

422. As discussed above, a POSITA would be motivated to combine the teachings of Goldsmith and Williams-Lim and apply the well-known wireless communication techniques such as WLAN over 802.11b as taught in Goldsmith to Williams-Lim. (*Supra* §§ IX.M.1, IX.E.2.)

3. Claim 15: “The client device according to claim 1, further configured for communicating over a cellular telephone network that is a Third Generation (3G) network that uses Universal Mobile Telecommunications Client device (UMTS), Wideband Code Division Multiple Access (W-CDMA) UMTS, High Speed Packet Access (HSPA), UMTS Time-Division Duplexing (TDD), CDMA2000 1×RTT, Evolution-Data Optimized (EV-DO), or a Global Client device for Mobile communications

(GSM), Enhanced Data rates for GSM Evolution (EDGE) EDGE-Evolution, or wherein the cellular telephone network is a Fourth Generation (4G) network that uses Evolved High Speed Packet Access (HSPA+), Mobile Worldwide Interoperability for Microwave Access (WiMAX), Long-Term Evolution (LTE), LTE-Advanced, Mobile Broadband Wireless Access (MBWA), or is based on IEEE 802.20-2008.”

423. Goldsmith discloses claim 15. (*Supra* § IX.E.4.)

424. Williams discloses that “*interface devices* might use *cellular* or other wireless data *communications technologies* to communicate with the application engine 118 [of *server 400*],” and “some in-home devices may communicate with the *network 114 using cellular data technologies, or through other types of wired and wireless technologies that do not involve an in-home router or access point.*” (EX1006, [0020], [0013].)

425. It would have been obvious for a POSITA to combine and apply Goldsmith’s disclosure of conventional wireless communication protocols such as 3G using W-CDMA (UMTS), GSM, and EDGE to Williams-Lim. As discussed above, Williams-Lim and Goldsmith are analogous art to the ’706 patent, from the same field of endeavor, and all relate to the same technical problem of providing wireless communications between devices. Williams discloses that the “*interface devices* might use *cellular* or other wireless data *communications technologies* to communicate with the application engine 118 [of *server 400*][.]” (EX1006, [0020].) Goldsmith discloses conventional

cellular data technologies. (EX1040, 12-13.) A POSITA would be motivated to use the conventional cellular data technologies and wireless network communications techniques such as 3G using W-CDMA (UMTS), GSM, and EDGE as taught by Goldsmith to improve the usability of Williams-Lim in the same way. (*Supra* § IX.E.4.) Combining the teachings of Williams-Lim and Goldsmith as such would yield predictable results of effectively improving usability and convenience of the control system.

426. Further, it would have been obvious to try combining the wireless communication techniques of Goldsmith (e.g., 3G over W-CDMA (UMTS), GSM, and EDGE) with the teachings of Williams-Lim, without requiring much effort and with a reasonable expectation of success. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. There was a finite number of potential wireless network communications, such as infrared, BlueTooth, and Wi-Fi, that were commonly known in the industry and were easy to apply to Williams-Lim. The known benefits and feasibility of including a known cellular data technology and wireless networking technique such as 3G over W-CDMA (UMTS), GSM, and EDGE as taught by Goldsmith to connect in-home devices with a remote server would prompt the application

of Goldsmith in the same field based on design incentives and other market forces.

N. Ground 14: Williams, Lim, and Chatterjee Render Obvious Claim 17-19, 22

1. Claim 17: “The client device according to claim 16, wherein the primary functionality of the appliance is associated with a food storage, handling, or preparation.”

427. Claim 1 is obvious in view of Williams-Lim. (*Supra* § IX.I.2.)

Claims 17-19, 22 are obvious in further view of Chatterjee.

428. Chatterjee discloses claim 17. (*Supra* § IX.F.2.)

429. It would have been obvious to a POSITA to combine the teachings of Williams-Lim and Chatterjee. Both Williams-Lim and Chatterjee analogous art to the ’706 patent. (EX1001, Claim 1, 135:54-59; EX1006, [0007], [0051].)

All relate to a home automation system for remotely controlling home appliances. Williams discloses that “[a]n application might also be designed to allow a user to control various on-premises devices and equipment, such as media equipment and *home-automation devices*.” (EX1006, [0051].) Lim discloses controlling various appliances, such as “*televisions, VCRs, DVRs, DVD players, cable or satellite converter set-top boxes (‘STBs’), amplifiers, CD players, game consoles, home lighting, drapery, fans, HVAC systems, thermostats, personal computers*, etc.” (EX1005, [0017].) Chatterjee discloses “a system and method for providing home automation using a mobile

device.” (EX1012, Abstract.) Thus, Williams-Lim and Chatterjee are from the same field of endeavor and reasonably pertinent to the same technical problems of remote control of home appliances. Combining Chatterjee with Williams-Lim would improve and expand the capabilities of Williams-Lim in the same way. Combining the teachings of Williams-Lim and Chatterjee as such would yield predictable results of enabling home automation.

430. Because Williams and Lim explicitly provide that their systems can be used to control *home automation devices, HVAC, home lighting and thermostat*, respectively, and Chatterjee enumerates exemplary home automation devices and control of HVAC and home lighting systems, it would have been obvious to try combining the teachings of Williams-Lim and Chatterjee such that Williams-Lim can be used to control the home automation devices of Chatterjee.

431. Prior art such as Chatterjee has successfully demonstrated that the controlled smart appliances can be an oven, a dishwasher, light fixtures, and a refrigerator, and thus, there would have been a reasonable expectation of success for combining Williams-Lim and Chatterjee. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. Further, there are a finite number of identified and predictable home appliances to try controlling

remotely. Thus, it would have been obvious to a POSITA to combine the teachings of Chatterjee and Williams-Lim to use Williams-Lim's techniques to control home appliances such as an oven, a dishwasher, light fixtures, and a refrigerator as disclosed by Chatterjee. The known benefits and feasibility of remote controlling home appliances such as oven, a dishwasher, light fixtures, and a refrigerator as disclosed by Chatterjee would prompt the application of Chatterjee in the same field based on design incentives and other market forces.

