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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

SOFTVIEW LLC,
Patent Owner.

Case No. IPR2026-00283
U.S. Patent No. 8,533,628

PATENT OWNER'S PRELIMINARY RESPONSE

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2001	Complaint, <i>SoftView, LLC v. Samsung Electronics Co., Ltd.</i> , Case No. 2:25-cv-00246, Dkt. No. 1 (E.D. Tex. Feb. 28, 2025)
2002	Fifth Amended Docket Control Order, <i>SoftView, LLC v. Samsung Electronics Co., Ltd.</i> , Case No. 2:25-cv-00246, Dkt. No. 60 (E.D. Tex. Mar. 19, 2026)
2003	Second Amended Complaint, <i>SoftView LLC v. Apple Inc. et al.</i> , No. 10-389, Dkt. No. 108 (D. Del. Sept. 30, 2011)
2004	DocketNavigator Time to Trial Statistics for Judge Gilstrap (as of April 5, 2026)
2005	Joint Claim Construction and Prehearing Statement, <i>SoftView, LLC v. Samsung Electronics Co., Ltd.</i> , Case No. 2:25-cv-00246, Dkt. No. 57 (E.D. Tex. Mar. 4, 2026)
2006	Defendants' Joint P.R. 3-3 and 3-4 Disclosures, <i>SoftView, LLC v. Samsung Electronics Co., Ltd.</i> , Case No. 2:25-cv-00246 (E.D. Tex. Aug. 20, 2025)
2007	Appendix A to Samsung's P.R. 3-3 Invalidity Contentions (E.D. Tex. Aug. 20, 2025)
2008	Defendants' Subject Matter Eligibility Contentions (E.D. Tex. Aug. 20, 2025)
2009	Declaration of R. Alan Burnett

I. INTRODUCTION

SoftView is a company based in Bellingham, Washington. EX2001 ¶ 2. Named inventors Gary Rohrbaugh and Scott Sherman initially worked together at a predecessor company, SoftSource, founded in 1982. *Id.* ¶ 29. Mr. Rohrbaugh and his team leveraged their years of expertise in developing Simple Vector Format (SVF) and leading-edge and award-winning CAD tools and display list software to bring to reality their vision of putting the entire Internet on mobile devices.

Google has not met its burden to establish a reasonable likelihood of prevailing on any patent claim. The Petition's sole ground, based almost entirely on references cited during prosecution of the '628 Patent, fails to show obviousness based on the Zaurus-Pad-SVG combination. The Petition's contentions are also incoherent, inconsistently relying in some places on Pad's browser, instead of Zaurus' browser, which is alleged to be the rendering engine of the challenged claims. And the Petition's request that the Board cancel the challenged claims as "patentably indistinct from unpatentable claims," Paper 1 ("Pet.") at 10, is legally and factually unsupported.

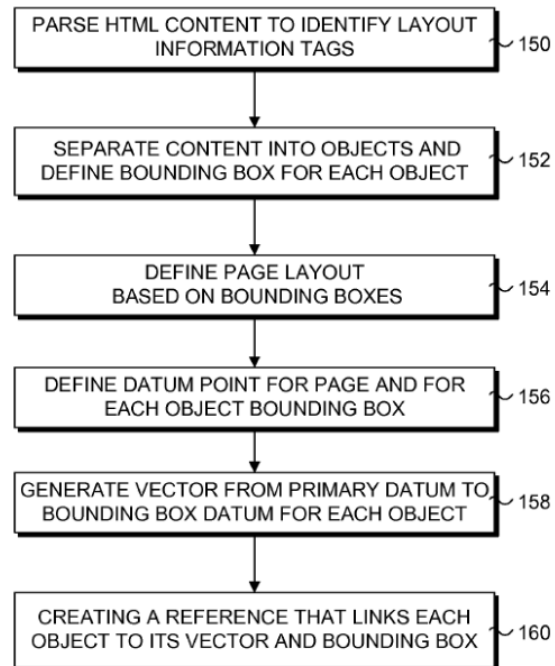
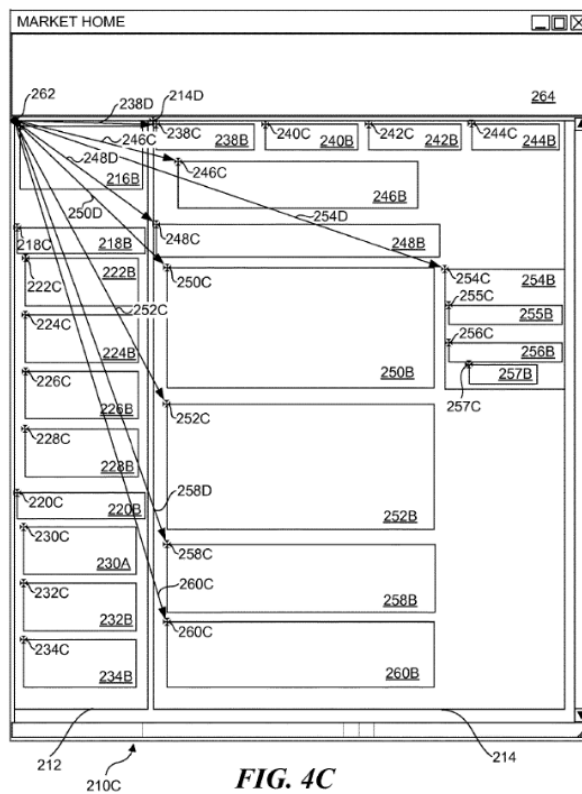
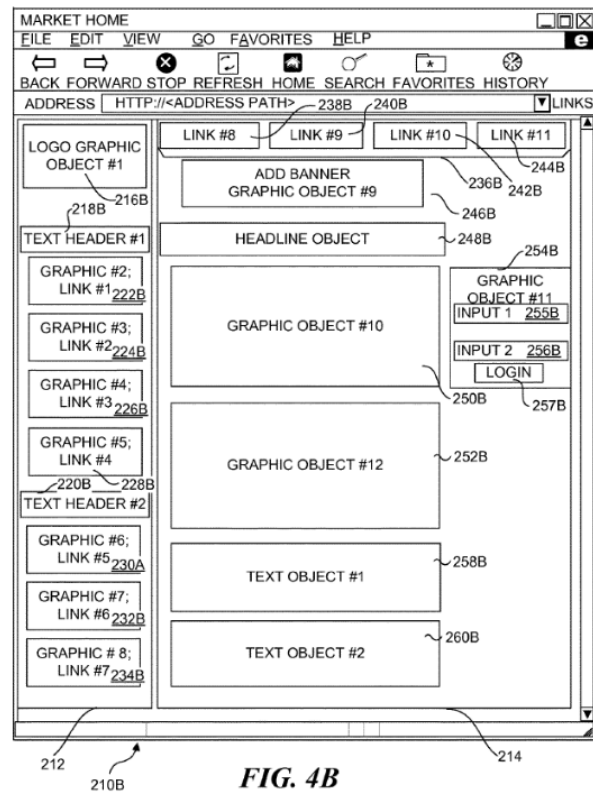
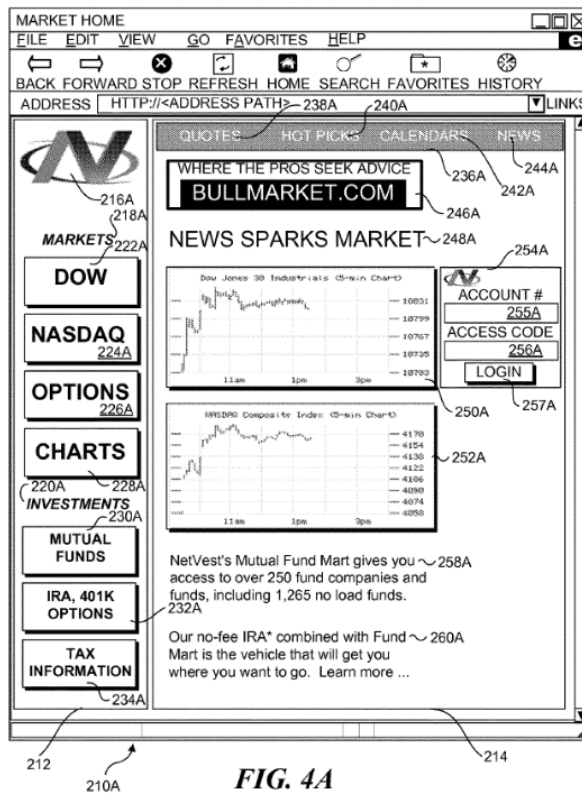
Institution should be denied.

