

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner,

v.

HEADWATER RESEARCH LLC,

Patent Owner

IPR2026-00203

Patent No. 9,232,403

**PATENT OWNER'S AUTHORIZED¹ SUR-REPLY
TO PETITIONER'S REPLY BRIEF**

¹ Ex. 3001.

TABLE OF AUTHORITIES

Cases

<i>Meridian Wildlife Serv., LLC v. Safe Haven Wildlife Removal and Prop. Mgmt. Experts, LLC, IPR2022-01254, Paper 11 (PTAB Jan. 10, 2023)</i>	2
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Google's reply brief mischaracterizes the issue as one of claim construction. Headwater does not allege the independent claim requires decryption (or even encryption). Rather, encryption and decryption are relevant because *the Petition's specific proposed modification* to the prior art involves sending encrypted data to an application to satisfy the claimed "secure interprocess communication service." Pet. 41 (alleging encryption makes the service "secure" in its combination). This modification would not be obvious because the combined references have no mechanism for the receiving application to decrypt the encrypted data.

There is no dispute that it would not be obvious to send *encrypted* data to an application which has no mechanism to *decrypt* that data. There is also no dispute that this is exactly what the Petition's combination of TS-23.140 with Ogawa entails, because the combination involves placing the decryption unit in the MMS User Agent rather than any other application. Pet. 14 ("POSAs would have been motivated to implement the decryption unit *as part of TS-23.140's MMS User Agent* application, because... TS-23.140 expressly identifies the MMS User Agent as "provid[ing]... functionalities such as... *decryption*." (emphasis original).

Even in Google's supplemental brief, Google does not even *allege* that *the Petition's combination* of references would have allowed receiving applications to perform decryption. And as explained in the POPR, such functionality is incompatible with the teachings of Ogawa, because Ogawa's encryption/decryption

key is “inherent” to a single application rather than “shared” between applications. *See, e.g.*, POPR, 3–5, 6–9. And Google does not allege it would have been obvious (or even possible) to modify *Ogawa’s* encryption mechanism to allow for *other* applications within a device to decrypt the encrypted data.

Google does imply that it would be obvious for receiving applications to decrypt encrypted data in general (Paper 11 at 2), but fails show such decryption would have been obvious (or even possible) *in its specific proposed combination*, wherein the decryption unit is placed within a single application and a *non-shared* key is used for encryption. *See Meridian Wildlife Serv., LLC v. Safe Haven Wildlife Removal and Prop. Mgmt. Experts, LLC*, IPR2022-01254, Paper 11 at 36, 49 (PTAB Jan. 10, 2023) (denying institution where petitioner failed to show “it would have been obvious to implement the specific combination[s] of modifications” proposed).

In sum, Google’s allegation that the Petition “showed obviousness of features that *are claimed*” (Paper 11 at 2, emphasis original) is incorrect. The claims require a “secure interprocess communication service,” and Google’s combination purports to arrive at this requirement by sending *encrypted* data from the MMS User Agent to a different application. Pet. 41. But because the receiving application has no mechanism to *decrypt* or otherwise make use of the encrypted data, it would not be obvious to *send* the data in encrypted form to the application. The Petition thus fails to show obviousness of the “secure interprocess communication service.”

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Respectfully submitted,

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

The undersigned hereby certifies that the above document was served on May 22, 2026, by filing this document through the Patent Trial and Appeal Case Tracking System (P-TACTS) as well as delivering a copy via electronic mail upon the following attorneys of record for Petitioner:

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