2. Claim 18: “The client device according to claim 17, wherein the primary function of the appliance is heating food, and wherein the appliance is a microwave oven, an electric mixer, a stove, an oven, or an induction cooker.”

432. Chatterjee discloses claim 18. (*Supra* § IX.F.3.)

433. It would have been obvious to a POSITA to combine the teachings of Williams-Lim and Chatterjee. (*Supra* § IX.N.1.)

3. Claim 19: “The client device according to claim 17, wherein the appliance is a refrigerator, a freezer, a food processor, a dishwasher, a food blender, a beverage maker, a coffeemaker, or an iced-tea maker.”

434. Chatterjee discloses claim 19. (*Supra* § IX.F.4.)

435. It would have been obvious to a POSITA to combine the teachings of Williams-Lim and Chatterjee. (*Supra* § IX.N.1.)

4. Claim 22: “The client device according to claim 16, wherein the primary function of the appliance is associated with cleaning, wherein the appliance primary function is associated with a clothes cleaning

and the appliance is a washing machine, or wherein the appliance is a vacuum cleaner.”

436. Chatterjee discloses claim 22. (*Supra* § IX.F.5.)

437. It would have been obvious to a POSITA to combine the teachings of Williams-Lim and Chatterjee. (*Supra* § IX.N.2.)

O. Ground 15: Williams, Lim, and Rosenberger Render Obvious Claims 24-25

1. Claim 24: “The client device according to claim 1, wherein the first actuator is an electric light source for converting an electrical energy into light that emits a visible or non-visible light for illumination or indication, and the non-visible light is infrared, ultraviolet, X-rays, or gamma rays.”

438. Claim 1 is obvious in view of Williams-Lim. (*Supra* § IX.I.2.)

Claims 24-25 are obvious in further view of Rosenberger. Rosenberger discloses claim 24. (*Supra* § IX.G.2.)

439. As discussed, Lim itself discloses *LEDs* in the *client device*. (*Supra* §§IX.A.2.e, IX.A.2.h.) Lim discloses “a *controlling device 100* for use in commanding the functional operations of one or more appliances may include, . . . , a means 202 to provide feedback to the user (e.g., *one or more LEDs*)[.]” (*Id.*; EX1005, [0019].)

440. At the time of the invention, it would have been obvious to combine the teachings of Rosenberger with Williams-Lim. Both Rosenberger and Williams-Lim relate to processing audio information such as human speech for

controlling devices or providing services through devices. (See EX1006, [0027] and [0036]; EX1005, [0007], [0027].) Rosenberg relates to “improvements in speech-recognizing control devices that respond to oral commands from a system user to produce a desired effect or result.” (EX1013, 1:7-13.) Thus, Rosenberg and Williams-Lim are analogous to the ’706 patent, from the same field of endeavor, and all relate to the same goal of processing and responding to audio commands.

441. Rosenberg discloses incorporating a multi-colored LED light in the device that responds to a speech trigger phrase received to “visually indicat[e] various device states and modes”, for example by changing colors. Further, Lim itself discloses, “[t]his and subsequent prompts for voice input may take the form of an *illuminated LED*.” (EX1005, [0027]; *supra* §§IX.A.2.g, IX.A.2.h.) The technique of incorporating a light in the device that turns on/off and changes color to indicate the device status and prompt user to provide speech input can be combined with the teachings of Williams-Lim to improve the usability of Williams-Lim’ interface device, with a reasonable expectation of success.

442. Specifically, the Williams-Lim-Rosenberger combination results in a system that allows control of devices in response to processing of human voice data while incorporating the advantage of Rosenberg to signal or prompt users

to provide voice input via its status light. For example, the Williams-Lim-Rosenberger combination would include a status light in the audio interface device, which turns on/off and/or changes color to indicate different device states and modes, as taught by Lim/Rosenberger.

443. The technique of incorporating an indicator light in the audio interface device disclosed in the Williams-Lim-Rosenberger combination yield the predictable result of improving usability of the device as the changes of the light can indicate to a user the current state or mode the device is operating in, and particularly, serves as an additional way to prompt users to provide the “first human voice data” and “second human voice data” to control the device. Because both Williams-Lim and Rosenberger relates to capturing human voice data for controlling devices or providing services, a POSITA would be motivated to use the known techniques of Rosenberger to improve the usability of Williams-Lim’ interface device in the same way by enabling users to understand the shifts in device status and modes through the changes in the LED light, and to understand when the device requires additional voice input.

444. Further, it would have been obvious to try combining the teachings of Williams-Lim and Rosenberger. There are only a finite number of identified and predictable solutions for indicating to a user the device state or mode or prompt user to provide speech input, such as visual cues, auditory cues, and

tactile cues. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. Prior art such as Rosenberg has successfully demonstrated that devices may include a light for indicating device states and modes and prompting users to provide speech input, and thus, there would have been a reasonable expectation of success for combining Williams-Lim and Rosenberg. The known benefits of Rosenberg would prompt its application in the same field based on design incentives and other market forces.

2. Claim 25: “The client device according to claim 24, wherein the electric light source comprises a lamp, an incandescent lamp, a gas discharge lamp, a fluorescent lamp, a Solid-State Lighting (SSL), a Light Emitting Diode (LED), an Organic LED (OLED), a polymer LED (PLED), or a laser diode.”