II. BACKGROUND

A. Overview Of The '628 Patent

The '628 Patent is titled “Method, Apparatus, and Browser to Support Full-Page Web Browsing on Hand-held Wireless Devices.” EX1001 at 1. The '628 Patent generally describes an apparatus and methods “for creating resolution independent vector display of Internet content to allow it to be scaled (zoomed) larger and smaller for better viewing or to fit any resolution or screen size.” *Id.* at 3:59-62. For example, the '628 Patent discloses “[t]echniques for supporting resolution-independent vector display of Internet (Web) content to allow Web pages to be scaled (zoomed) and panned for better viewing and/or to fit any resolution or screen size.” *Id.* at 2:36-39. Among other things, the '628 Patent discloses processes for translating HTML content—including “elements such as tables, column definitions, graphic images, paragraphs” and the like—into a scalable (vector) representation for display on a mobile device. *Id.* at 15:38-18:22.

As an example, Figures 4A, 4B, and 4C of the '628 Patent show an HTML document comprising HTML elements (4A) that are identified and logically grouped into HTML objects (4B) and translated to generate a vector representation (4C), and Figure 5 sets forth an exemplary translation process. Figures 4D and 4G show scaling of two HTML objects using the scalable vector representation. Figure 4E shows a scaled page, and Figure 4F shows a scaled page layout.