445. Rosenberg discloses claim 25. (*Supra* § IX.G.3.)

446. Further, Lim itself discloses *LEDs* in the *client device*. (EX1005, [0019]; *supra* §§IX.A.2.e, IX.A.2.h.)

447. It would have been obvious to a POSITA to combine the teachings of Williams-Lim and Rosenberg. (*Supra* § IX.O.1.)

P. Ground 16: Williams, Lim, and Rossing Render Obvious Claims 9, 26-28

1. Claim 9: “The client device according to claim 1, wherein the microphone is an omnidirectional, unidirectional, or bidirectional microphone that is based on the sensing an incident sound-based motion of a diaphragm or a ribbon, or wherein the microphone comprises a condenser, an electret, a dynamic, a ribbon, a carbon, or a piezoelectric microphone.”

448. Claim 1 is obvious in view of Williams-Lim. (*Supra* § IX.I.2.)

Claims 9, 26-28 are obvious in further view of Rossing.

449. Rossing discloses claim 9. (*Supra* § IX.H.2)

450. A POSITA would understand that the claim refers to a standard microphone. As discussed, Williams discloses use of such a **microphone** in the **client device**, consistent with the description of the '706 patent. (EX1001, Claim 9, 17:47-54.) With reference to FIG. 1, Williams discloses “[a]n **audio interface device 116** ... having a **microphone** and a network interface.” (EX1006, [0016]; *see also, id.*, [0007], [0019], claims 1-3 and 21). Further, Lim also discloses that the **controlling device** has a **microphone**. “A representative **smart device**, illustrated in FIG. 3 in the form of a smart phone, may include . . . an audio management system 326 with associated **microphone 328**, speaker 330, and headphone jack 332 [.]” (EX1005, [0023], *see also*, [0019].)

451. Both Williams-Lim and Rossing are related to operating microphone(s) and speaker(s). (EX1006, [0016]; *see also, id.*, [0007], [0019], claims 1-3 and 21.) As discussed, Rossing is a textbook providing basic information on how microphones and speakers operate. (EX1014, 757-758, 763, 765, 903.) Thus, Williams-Lim and Rossing are analogous art to the '706 patent, from the same field of endeavor, and all relate to the same technical

problems of operating microphone(s) and speaker(s). Thus, a POSITA would have been motivated to look to Rossing for techniques and details regarding these components for implementing the system described in Williams-Lim.

452. It would have been obvious to a POSITA to apply Rossing's teachings related to conventional components to Williams-Lim, as various microphone features can improve William's microphone in the same way and yield predictable results. The known benefits of various features would prompt the application of Rossing in the same field based on design incentives and market forces. Further, it would have been obvious to try combining Rossing with the teachings of Williams-Lim, for example by using an omnidirectional, unidirectional, or bidirectional microphone that is based on the sensing an incident sound-based motion of a diaphragm or a ribbon, or a condenser, an electret, a dynamic, a ribbon, a carbon, or a piezoelectric microphone in the client device to capture the first and second human data, without requiring much effort and with a reasonable expectation of success. The combination is straightforward and readily achievable by a person of ordinary skill in the art, as demonstrated by successful implementations in the field. There was a finite number of types of microphones, such as a condenser, an electret, a dynamic, a ribbon, a carbon, or a piezoelectric microphone, that were commonly known in the industry and easy to manufacture and integrate into Williams-Lim.

2. Claim 26: “The client device according to claim 1, wherein the first actuator is a motion actuator that causes a linear or rotary motion.”

453. Rossing discloses claim 26. (*Supra* § IX.H.3)

454. As discussed, Williams-Lim and Rossing are analogous art to the '706 patent, from the same field of endeavor, and all relate to the same technical problems of operating microphone(s) and speaker(s). (*Supra* § IX.P.1.) As discussed, both Williams and Lim teach operating an actuator (e.g., *speaker 206*, *speaker 303*), consistent with the descriptions of the '706 patent, in the client device (e.g., *interface device 116*, *smart device 110*) in response to the received first message (e.g., *audio 222*, recognized speech, analysis of or information associated with the recognized speech, and/or the next prompt). (*Supra* §§ IX.I.2.e, IX.I.2.h, IX.A.2.e, IX.A.2.h; EX1006, [0046], [0047], [0031], FIG. 4; EX1005, [0027]-[0029]; EX1001, 105:48-52, 105:61-106:4.) Rossing is a textbook providing basic information on microphones and speakers. (EX1014, 757-758, 763, 765, 903.) Thus, a POSITA would have been motivated to look to Rossing for techniques and details related to speakers for implementing Williams-Lim. Further, it would have been obvious to try combining Rossing with the teachings of Williams-Lim. (*Supra* § IX.P.1.)

3. Claim 27: “The client device according to claim 1, wherein the first actuator is a sounder for converting an electrical energy to

an omnidirectional, unidirectional, or bidirectional pattern emitted, audible or inaudible, sound waves.”

455. A POSITA would have understood that this claim refers to a speaker. As discussed above, at the time of the invention, a POSITA would have understood that a speaker is a sounder for converting an electrical energy to sound waves. (EX1018, 122; EX1014, 763.) Further, as discussed, the ’706 patent discloses the same. “An actuator may be an *electroacoustic actuator, such as a sounder* which converts electrical energy to sound waves . . . A *loudspeaker (a.k.a. speaker) is a sounder* that produces sound in response to an electrical audio signal input, typically audible sound.” (EX1001, 105:48-52, 105:61-106:4.)

456. As discussed above, both Williams and Lim disclose operating an actuator (e.g., *speaker*) in the client device. (*Supra* §§ IX.I.2.e, IX.I.2.h, IX.A.2.e, IX.A.2.h; EX1006, [0046], [0047], [0031], FIG. 4; EX1005, [0027]-[0029].)

457. Further, in light of Rossing, a POSITA would understand that a speaker emits sound waves that are of at least omnidirectional pattern. (*Supra* § IX.H.4.) For example, “[s]ound radiates from a loudspeaker in all *directions*, depending on angle and frequency . . . It is rare for a speaker to have truly constant directionality across its entire pass-band, in part from that fact that

most are at least somewhat directional at mid and high frequencies, and, because of the long wavelengths involved, almost unavoidably *omni-directional at low frequencies.*” (*Id.*, EX1014, 765.) It would have been obvious to combine Williams-Lim and Rossing. (*Supra* § IX.P.3.)

4. Claim 28: “The client device according to claim 27, wherein the sounder comprises an electromagnetic loudspeaker, a piezoelectric speaker, an electrostatic loudspeaker (ESL), a ribbon or planar magnetic loudspeaker, or a bending wave loudspeaker, or wherein the sounder comprises an electric bell, a buzzer, a chime, a whistle, or a ringer.”

458. A POSITA would have understood that this claim refers to a speaker.

459. As discussed, Rossing discloses that there are different types of speaker at the time of the invention, such as an electromagnetic speaker, a piezoelectric speaker, an electrostatic loudspeaker, or a magnetic loudspeaker. (*Supra* § IX.H.5, EX1014, 763, 321-322.)

460. As discussed, Williams and-Lim and Rossing are from the same field of endeavor and reasonably pertinent to the same technical problems of operating microphone(s) and speaker(s). Both Williams and Lim disclose operating an actuator (e.g., *speaker 206, speaker 303*), consistent with the descriptions of the ’706 patent, in the client device (e.g., *interface device 116, smart device 110*) in response to the received first message (e.g., *audio 222*, recognized speech, analysis of or information associated with the recognized

speech, and/or the next prompt). (*Supra* §§ IX.I.2.e, IX.I.2.h, IX.A.2.e, IX.A.2.h; EX1006, [0046], [0047], [0031], FIG. 4; EX1005, [0027]-[0029]; EX1001, 105:48-52, 105:61-106:4.) Rossing is a textbook providing basic information on how microphones and speakers operate. (EX1014, 757-758, 763, 765, 903.) Thus, a POSITA would have been motivated to look to Rossing for techniques and details related to speakers for implementing Williams-Lim, as various speaker features can improve William-Lim's speaker in the same way and yield predictable results. The known benefits of various features would prompt the application of Rossing in the same field based on design incentives and other market forces.

461. Further, it would have been obvious to try combining the technical features of Rossing with the teachings of Williams-Lim, for example, by using an electromagnetic loudspeaker, a piezoelectric speaker, an electrostatic loudspeaker (ESL), a ribbon or planar magnetic loudspeaker, or a bending wave loudspeaker in the client device to output audio reply, without requiring much effort and with a reasonable expectation of success. (*Supra* § IX.H.2.) There was a finite number of types of speakers, such as an electromagnetic loudspeaker, a piezoelectric speaker, an electrostatic loudspeaker (ESL), a ribbon or planar magnetic loudspeaker, that were commonly seen in the industry

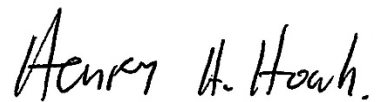
and easy to manufacture and integrate into the Williams-Lim system.

(EX1014, 321-322, 763.)

* * *

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code.

Dated: November 21, 2025

A handwritten signature in black ink, reading "Henry H. Houh". The signature is written in a cursive style with a horizontal line underneath the name.

Henry H. Houh

Henry H. Houh

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Lexington, MA 02420
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Education

Massachusetts Institute of Technology, Cambridge, MA

- PhD in Electrical Engineering and Computer Science, February 1998. “Designing Networks for Tomorrow's Traffic,” thesis supervised by Professor David Tennenhouse and Professor John Guttag. GPA 4.7/5.0
- Master of Science in Electrical Engineering and Computer Science, February 1991. “Demonstration of a laser repetition rate multiplier,” thesis. GPA 4.5/5.0
- Bachelor of Science in Electrical Engineering and Computer Science, June 1989. “Boundary element analysis of arbitrarily shaped dielectric structures,” thesis. GPA 4.7/5.0
- Bachelor of Science in Physics, February 1990. GPA 4.7/5.0

MITx, Cambridge, MA

- 2020 – 2021: Completed four courses in the Statistics and Data Science MicroMasters program, a sequence of MIT-offered graduate-level courses in statistics and machine learning.

Experience

Houh Consulting Inc. / Independent Consultant

- 2009 - present: Technical consultant specializing in Social Networking, Web 2.0, Web Site Development, Data Networking, Optical Networking, Telecommunications, Media Streaming and Voice Over IP. Clients include: Akin Gump Strauss Hauer & Feld LLP, Arnold & Porter Kaye Scholer LLP, BBN, Baker Botts LLP, Barnes & Thornburg LLP, BBN Technologies, Beus Gilbert McGroder PLLC, Bracewell LLP, Christensen O'Connor Johnson Kindness PLLC, Cooley LLP, Covington & Burling LLP, Cozen O'Connor P.C., DLA Piper, Davis Polk & Wardwell LLP, Desmarais LLP, Duane Morris LLP, Erise IP, P.A., Faegre Baker Daniels LLP, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, Fish & Richardson P.C., Goldman Ismail Tomaselli Brennan & Baum LLP, Haynes and Boone, LLP, Kaye Scholer, Kellogg Huber Hanson Todd Evans & Figel PLLC, Kirkland & Ellis LLP, Klarquist Sparkman, LLP, McCarthy Tetrault LLP, McGuireWoods LLP, Morgan, Lewis & Bockius LLP, Munger Tolles & Olson LLP, Orrick, Herrington & Sutcliffe LLP, O'Melveny & Myers LLP, Orrick, Herrington & Sutcliffe LLP, Paul Hastings LLP, Paul, Weiss, Rifkind, Wharton & Garrison LLP, Perkins Coie LLP, Quinn Emanuel Urquhart & Sullivan, LLP, Sidley Austin LLP, Smith Baluch LLP, Sterne, Kessler, Goldstein & Fox PLLC, Troutman Sanders LLP, Venable LLP, Weil, Gotshal & Manges LLP, Wiley Rein LLP, Wilmer Cutler Pickering Hale and Dorr LLP, and Winston & Strawn LLP.