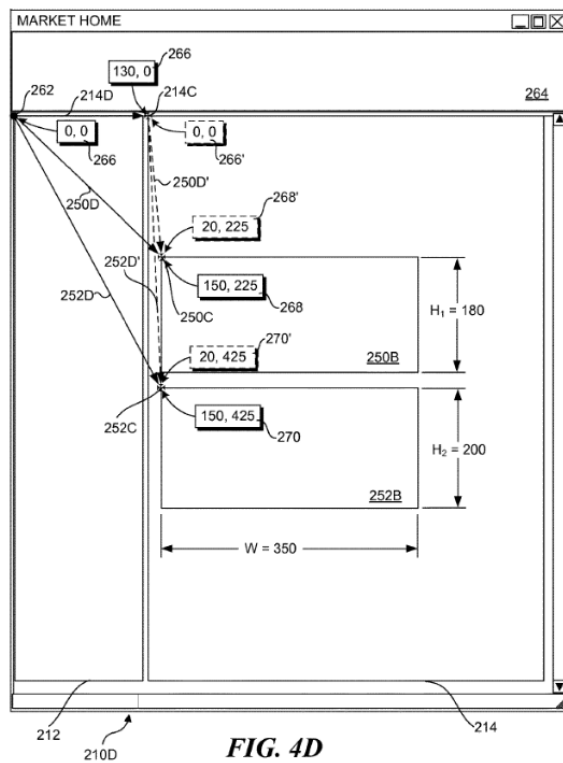


FIG. 4D

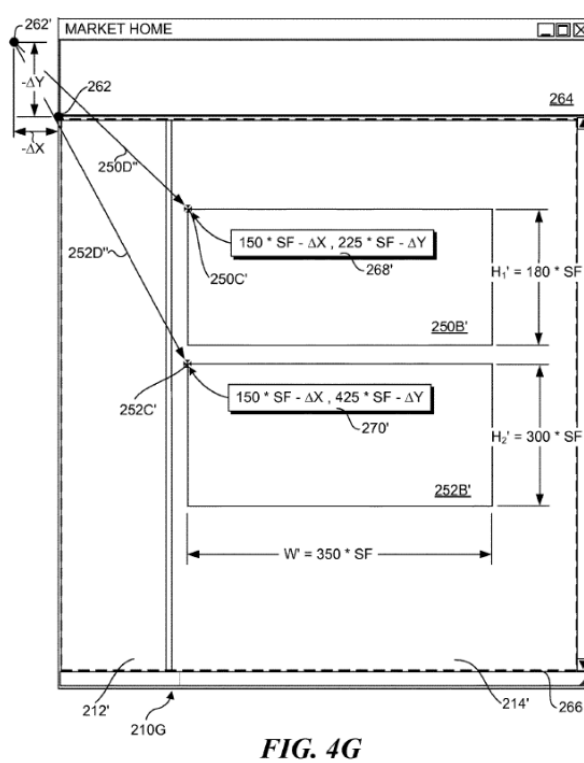
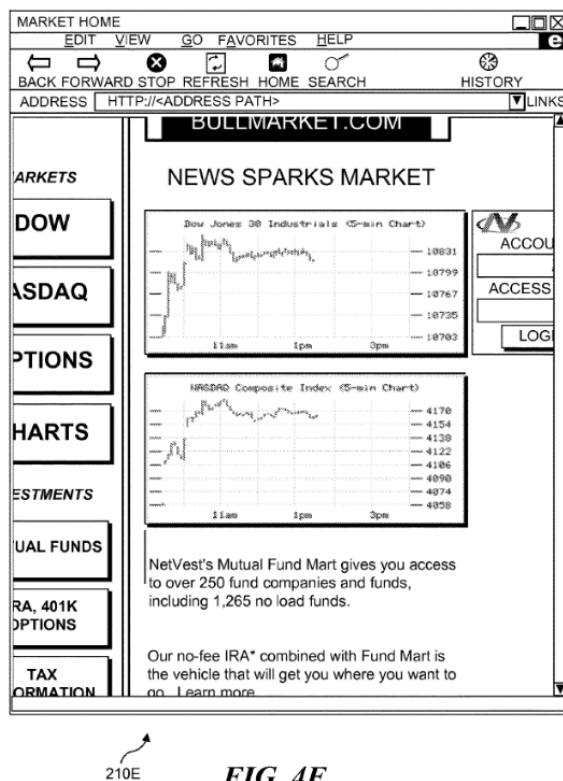
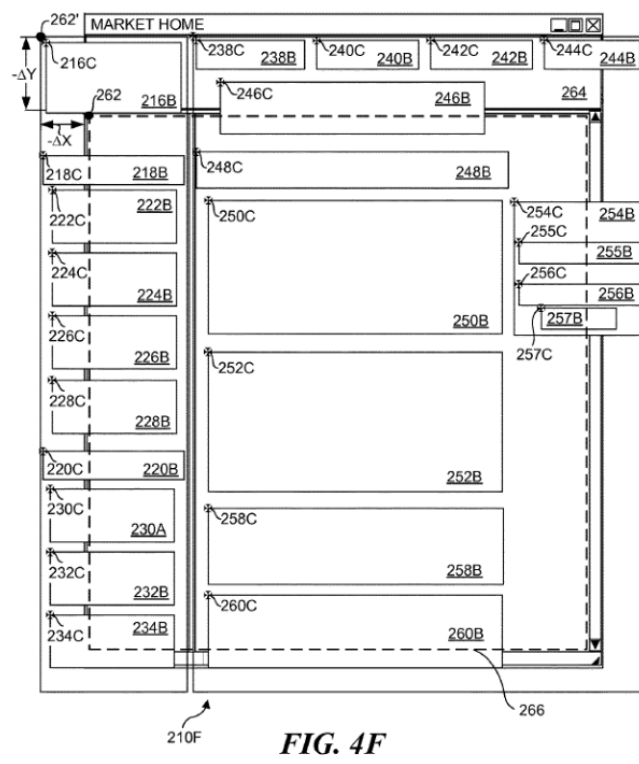


FIG. 4G



210E

FIG. 4E



210F

FIG. 4F

EX1001 at Figs. 4A-4G, 5.

B. Zaurus (EX1004)

Zaurus purports to be a Japanese to English translation of “Pages from Zaurus MI-106, MI-106M, and MI-110M User Guides.” EX1004 at 1. Zaurus included an “Internet browser” that “is partially different or limited” and lists 13 ways in which it differs “in terms of character fonts and sizes, images, and voice data handling compared to the WWW browser widely used in PCs, etc.” *Id.* at 41. For example, Zaurus stated that “portions of the display may not be visible or display may become irregular at times” and “[c]orrect display is not possible when a large table of data is received.” *Id.* Zaurus also stated that “[p]ages composed of frames can also be viewed by displaying them frame by frame.” *Id.* at 40. Finally, Zaurus warns, “[p]lease note that the screen is different from instances where the home page is displayed by using a PC, etc.” *Id.* at 41.

Zaurus was cited during prosecution of the ’628 Patent. EX1001 at 3 (lower right column).

C. Pad (EX1005, EX1007)

Google’s expert, Dr. Goldberg, opines that “Pad++ (‘Pad’) discloses an HTML browser with zooming capabilities that functions as ‘a zooming version of Mosaic and Netscape.’” EX1002 ¶ 22 (quoting EX1007 at 86). Although SoftView does not agree with Dr. Goldberg’s characterization, it will not dispute it for purposes of this Preliminary Response.

Pad (at least EX1007 and a slightly earlier version of EX1005) was cited during prosecution of the '628 Patent. EX1001 at 3 (lower right column).

D. SVG (EX1008)

SVG is a W3C Working Draft of Scalable Vector Graphics (SVG) Requirements dated October 29, 1998. EX1008 at 1. It was “a work in progress representing the current consensus of the W3C Scalable Vector Graphics Working Group” and was “the first public review draft of this document.” *Id.* It lists SVG Design Goals and SVG Detailed Requirements, which were lists of proposed features at the time of publication. *Id.* at 3-16. The draft was an early proposal for a vector graphics language specification that would meet the Web community’s needs.

Although this specific SVG reference does not appear to have been cited during prosecution of the '628 Patent, multiple comparable references were, including two versions of the same working draft dated roughly 4 and 6 months later. *E.g.*, EX1001 at 2 (lower right column listing two SVG working draft references).

III. LEVEL OF ORDINARY SKILL IN THE ART

For purposes of denying institution and finding that Google has not met its burden to show a reasonable likelihood of prevailing, SoftView submits that the Board need not determine the level of ordinary skill in the art. *Johnson & Johnson Surgical Vision v. Alcon*, IPR2021-01003, Paper 14 at 9 (P.T.A.B. Nov. 23, 2021)

(denying institution: “For our analysis on whether to institute, we need not determine the level of ordinary skill in the art”).

SoftView reserves the right to address the level of ordinary skill in the event the Board institutes trial.

IV. CLAIM CONSTRUCTION IS NOT NECESSARY TO DENY INSTITUTION

Google asserts in the Petition that “the Board need not construe any terms of the challenged claims to resolve the underlying controversy” in this proceeding. Pet. at 21. For purposes of denying institution because Google has not met its burden to show a reasonable likelihood of prevailing, SoftView submits the Board need not construe any terms of the challenged claims. *Realtime Data v. Iancu*, 912 F.3d 1368, 1375 (Fed. Cir. 2019) (“The Board is required to construe ‘only those terms... that are in controversy, and only to the extent necessary to resolve the controversy.’” (quoting *Vivid Techs. v. Am. Sci. & Eng’g*, 200 F.3d 795, 803 (Fed. Cir. 1999))).