BlocksCAD Inc. (H3XL spin-out)

- 2014 – 2025: Founder and member of Board of Directors. BlocksCAD is a visual Computer-Aided Design (CAD) program, designed to teach children mathematics and geometric visualization. BlocksCAD is being used in U.S. schools and worldwide in maker spaces, with 350,000+ users. BlocksCAD was selected to be part of the LearnLaunch 2017 Boost Accelerator, the MIT Play Labs 2018 Summer Accelerator, and the MassChallenge 2018 Boston Cohort. Recipient of DARPA DSO grant in 2014, and SBIR grant from the USDA in 2019. BlocksCAD was acquired by zSpace in 2025.

H3XL Inc. d/b/a Einstein's Workshop (formerly Lexington Robotics)

- 2009 - 2022: Founder and President. Started a science, technology, engineering and math enrichment program and creative/maker space, in 7,000 square feet of space. Serve 2,000+ kids and families annually. As of end of 2022, have delivered an estimated 250,000 student-instruction-hours of STEM courses. Principle Investigator for 2-year DARPA grant to improve 3D Computer Aided Design tool developed in-house for the purposes of teaching 8 year olds and up 3D CAD.

Eons

- 2008 - 2009: Chief Technology Officer. Created product that Eons acquired from BBN Technologies. Integrated BBN product with Eons social networking platform and significantly increased the Eons group creation rate. Helped evaluate advertisement platform offerings and rolled out the “Boom Network” advertising network. Eons raised \$32 million from General Catalyst Partners, Charles River Ventures, Sequoia Capital, and Intel Capital.

BBN Technologies

- 2007 - 2008: Delta Division, Vice President of Technology. Grew “Boomerang” counter-sniper project engineering team and significantly de-risked \$10 million worth of product deliveries. Identified sales team leading to \$10 million dollars of new sales within 6 months and \$100+ million in additional orders in the following two years. Boomerang was a significant asset leading to the acquisition of BBN by Raytheon in 2009. Created new business plan and grew team; launched new fully-featured social networking web site in 5 months. Served as lead expert witness in patent infringement lawsuit, resulting in \$58 million jury award to client; verdict for patents I testified on were upheld on appeal which resulted in a \$120 million settlement.
- 2004 - 2007: Delta Division, Director of Technology, responsible for commercializing IP and creating new businesses. Hired and grew division's initial engineering team. Wrote three business plans, two of which were funded. For call center business plan, acted as general manager, hiring and managing engineering team, inside sales team, and identifying and recruiting a new general manager. Identified and recruited other key employees to Delta Division, including senior members of team leading to successful internal sales growth and spin-outs of projects. Contracted by BBN to BBN spin-out PodZinger as VP of Operations and Technology. Additional areas studied include mesh networking, network security, satellite communications, and semantic web.

PodZinger Inc. (BBN spin-out, also known as EveryZing and now RAMP)

- 2006: Vice President of Operations and Technology. Significantly upgraded capability of consumer-facing search site and redeployed web site from company to co-location facility. Identified key portions of infrastructure for upgrading and cost reduction. Helped write business plan, evaluating advertisement models of revenue. Hired in operations replacement and phased back to BBN.

Commonwealth Capital

- 2004: Entrepreneur-in-residence (informally), performed technical due diligence on business plans, brainstormed ideas for new businesses with venture partner. With venture partner, left for portfolio company BBN to form core of commercialization team.

Empirix, Inc./Teradyne, Inc.

- 2001 - 2004: Chief Technologist, Engineering Manager, Web Application Test Group. Researched potential new product areas; developed product plan and prototype. Responsible for three new and existing products. Managed off-shore development team. Chief architect for all web testing products. Re-architected core testing product, helped write javascript interpreter. Provided technical vision for core product.
- 2000 - 2001: Chief Technologist, Communication Infrastructure Test Group. Responsible for incorporating new technology internally, tracking new technologies, technical evaluation of partnerships and potential acquisitions. Helped develop division strategy. Developed plans which formed core capabilities for successful new products introduced in 2004-5.
- 2000 - 2001: Engineering Manager, Communications Infrastructure Test Group. Execution of new product plan developed in prior role. Grew team from four existing engineers to team of over 30 on immediate team and over 40 on project. Delivered new platform in one year. Platform and derivatives accounted for large portion of booked products for the division within 2 years and is currently (2008) a key portion of new product offerings.
- 2000: Empirix was formed as a spin-out of Teradyne in January 2000. Reported to CEO in carve-out of Empirix from Teradyne.
- 1999: (Teradyne) Director of Business Development, Software Test Units. Reported directly to Chairman of the Board/Founder and then to general manager of software test unit (6 divisions of Teradyne). Evaluated and researched acquisition and partnership candidates. Internally assessed technology position in market and gaps in product lines. Worked with senior division staff to develop new product strategies. Attended internal Teradyne divisional board meetings. Chairman served as my mentor.

3Com Corporation/NBX Corporation

- 1999: Software Engineer 5. Continued work after 3Com acquisition of NBX. Built cross-division relationships for new products and research directions. NBX was acquired by 3Com in March 1999.
- 1997 - 1999: (NBX) Senior Scientist and Engineer. Work in IP Telephony. Architected next-generation product. Protocol design and validation for core protocol now used tens of millions of times daily. Led team in integration of IP protocols into current product. Designed audio reconstruction algorithms. Developed applications for bug analysis and diagnosis of system problems. Implementation of network simulator. Work on collaborative projects with external

partners. Worked to identify gaps in product. Representative at numerous trade shows. Innovated novel methods of using product.