SoftView reserves the right to assert claim construction positions if trial is ordered.

V. THE PETITION’S REQUEST FOR CANCELLATION OF CLAIMS BASED ON ESTOPPEL HAS NO BASIS IN LAW OR FACT

Google’s collateral estoppel argument should be rejected because it is unsupported by the law or the facts. The Federal Circuit recently held that it “has never applied collateral estoppel... by cobbling together limitations from disparate

claims to replicate another claim.” *DK Crown Holdings v. AG 18*, No. 2024-2078, 2026 WL 1242446, at *3 (Fed. Cir. May 6, 2026). The Court specifically rejected the IPR petitioner’s argument “that because the Board invalidated other claims, i.e., claims 10, 12, 15, 16, and 17, which, in the aggregate, contain all the limitations of claim 18, it follows that claim 18 is invalid under collateral estoppel.” *Id.*

Google’s similar reasoning here should be rejected. Google purports to “show[] how the challenged claims are disclosed and/or suggested by previously canceled claims of the related ’353 and ’926 patents.” Pet. at 11. Its only support is a table cobbling together limitations from disparate claims in an attempt to replicate the ’628 Patent claims, which is insufficient to invoke collateral estoppel. *See id.* at 11-20; *DK Crown Holdings*, 2026 WL 1242446, at *3.

Google’s reliance on *Google v. Hammond Development International* and *Apple v. Smart Mobile Technologies*, *see* Pet. at 10, is also misplaced because, unlike here, there were “identical issues of patentability” based on a comparison of the claims, 54 F.4th 1377, 1381 (Fed. Cir. 2022); No. 2024-1352, 2026 WL 160563, at *3 (Fed. Cir. Jan. 21, 2026) (“A side-by-side, limitation-by-limitation comparison of the claims reveals their marked similarity.”). As explained in SoftView’s Request for Discretionary Denial (Paper 6), Google never compares the ’628 Patent claims in their entirety with the claims of the ’353 or ’926 Patents, instead identifying limitations from disparate claims in isolation. *See* Paper 6 at 14-18.

For example, as shown in the illustrative comparison below, the claims of the '628 Patent, including Claim 1, are more detailed than and bear little resemblance to the claims of the '926 Patent, including Claim 52 relied upon by Google.

'628 Patent Claim 1 (Pet. at Appendix A, 1)	'926 Patent Claim 52 In IPR2013-00004 (EX1002 at 243)
[1.pre] A method for enabling a user to perform full page browsing of a Web page on a hand-held wireless device	[52.pre] A mobile device, comprising:
in a manner that replicates browsing the Web page on a desktop Web browser,	[52.a] a processor,
wherein the Web page comprises HTML-based content and cascading style sheet (CSS) content defining a page layout and design of display content on the Web page, the method comprising:	[52.b] wireless communications means, to facilitate wireless communication with a network via which Web content may be accessed;
[1.a] in response to a user request to access the Web page,	[52.c] a touch-sensitive display;
retrieving HTML-based content and the CSS content corresponding to the Web page and processing the HTML-based content and CSS content with the Web browser rendering engine	[52.d] flash memory, operatively coupled to the processor, in which a plurality of instructions are stored that when executed by the processor enable the mobile device to perform operations including,
to interpret the page layout and design of the display content on the Web page at a first scale; and	[52.e] rendering a browser interface via which a user is enabled to request access to a Web page comprising HTML-based Web content defining an original page layout, functionality, and design of content on the Web page;
[1.b] employing scaled page layout information and/or content derived	[52.f] retrieving and processing the HTML-based Web content to produce scalable content; and

therefrom to generate scaled Web page content at multiple scale factors; and	
[1.c.1] enabling a user of the mobile device to zoom in on an image via a user input to a touchscreen display and	[52.g] employing the scalable content and/or data derived therefrom to,
[1.c.2] wherein said scaled Web page content including one or more images is generated by	[52.h] render a view of the Web page on the touch-sensitive display; and
[1.c.2.a] scaling bounding boxes corresponding to the one or more images to produce scaled bounding boxes and,	[52.i] re-render the Web page in response to associated user inputs to enable the user to iteratively zoom in and out views of the Web page while preserving an original page layout, functionality, and design defined by the HTML-based Web content as interpreted by a rendering engine,
[1.c.2.b] for each of the one or more images, scaling content associated with the image to produce a scaled image that fits within its corresponding scaled bounding box; and	[52.j] wherein preservation of the functionality defined by the HTML-based Web content includes preservation of hyperlink functionality.
[1.d] enabling the user to perform full page browsing of the Web page at multiple zoom levels	
by generating corresponding views of the Web page on the hand-held device under which the page layout and design of the display content is retained relative to the interpretation of the page layout and design of the display content at the first scale,	
[1.e] wherein each of the Web browser rendering engine and a Web browser rendering engine employed by a desktop browser for which browsing is replicated are the same.	

Further, Google’s reliance on prior Board decisions relating to the ’353 and ’926 Patents is misplaced. Those decisions were based on the broadest reasonable interpretation standard, *see generally* EX1013; EX1017, not the *Phillips* standard that applies to this IPR, *see* 37 C.F.R. § 42.100(b). Collateral estoppel is inapplicable here for that additional reason. *See, e.g., RØDE Microphones v. Zaxcom*, IPR2025-00557, Paper 15 at 19 (P.T.A.B. Sept. 30, 2025) (“Although the Lectrosonics IPRs involved patents from the same family as the ’444 patent, which recite many similar claim limitations, the Lectrosonics IPRs were all decided using the BRI standard, not the *Phillips* standard. Thus, no claim interpretation has been made using the standard that will be applied in this case, and the asserted prior art has not been applied to claims interpreted according to the standard in this case. Accordingly, on this record, we are not persuaded that collateral estoppel applies to any of the disputed issues in this proceeding.”).

Google’s collateral estoppel argument is meritless, is not a basis for institution, and should be rejected.

VI. THE PETITION FAILS TO SHOW OBVIOUSNESS BASED ON THE ZAURUS-PAD-SVG COMBINATION

A. The Petition Fails To Show A Reason To Use Zaurus’ Browser

The Petition’s Ground 1 theory fails because it assumes a particular combination of features without even attempting to show any reason one of ordinary

skill in the art would have combined the references in the manner asserted. The Petition asserts that in the proposed Zaurus-Pad-SVG combination, “[a] POSITA would have understood that by implementing the HTML 3.2 standard used by desktop browsers, the Zaurus device performs browsing (‘in a manner that replicates browsing the Web page on a desktop Web browser’).” Pet. at 25 (emphasis in original); *see also id.* at 35 (“Zaurus discloses a ‘Web browser rendering engine’ on the handheld device that processes standard HTML content. Zaurus states that its ‘Internet browser...incorporates HTML 3.2 specifications in important places,’ enabling it to display ‘home pages.’”). But the Petition fails to even argue, much less show, any reason one of ordinary skill in the art would use the Zaurus browser in the proposed Zaurus-Pad-SVG combination, as it must to carry its burden to show invalidity. *See, e.g., F5 Networks v. Radware*, IPR2017-00124, Paper 48 at 65 (P.T.A.B. Apr. 23, 2018) (“Petitioner, however, fails to provide sufficient reasons that a skilled artisan considering the two references together, would choose the particular combination Petitioner advances.”); *see also In re Mouttet*, 686 F.3d 1322, 1333 (Fed. Cir. 2012) (“[W]here the relevant factual inquiries underlying an obviousness determination are otherwise clear, characterization by the examiner of prior art as ‘primary’ and ‘secondary’ is merely a matter of presentation with no legal significance.”).

Indeed, the Petition asserts that one of skill in the art would have used the Pad browser instead of the Zaurus, contradicting its proposed combination. In asserting a motivation to combine, the Petition argues that “Pad teaches a more flexible solution [than Zaurus], including continuous zoom and pan that ‘allows users to zoom in and out of pages, enabling control of how much context is viewed at any time,’ and Pad targets ‘small screens, such as handheld computers (i.e. PDA’s),’ making it a natural enhancement to Zaurus’s magnify/reduce approach.” Pet. at 23. In fact, Google’s expert, Dr. Goldberg, opines that “Pad++ (‘Pad’) discloses an HTML browser with zooming capabilities that functions as ‘a zooming version of Mosaic and Netscape.’” EX1002 ¶ 22 (quoting EX1007 at 86). According to the Petition then, one of skill would have modified Zaurus’ browser with Pad’s browser with all its capability but apparently not for rendering HTML.

Google bears the burden of proving not simply that one of skill *could* have made such a combination but that one of skill in the art *would* have made such a combination. *Belden v. Berk-Tek*, 805 F.3d 1064, 1073 (Fed. Cir. 2015) (“[O]bviousness concerns whether a skilled artisan not only *could have made* but *would have been motivated to make* the combinations or modifications of prior art to arrive at the claimed invention.” (emphases in original)). Google must show why one of skill in making the Zaurus-Pad-SVG combination would have opted for the Zaurus browser despite its drawbacks when Google and its expert assert that the Pad

browser was far more capable and according to the Petition targeted to handheld devices, such as PDAs. *See* Pet. at 23; EX1002 ¶ 22.

Zaurus’ browser has a very limited capability and cannot display a web page normally. Zaurus discloses only that it “incorporates HTML 3.2 specifications *in important places*.” EX1004 at 40 (emphasis added). As Zaurus acknowledged, “[d]isplay using the Internet browser installed in this product is partially different or limited in the following ways in terms of character fonts and sizes, images, and voice data handling compared to the WWW browser widely used in PCs, etc.” *Id.* at 41. It provided a list of 13 ways in which the limited browser differs from conventional PC browsers at that time. *See id.* For example, “[p]ages composed of frames can also be viewed by displaying them frame by frame,” rather than as a single page. *Id.* at 40. Zaurus ends its difference list with the following warning: “Please note that the screen is different from instances where the home page is displayed by using a PC, etc.” *Id.* at 41.

By contrast, Google’s expert, Dr. Goldberg, asserts that Pad described its browser as “a zooming version of Mosaic and Netscape.” EX1002 ¶ 22 (quoting EX1007 at 86). And Dr. Goldberg opines that “[a] person of ordinary skill in the art would have understood that Mosaic and Netscape were the dominant desktop web browsers of that era” and that, “[b]y describing the mobile-compatible Pad browser as a ‘version of’ these desktop browsers (EX1007, 86), a person of ordinary skill in

the art would have recognized Pad as a predictable solution for replicating desktop browsing on a handheld device.” EX1002 ¶ 30. Google fails to articulate any reason why one of skill would opt for Zaurus’ limited and marginally functional browser over Pad’s allegedly “predictable solution for replicating desktop browsing on a handheld device.” *Id.*

The Petition nevertheless relies on Zaurus’ browser with Pad’s zoom techniques and SVG’s scalable graphics. In its Motivation to Combine section, the Petition asserts that “the Zaurus-Pad-SVG combination would have predictably improved handheld browsing by pairing *Zaurus’s handheld HTML browser* with Pad’s zoomable navigation techniques and SVG’s scalable graphics standard.” Pet. at 23 (emphasis added). The Petition confirms this theory by exclusively relying on the Zaurus browser for multiple limitations. For example, when addressing the “Web browser rendering engine” limitation (limitation [1.a]), the Petition identifies the Zaurus browser as satisfying this limitation: “Zaurus discloses the claimed ‘processing the HTML-based content...with the Web browser rendering engine to interpret the page layout and design of the display content’ by using an engine that ‘incorporates HTML 3.2 specifications in important places,’....” Pet. at 27 (emphasis in original) (quoting EX1004 at 40, 48). Similarly, for limitation [1.d], the Petition contends, “[i]n the combined device, Zaurus’ browser running Pad’s zooming engine and utilizing SVG’s uniform scaling rules, enables full-page

browsing where the layout integrity is maintained across all zoom levels....” *Id.* at 34. Thus, the Petition’s proposed combination relies exclusively on Zaurus’ browser to be the required Web browser rendering engine and to satisfy other limitations.