MIT Department of Electrical Engineering and Computer Science, Cambridge, MA

- 1991 - 1998: Research assistant, Telemedia Network Systems Group. Design, development, and implementation of Gigabit ATM network for distributed multimedia system. Studied host interface design issues. ATM network simulation.
- Spring 1989, Fall 1990, Spring 1995: Teaching assistant, Computation Structures digital systems course. (Spring 1995 Head TA)
- 1988 - 1989: Head laboratory teaching assistant for Computation Structures. Responsibilities included writing and revising lab assignments, and maintaining the lab.
- 1987: Laboratory teaching assistant for Computation Structures.
- 1987: Design, construction, and programming of 16-bit computer.

Agora Technology Group, Incorporated

- 1994 - 1996: Founder and CEO. Conceived and oversaw development of targeted advertising-supported Web sites. Responsible for company's vision and direction. Attended the first two WWW Conferences, presenting a workshop and paper at the first, and appearing on the "Commercialization and Economics of the Web" panel and chairing the "Where Commercial Services and the Web Are Headed" panel at the second. Sold company intact; is currently an operating stand-alone company.

AT&T Bell Laboratories, Holmdel, NJ

- 1989 - 1990: Implementation of cascadable all-optical fiber logic gate. Modelocking of all-fiber erbium laser. Construction of modelocked laser repetition rate booster. Strong optics laboratory and fiber optic experience.
- Summer 1988, 1987: Research in integrated optics. Analysis of rectangular waveguides using microwave modeling. Fabrication of integrated optical components.

Honors

- MIT Alumni Association Great Dome Award, 2010, Baker 60th Anniversary Reunion Co-Chair (highest group award given by MIT Alumni Association)
- MIT Alumni Association Presidential Citation Award (now known as Great Dome), 2008, Member of MIT Chairman's Salon committee
- MIT Alumni Association Bronze Beaver Award, 2007 (highest individual award given by MIT Alumni Association)
- MIT Alumni Association Volunteer Honor Roll, February 2004
- MIT Alumni Association Lobdell Award, 1999
- Boston Museum of Science Gold Pin for 1000 hours of Volunteer Service, April 1999
- MIT Alumni Association Presidential Citation Award (now known as Great Dome), 1997, Member of Alumni Online Communications Committee

Patents and Patent Publications

- U.S. Patent #9,697,231, H. Houh, J. Stern, R. Spina, M. Meteer, “Methods and apparatus for providing virtual media channels based on media search,” July 4, 2017.
- U.S. Patent #9,697,230, H. Houh, J. Stern, “Methods and apparatus for dynamic presentation of advertising, factual, and informational content using enhanced metadata in search-driven media applications,” July 4, 2017. See also WO2007056485.
- U.S. Patent #7,975,296, L. Apfelbaum, H. Houh, T. Mayberry and G. Friedman, “Automated security threat testing of web pages,” July 5, 2011. See also US20030159063, WO2003067405.
- U.S. Patent #7,877,736, H. Houh and J. N. Stern, “Computer language interpretation and optimization for server testing,” January 25, 2011. See also US20050138104, WO2005043300.
- U.S. Patent #7,801,910, H. Houh and J. N. Stern, “Method and apparatus for timed tagging of media content,” September 21, 2010. See also US20070112837, US20090222442, WO2007056535.
- U.S. Patent #7,590,542, D. C. Williams, W. C. Hand, H. Houh, A. R. Seeley, “Method of Generating Test Scripts Using a Voice-Capable Markup Language,” September 15, 2009. See also EP1530869, US20030212561, WO2003096663.
- U.S. Patent #6,967,963, H. H. Houh, P. Anderson, C. Gadda, “Telecommunication method for ensuring on-time delivery of packets containing time-sensitive data,” November 22, 2005. See also EP1060400, WO2000033092, CA2318774.
- U.S. Patent #5,144,375, M. C. Gabriel, H. H. Houh, N. A. Whitaker, “Sagnac Optical Logic Gate,” September 1, 1992. Also issued as European Patent # EP0456422, July 23, 1997, German Patent #DE69126913, August 28, 1997
- U.S. Patent Application Publication No. 20020015387, “Voice Traffic Packet Capture and Analysis Tool for a Data Network” (Abandoned in 2007)
- U.S. Patent Application Publication No. 20020016708, “Method and Apparatus for Utilizing a Network Processor as Part of a Test System” (Abandoned in 2007)
- U.S. Patent Application Publication No. 20020016937, “Method and Apparatus for Utilizing a Network Processor as Part of a Test System.” (Abandoned in 2007) See also WO2002011413.
- U.S. Patent Application Publication No. 20070106646, “User-directed navigation of multimedia search results” (Abandoned in 2009)
- U.S. Patent Application Publication No. 20070106660, “Method and apparatus for using confidence scores of enhanced metadata in search-driven media applications” (Abandoned in 2009)
- U.S. Patent Application Publication No. 20070106685, “Method and apparatus for updating speech recognition databases and reindexing audio and video content using the same” (Abandoned in 2015)
- U.S. Patent Application Publication No. 20070118873, “Methods and apparatus for merging media content” (Abandoned in 2015)
- U.S. Patent Application Publication No. 20090222442, “User-directed navigation of multimedia search results” (Abandoned in 2016)
- U.S. Patent Application 11/395,732, “Search snippet creation for audio and video data” (Abandoned in 2009)
- U.S. Patent Application 11/774,931, “Methods and apparatus for managing a social networking web site”
- U.S. Patent Application 11/774,947, “Methods and apparatus for organizing media files”
- U.S. Patent Application 11/774,956, “Methods and apparatus for managing an online event”