Google fails to offer any reason why one of skill in the art would have been motivated to use the Zaurus browser in its proposed combination. In the absence of some reason why one of skill would have opted for Zaurus’ limited browser over Pad’s browser, the Petition’s proposed combination must fail. *Pers. Web Techs. v. Apple*, 848 F.3d 987, 993-94 (Fed. Cir. 2017) (holding that it is not enough to say one of skill could combine two references in *some* manner, but instead a clear and particular showing the references *would be combined as claimed* is required); *Polaris Indus. v. Arctic Cat*, 882 F.3d 1056, 1069 (Fed. Cir. 2018) (holding that when a reference is modified by the teachings of a secondary reference, the party seeking to invalidate a claim cannot ignore teachings in the secondary reference that would lead one of skill away from the claimed combination). Thus, Google’s obviousness theory for Claim 1 must fail.

But it gets much worse. When addressing limitation [1.e], Google affirmatively asserts the following:

Pad describes its “Pad++ web browser” as “a zooming version of Mosaic and Netscape.” (EX1007, 86.) A POSITA would have

understood that Mosaic and Netscape were the dominant desktop web browsers of that era. (EX1050, 1-2.) Because Mosaic and Netscape were desktop browsers, Pad provides the motivation to a POSITA to use the *same rendering engine (e.g., the Netscape/Mozilla codebase) for parsing HTML on the mobile Zaurus device* to replicate the desktop browsing experience. In view of Pad’s desktop-browser lineage, *a POSITA would have been motivated to use a desktop-class HTML/CSS rendering-engine implementation (i.e., the same rendering-engine implementation used for the replicated desktop browser experience)* to replicate desktop browsing.

Pet. at 36 (emphases added). Google thus affirmatively states that one of skill would have used a “desktop-class HTML/CSS rendering-engine implementation” on the Zaurus in its proposed combination rather than the Zaurus browser. Dr. Goldberg helpfully reiterates these points nearly verbatim. *See* EX1002 ¶ 53.

Google’s position that one of skill would have looked to a desktop-class HTML/CSS rendering engine implementation for its Zaurus-Pad-SVG combination means that the same one of skill would not have looked to Zaurus’ far more limited browser and thus undermines Google’s entire obviousness case.

Moreover, Google created a second problem with its Petition. Its limitation [1.a] Web browser rendering engine (Zaurus browser) is inconsistent with its limitation [1.e] rendering engine (desktop-class HTML/CSS rendering-engine implementation), meaning its obviousness theory is internally inconsistent and

cannot survive. *See, e.g., Hirsch Glass Corp. v. Cambria Co.*, IPR2022-00583, Paper 7 at 22 (P.T.A.B. Aug. 8, 2022) (denying institution where it is “unclear whether Petitioner intends to rely on both Benito Lopez or Bigi or possibly the combination of the two”); *Bestway (USA) v. Intex Mktg.*, IPR2017-00848, Paper 10 at 21 (P.T.A.B. Aug. 30, 2017) (denying institution: “[W]e find persuasive Patent Owner’s argument... that Petitioner’s ground is confusing and ambiguous in that it is unclear as to Barker’s role where Petitioner appears to rely on Curlin for the same aspects purportedly taught by Barker.”); *Trend Micro v. Open Text*, IPR2023-00677, Paper 8 at 18 (P.T.A.B. Nov. 6, 2023) (similar: “We additionally find it unclear which reference Petitioner relies on for the correlating. It appears that Petitioner finds the correlating in Rockwood (the reference with the attacker profile); but if Rockwood is intended to provide the correlating, it is unclear what role Xie has in Petitioner’s proposed combination.”).

Finally, to the extent Google is relying on its assertion that “Pad provides the motivation to a POSITA to use the same rendering engine (e.g., the Netscape/Mozilla codebase) for parsing HTML on the mobile Zaurus device to replicate the desktop browsing experience,” Pet. at 36, Google fails to even argue a reasonable expectation of success for such a combination. Indeed, its entire Motivation to Combine and Reasonable Expectation of Success sections for its proposed combination do not even mention use of any alleged Netscape/Mozilla codebase rendering engine, much

less articulate any reasonable expectation of success for implementing a desktop browser application on a Zaurus mobile device. *See* Pet. at 23-24. Without this, Google cannot carry its burden of proving obviousness based on its proposed use of the Netscape/Mozilla codebase. *KEYnetik v. Samsung Elecs. Co.*, 841 F. App’x 219, 227 (Fed. Cir. 2021) (“[W]here a party argues a skilled artisan would have been motivated to combine references, it must show the artisan ‘would have had a reasonable expectation of success from doing so.’” (alteration in original) (citation omitted)).

Because Google has not met its burden to establish that one of skill would have combined the references in the manner asserted, it cannot prevail on Claim 1.

B. The Petition Cannot Prevail Based On Its Inconsistent Mapping

The Petition’s inconsistent mapping of Claim 1’s browser limitations gets even worse for Google. As explained in Section VI.A above, in its Motivation to Combine section, the Petition asserts that “the Zaurus-Pad-SVG combination would have predictably improved handheld browsing by pairing *Zaurus’s handheld HTML browser* with Pad’s zoomable navigation techniques and SVG’s scalable graphics standard.” Pet. at 23 (emphasis added). In conformance with that theory, the Petition relies exclusively on the Zaurus browser for the “Web browser rendering engine” of limitation [1.a] and for limitation [1.d]. Pet. at 27, 34. Elsewhere, however, the Petition purports to rely on Pad’s HTML browser for other than its

“zoomable navigation techniques” as articulated in the Motivation to Combine section. For example:

- For limitation [1.pre], the Petition asserts: “Pad discloses the claimed ‘method for enabling a user to perform full page browsing of a Web page’ by describing a ‘*Pad++ web browser*’ that functions as ‘a zooming version of Mosaic and Netscape.’ Pad states that its zooming interface is ‘especially attractive for systems which have small screens, such as handheld computers (i.e. PDA’s)’ (‘hand-held wireless device’). *Pad’s browser* parses HTML to create ‘HTML items’ that represent the file (‘HTML-based content’). By aiming to be a ‘zooming version of Mosaic and Netscape,’ Pad discloses the claimed ‘replicates browsing the Web page on a desktop Web browser.’” Pet. at 25-26 (underline in original and emphases added) (citations omitted).
- For limitation [1.a], the Petition asserts: “*Pad discloses the HTML browser* can ‘automatically fetch a file from a URL... as well as in-line images’ (‘retrieving HTML-based content...and processing the HTML-based content’). Pad discloses that ‘the html data is fetched, it is parsed and the HTML item is created which contains a method for rendering the page’ (‘processing...to interpret the page layout’). Pad further discloses interpreting the layout (‘at a first scale’) because the browser ‘will lay out

sub-documents in two columns’ as part of its initial layout process (before any user zoom).” Pet. at 27-28 (underline in original and emphasis added) (citations omitted).

Indeed, obscuring the Petition’s theory further, the Petition relies on *both* Zaurus’ browser and Pad’s browser for the same “interpret... at a first scale” limitation. See Pet. at 27-28 (“***Zaurus discloses*** the user’s ability to ‘Switch between reduced display and magnified display,’ confirming an initial rendered view before user-initiated scaling (***‘interpret...at a first scale’***). ... Pad discloses that ‘the html data is fetched, it is parsed and the HTML item is created which contains a method for rendering the page’ (‘processing...to interpret the page layout’). ***Pad further discloses interpreting the layout (‘at a first scale’)*** because the browser ‘will lay out sub-documents in two columns’ as part of its initial layout process (before any user zoom).” (underline in original and bold and italics added) (citations omitted)).

The Petition’s inconsistent and unclear mapping in this instance also warrants denying institution. See, e.g., *Hirsch Glass*, IPR2022-00583, Paper 7 at 22 (denying institution where it is “unclear whether Petitioner intends to rely on both Benito Lopez or Bigi or possibly the combination of the two”); *Bestway*, IPR2017-00848, Paper 10 at 21 (denying institution: “[W]e find persuasive Patent Owner’s argument... that Petitioner’s ground is confusing and ambiguous in that it is unclear as to Barker’s role where Petitioner appears to rely on Curlin for the same aspects

purportedly taught by Barker.”); *Trend Micro*, IPR2023-00677, Paper 8 at 18 (similar: “We additionally find it unclear which reference Petitioner relies on for the correlating. It appears that Petitioner finds the correlating in Rockwood (the reference with the attacker profile); but if Rockwood is intended to provide the correlating, it is unclear what role Xie has in Petitioner’s proposed combination.”).

Even if the Petition had intended to rely on both Zaurus’ and Pad’s browsers, the Petition establishes no motivation to use both browsers. The Petition’s “Motivation to Combine” section purports to rely on only “Zaurus’ handheld HTML browser,” not both browsers or Pad’s browser, for the Zaurus-Pad-SVG combination. *See* Pet. at 23 (relying solely on Pad’s “zoomable navigation techniques” in its proposed combination).

The Petition cannot prevail based on its faulty Claim 1 analysis.

C. The Petition Improperly Relies On System Art

For limitation [1.e]’s requirement that “the Web browser rendering engine and a Web browser rendering engine employed by a desktop browser for which browsing is replicated are the same,” Pet. at 35, the Petition relies on system art:

Pad confirms that the rendering engine concepts are transferable between desktop and mobile environments to achieve this replication. Pad describes its “Pad++ web browser” as “a zooming version of Mosaic and Netscape.” A POSITA would have understood that Mosaic and Netscape were the dominant desktop web browsers of that era.

Because Mosaic and Netscape were desktop browsers, Pad provides the motivation to a POSITA to use the *same rendering engine (e.g., the Netscape/Mozilla codebase)* for parsing HTML on the mobile Zaurus device to replicate the desktop browsing experience. In view of Pad’s desktop-browser lineage, *a POSITA would have been motivated to use a desktop-class HTML/CSS rendering-engine implementation* (i.e., the same rendering-engine implementation used for the replicated desktop browser experience) to replicate desktop browsing. Thus, the combined device satisfies this limitation under both an interpretation of supporting the “same” HTML 3.2 specifications and an interpretation of using the “same” Netscape rendering engine on the handheld device as is used on the desktop to achieve the claimed replication.

Pet. at 36 (underline in original and emphases added) (citations omitted). Indeed, rather than simply relying on the Pad reference, the Petition relies on the “Netscape/Mozilla codebase” to assert “the ‘same’ Netscape rendering engine on the handheld device as is used on the desktop to achieve the claimed replication.” *Id.* (emphasis in original).

Because the Netscape/Mozilla rendering engine is system art, not “prior art consisting of patents or printed publications” as required by 35 U.S.C. § 311(b), it may not be considered, and the Petition’s showing for limitation [1.e] cannot prevail. *See, e.g., Apple v. RF Cyber Corp.*, IPR2022-01241, Paper 7 at 17 (P.T.A.B. Jan. 23, 2023) (denying institution: “At some points, Petitioner appears to attempt to rely on

the underlying Prisma Proton system, not just the Prisma reference relied on in this ground. But 35 U.S.C. § 311(b) limits *inter partes* review as allowed ‘only on the basis of prior art consisting of patents or printed publications.’ We decline to use the actual system to fill in gaps in the printed publication.” (internal citation omitted)).

D. The Remaining Ground 1 Challenges Cannot Prevail

The Ground 1 challenges to Claims 2-37 also cannot prevail.

For independent Claims 15, 28, and 34, the Petition cross-references Claim 1 for all of limitations [15.pre]-[15.f.3], [15.h.1]-[15.h.2], [28.pre]-[28.b], [28.d]-[28.f], [34.pre]-[34.b], [34.d.1]-[34.d.2], [34.e.1]-[34.f.3.a.2], [34.f.3.a.3.b], and [34.f.3.b]-[34.f.3.b.2]. Pet. at 52-59, 67-69, 71-80. Thus, the challenges to Claims 15, 28, and 34 fail for at least the same reasons the Claim 1 challenge fails.

The Ground 1 challenges to dependent Claims 2-14, 16-27, 29-33, and 35-37 fall with the Ground 1 challenges to Claims 1, 15, 28, and 34 from which they depend. *Ubiquiti v. Intellectual Ventures*, IPR2024-01290, Paper 9 at 32 (P.T.A.B. Mar. 7, 2025) (“Because each of the dependent claims incorporates the limitations of the independent claim from which it depends, Petitioner has also necessarily failed to demonstrate a reasonable likelihood that these claims are unpatentable over the prior art.”).

VII. PETITIONER’S VERBATIM EXPERT DECLARATION SUPPORTS DENYING INSTITUTION

The Petition is supported by an expert declaration from Google’s expert, Dr. Goldberg, that, in many places, “merely repeats, *verbatim*, the conclusory assertion[s] for which it is offered to support.” *Xerox v. Bytemark*, IPR2022-00624, Paper 9 at 15 (P.T.A.B. Aug. 24, 2022) (precedential) (emphasis in original) (denying institution); *compare* Pet. at 25-82, *with* EX1002 ¶¶ 35-194.