- U.S. Provisional Patent Application 61/086,909, “Measuring and ranking relationship activity”
- U.S. Provisional Patent Application 61/086,914, “Detecting media object commonality”
- U.S. Provisional Patent Application 61/086,904, “Message categorization based on message characteristics”
- U.S. Provisional Patent Application 61/086,905, “Photo tagging to request action”

Publications

- “IP switching: server driven flow classification,” H. H. Houh, *Proceedings of the Washington University Workshop on Integration of IP and ATM*, November 1996.
- “Aurora at MIT,” D. D. Clark, H. H. Houh, and D. L. Tennenhouse, Editors, *MIT Laboratory for Computer Science Technical Report 673*, December 1995.
- “ViewStation Applications: Implications for Network Traffic,” C. J. Lindblad, D. Wetherall, W. Stasior, J. F. Adam, H. H. Houh, M. Ismert, D. Bacher, B. Phillips, and D. L. Tennenhouse, *IEEE Journal of Selected Areas in Communications*, 1995.
- “The VuNet Desk Area Network: Architecture, Implementation, and Experience,” H. H. Houh, J. F. Adam, M. Ismert, C. J. Lindblad, and D. L. Tennenhouse, *IEEE Journal of Selected Areas in Communications*, 13 (4), May, 1995.
- “Reducing the Complexity of ATM Host Interfaces,” H. H. Houh and D. L. Tennenhouse, *Hot Interconnects II Symposium Proceedings*, Stanford, August 11-12, 1994.
- “Media-intensive data communications in a ‘desk-area’ network,” J. F. Adam, H. H. Houh, M. Ismert, and D. L. Tennenhouse, *IEEE Communications*, August 1994.
- “ViewStation Applications: Intelligent Video Processing Over A Broadband Local Area Network,” C. J. Lindblad, D. J. Wetherall, W. Stasior, B. Phillips, D. Bacher, J. Adam, H. Houh, M. Ismert, and D. L. Tennenhouse, *Proceedings of the 1994 USENIX Symposium on High-Speed Networking*, Oakland, CA, August 1994.
- “The Media Gateway: Live Video on the World Wide Web,” H. H. Houh, C. J. Lindblad, J. Soo, D. L. Tennenhouse, and D. J. Wetherall, *Workshop at the 1994 World Wide Web Conference*, Geneva, Switzerland, May 1994.
- “Active Pages: Intelligent Nodes on the World Wide Web,” H. H. Houh, C. J. Lindblad, and D. J. Wetherall, *Proceedings of the 1994 World Wide Web Conference*, Geneva, Switzerland, May 1994.
- “Wavelength Division vs. Code Division Access Methods for Optical Networks,” H. H. Houh, *Area Exam Paper*, May 1993.
- “Experience with the VuNet: A Network Architecture for a Distributed Multimedia System,” J. F. Adam, H. H. Houh, D. L. Tennenhouse, *Proceedings of the 18th Conference on Local Computer Networks*, pp. 70-76, September 1993
- “The VudBoard: A Simple DMA Interface,” H. H. Houh, *Proceedings of the 4th Gigabit Minijam*, January 1994.
- “A Software-Oriented Approach to the Design of Media Processing Environments,” D. L. Tennenhouse, J. Adam, D. Carver, H. Houh, M. Ismert, C. Lindblad, W. Stasior, D. Weatherall, D. Bacher, and T. Chang., submitted to the *International Conference on Multimedia Computing and Systems*, May 1994.
- “A Network Architecture for Distributed Multimedia Systems,” J. F. Adam, H. H. Houh, M. Ismert, and D. L. Tennenhouse, submitted to the *International Conference on Multimedia Computing and Systems*, May 1994.

- “The Viewstation Collected Papers,” D. L. Tennenhouse, J. Adam, C. Compton, A. Duda, D. Gifford, H. Houh, M. Ismert, C. Lindblad, W. Stasior, R. Weiss, D. Wetherall, D. Bacher, D. Carver, and T. Chang, MIT Laboratory for Computer Science Technical Report, MIT/LCS/TR-590, November 1993.
- “The Viewstation Collected Papers II,” W. F. Stasior, D. L. Tennenhouse, J. F. Adam, D. R. Bacher, H. H. Houh, M. Ismert, C. J. Lindblad, B. M. Phillips, D. J. Wetherall, MIT Laboratory for Computer Science Technical Report, MIT/LCS/TR-696, April 1996.
- “A System's Perspective of the Sagnac Fiber Logic Gates and Their Possible Applications,” A. Huang, N. Whitaker, C. Gabriel, H. Avramopoulos, P. M. W. French, H. H. Houh, and I. Chuang, Applied Optics, September 10, 1994
- “Complete Switching in a Three-Terminal Sagnac Switch,” H. Avramopoulos, P. M. W. French, M. C. Gabriel, H. H. Houh, N. A. Whitaker, T. Morse, IEEE Phot. Tech. Lett. **3** (3), 235
- “Complete Switching in a Three-Terminal Sagnac Switch,” H. Avramopoulos, P. M. W. French, M. C. Gabriel, H. H. Houh, N. A. Whitaker, IEEE/LEOS Annual Meeting, Paper PDP-13, November 1990
- “All-optical phase-locked oscillator,” N. A. Whitaker, Jr., H. H. Houh, H. Avramopoulos, T. F. Morse, IEEE/LEOS Annual Meeting, Paper ELT2.4/MOO3, November 1990
- “Passive modelocking of an all-fiber erbium laser,” H. Avramopoulos, H. H. Houh, N. A. Whitaker, M. C. Gabriel, T. F. Morse, IEEE/LEOS Conference on Optical Amplifiers and their Applications, Paper PDP-8, August 1990
- “Transverse modes, waveguide dispersion, and 30ps recovery in submicron GaAs/AlAs microresonators,” J. L. Jewell, S. L. McCall, A. Scherer, H. H. Houh, N. A. Whitaker, A. C. Gossard, and J. H. English, Appl. Phys. Lett. **55** (1), July 3, 1989