Dr. Goldberg’s numerous instances of parroting verbatim Google’s Petition, as shown in the illustrative snapshot below, confirms the Petition’s weakness. *See, e.g., Xerox*, IPR2022-00624, Paper 9 at 15-17 (declining to institute IPR where expert declaration “merely repeats, *verbatim*, the conclusory assertion for which it is offered to support” (emphasis in original)); *TikTok v. NTECH Props.*, IPR2024-01339, Paper 9 at 16 (P.T.A.B. Feb. 25, 2025) (“Petitioner fails to establish a reasonable likelihood of” prevailing where its expert “testimony repeats, almost verbatim, the language in the Petition without any further explanation or supporting reasoning or evidence.”).

Pet. at 25-26 Ground 1, Claim [1.pre]	Goldberg Decl. ¶¶ 35-37 Ground 1, Claim [1.pre]
Zaurus discloses a “Mobile Business Tool” that is “highly portable” and includes a “modem” or adapter for communications (“<u>hand-held wireless device</u>”). (EX1004, 3, 10, 18.) Zaurus enables the user to “Connect to the Internet, and open Zaurus Plaza (the Zaurus home page) and other home pages using the Internet browser” (“<u>enabling a user to perform full page browsing of a Web page</u>”). (EX1004, 10, 39, 45-47.) The Zaurus browser “incorporates HTML 3.2 specifications in important places, and therefore has rich expressive capabilities,” enabling it to display “home pages composed of frames” and images in standard formats like GIF and JPEG. (EX1004, 40.) A POSITA would have understood that by implementing the HTML 3.2 standard used by desktop browsers, the Zaurus device performs browsing (“<u>in a manner that replicates browsing the Web page on a desktop Web browser</u>”). (EX1004, 40; EX1002, ¶35.) Pad discloses the claimed “<u>method for enabling a user to perform full page browsing of a Web page</u>” by describing a “Pad++ web browser” that functions as “a zooming version of Mosaic and Netscape.” (EX1007, 86.) Pad states that its zooming interface is “especially attractive for systems which have small screens, such as handheld computers (i.e. PDA’s)” (“<u>hand-held wireless device</u>”). (EX1007, 141.) Pad’s browser parses HTML to create “HTML items” that represent the file (“<u>HTML-based content</u>”). (EX1005, 60.) By aiming to be a “zooming version of Mosaic and Netscape,” Pad discloses the claimed “<u>replicates browsing the Web page on a desktop Web browser</u>.” (EX1007, 86; EX1002, ¶36.) SVG discloses that standard Web content includes “<u>cascading style sheet (CSS) content defining a page layout and design of display content on the Web page</u>.” (EX1008, 4, 13.) SVG discloses that “attributes which make sense to be part of a style should be expressed in CSS” and that “Complete support for CSS is what the Web community will expect.” (EX1008, 4, 7, 13.) SVG further confirms that vector graphics allow Web documents to be “displayable on a wider range of device resolutions from small mobile devices through office computer monitors to high resolution printers.” (EX1008, 1.) In the Zaurus-Pad-SVG combination, the combined device would browse the claimed “<u>HTML-based content and cascading style sheet (CSS) content defining a page layout and design of display content</u>.” (EX1008, 1, 4, 11; EX1002, ¶37.)	35. Zaurus discloses a “Mobile Business Tool” that is “highly portable” and includes a “modem” or adapter for communications (“<u>hand-held wireless device</u>”). (EX1004, 3, 10, 18.) Zaurus enables the user to “Connect to the Internet, and open Zaurus Plaza (the Zaurus home page) and other home pages using the Internet browser” (“<u>enabling a user to perform full page browsing of a Web page</u>”). (EX1004, 10, 39, 45-47.) The Zaurus browser “incorporates HTML 3.2 specifications in important places, and therefore has rich expressive capabilities,” enabling it to display “home pages composed of frames” and images in standard formats like GIF and JPEG. (EX1004, 40.) A person of ordinary skill in the art would have understood that by implementing the HTML 3.2 standard used by desktop browsers, the Zaurus device performs browsing (“<u>in a manner that replicates browsing the Web page on a desktop Web browser</u>”). (EX1004, 40.) 36. Pad discloses the claimed “<u>method for enabling a user to perform full page browsing of a Web page</u>” by describing a “Pad++ web browser” that functions as “a zooming version of Mosaic and Netscape.” (EX1007, 86.) Pad states that its zooming interface is “especially attractive for systems which have small screens, such as handheld computers (i.e. PDA’s)” (“<u>hand-held wireless device</u>”). (EX1007, 141.) Pad’s browser parses HTML to create “HTML items” that represent the file (“<u>HTML-based content</u>”). (EX1005, 60.) By aiming to be a “zooming version of Mosaic and Netscape,” Pad discloses the claimed “<u>replicates browsing the Web page on a desktop Web browser</u>.” (EX1007, 86.) 37. SVG discloses that standard Web content includes “<u>cascading style sheet (CSS) content defining a page layout and design of display content on the Web page</u>.” (EX1008, 4, 13.) SVG discloses that “attributes which make sense to be part of a style should be expressed in CSS” and that “Complete support for CSS is what the Web community will expect.” (EX1008, 4, 7, 13.) SVG further confirms that vector graphics allow Web documents to be “displayable on a wider range of device resolutions from small mobile devices through office computer monitors to high resolution printers.” (EX1008, 1.) In the Zaurus-Pad-SVG combination, the combined device would browse the claimed “<u>HTML-based content and cascading style sheet (CSS) content defining a page layout and design of display content</u>.” (EX1008, 1, 4, 11.)

VIII. CONCLUSION

For any of these reasons, the Board should deny institution of the Petition.

Google LLC v. SoftView LLC
U.S. Patent No. 8,533,628 – IPR2026-00283

ARMOND WILSON LLP

Dated: June 12, 2026

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CERTIFICATE OF COMPLIANCE

Pursuant to 37 C.F.R. § 42.24(d), the undersigned certifies that foregoing **PATENT OWNER'S PRELIMINARY RESPONSE** exclusive of the parts exempted as provided in 37 C.F.R. § 42.24, contains 6,068 words and therefore complies with the type-volume limitations of 37 C.F.R. § 42.24.

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CERTIFICATE OF SERVICE

The undersigned certifies that pursuant to 37 C.F.R. § 42.6(e), a true copy of the foregoing **PATENT OWNER'S PRELIMINARY RESPONSE** is being served electronically on June 12, 2026 to the following lead and backup counsel for Petitioner to the following email addresses:

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