Leadership, Activities and Interests

- Leadership
 - Reading Symphony Orchestra
 - Board of Directors (Treasurer), 2022 – present
 - Discovery Museum (Acton, MA)
 - Board of Directors, 2023 – present
 - Board of Directors, Development Committee, 2023 – present
 - Science and Technology Advisory Council, 2012 – present
 - The Discover Museum received the 2024 National Medal for Museum and Library Service, the nation’s highest honor given to museums and libraries that make significant and exceptional contributions to their communities.
 - Tau Beta Pi National Engineering Honor Society
 - Executive Councilor and Secretary, 2024 – 2026
 - Advisor, MA B Chapter at MIT, 2003 – present
 - District Director (National Officer), Tau Beta Pi, New England Area, 1991 – 2003
 - President, MA B Chapter at MIT, Fall 1988 – Spring 1989
 - Laureate award, 1989
 - MIT Alumni Association Board of Directors
 - MIT Annual Giving Board, 3 year term, 2024 – 2027
 - National Selection Committee, 3 year term, 2020 – 2023
 - K-12 STEM Initiatives Co-chair, 2013 – 2017
 - Awards Committee Chair, 2012 – 2014

- Awards Committee, 3 year term, 2011 – 2014
- Vice President, 2 year term, 2004 – 2006
- Alumni Ad-Hoc Committee, Chair, 2005-2006
- Board Member, 2 year term, 1997 – 1999
- MIT Club of Boston
 - Board of Directors, 2006 – 2011
 - K-12 Initiatives Chair, 2009 – 2012
 - VP of Communications, MIT Club of Boston, 2003 – 2006
 - Past-President, MIT Club of Boston, 2002 – 2003
 - President, MIT Club of Boston, 2001 – 2002
 - President-Elect, MIT Club of Boston, 2000 – 2001
 - VP of Programs, MIT Club of Boston, 1999 – 2000
 - Activities Super-Chair, MIT Club of Boston, 1998 – 1999
- MIT Enterprise Forum of Cambridge, Inc.
 - Past Chair, 2009 – 2011
 - In-NOW-vation Co-chair, 2010
 - Chair, 2007 – 2009
 - Vice Chair, 2005 – 2007
 - Executive Board Member, 2002 – 2011
 - Winter Workshop Co-Chair, February 2007 – conceived idea for conference, which sold-out and produced largest attendance numbers in recent memory
 - Spring Workshop Co-Chair, Spring 2004
 - Membership Committee Chair, Fall 2003 - 2006
 - 25th Anniversary Dinner Chair, Fall 2003
 - As Membership Chair and Board Member, started Special Interest Groups in 2004; a SIG won the MIT Presidential Citation award, the MIT Alumni Association's highest award for organizations, in 2006
- Estabrook Elementary School PTA
 - Advisory committee to the superintendent on PCB issue, 2010-2011
 - 4th Grade after-school science program co-organizer, 2010-2012
 - 4th and 5th Grade before-school Math Olympiad co-organizer, 2009-2013
 - 5th Grade BBQ and Yearbook Committee, 2011, 2013
 - Family Math Night volunteer, 2008-2012
- MIT Class of 1989
 - Class Agent, 2024 – present
 - 35-year Reunion Gift Committee, Co-chair, 2024
 - Secretary, five consecutive 5 year terms, 1989 – 2014
 - 30-year Reunion Committee, 2019
 - 25-year Reunion Committee, 2014
 - 20-year Reunion Committee and Gift Committee, 2009
 - 15-year Reunion Committee and Gift Committee, 2004
 - 10-year Reunion Committee and Gift Committee, 1999
 - 5-year Reunion Committee, 1994
 - Interim Treasurer, 1993 – 1994
 - Instituted annual senior class career fair, now raising over \$100,000 annually for senior class activities, Fall 1988
- Strong, consistent record of leadership dating to high school
- Acting

- ‘21’ (Sony Pictures), credited as “Chinatown Dealer,” 2007, Kevin Spacey's movie about the MIT Blackjack Team inspired by “Bringing Down the House” by Ben Mezrich, opened nationwide on March 28, 2008. 21 was the number one movie in US for two weeks and number one globally for one week. 21 also topped the DVD sales, Blu-ray sales and DVD rental charts.
- Spring Lake Theater Company, first New York-area off-broadway production of “A Chorus Line,” played role of Mark, Summer 1990
- Former member of the MIT Blackjack team
- Producer for 10,000 Maniacs’ 2013 album “Music from the Motion Picture”
- Executive Producer for 10,000 Maniacs’ 2015 album “Twice Told Tales”
- Producer for 10,000 Maniacs’ 2016 DVD “10,000 Maniacs Live”
- Executive Producer for OK Go’s 2025 album “And The Adjacent Possible”
- 2024-25 production of “Romeo & Juliet” at the Circle in the Square Theater, nominated for 2025 Tony for Best Revival of a Play, Investor
- Violist, violinist, cellist, harpist, guitarist, singer, actor: played in many amateur/semi-professional groups including Firebird Pops Orchestra, Boston Civic Symphony Orchestra, Reading Symphony Orchestra, MIT Summer Philharmonic Orchestra, Carlisle Chamber Orchestra, Horizon Ensemble, Rivers Symphony Orchestra, Opera51 Orchestra, American Music Abroad Summer 2025 Tour, Freisinger Chamber Orchestra, Merrimack Valley Philharmonic, Longwood Symphony, MIT Symphony, and Somerville Community Chorus
- Violist, “Coming Home” album by Karen Phillips, 2014
- Google Scholar citations: 2224, h-index: 22, i10-index: 27 (since 2019: 539/12/12)
- Erdos-Bacon number of 7
- Erdos-Bacon-Sabbath number of 11