Paper No. __

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE LLC,
Petitioner,

v.

ACCUSEARCH TECHNOLOGIES LLC,
Patent Owner.

Case No. IPR2026-00286
Patent No. 10,585,959

PETITIONER'S SUR-REPLY TO PATENT OWNER'S REPLY BRIEF TO PETITIONER'S OPPOSITION TO PATENT OWNER'S DISCRETIONARY DENIAL BRIEF

I. GOOGLE IS NOT ADVANCING INDEFINITENESS[1]

AccuSearch says Google has reserved its right to argue that the challenged claims are indefinite. Paper 13 ("Reply"), 1. This is misleading and inaccurate.

As seen in the parties' Joint Claim Construction Chart ("JCCC"), Google is not asking the district court to find ***any*** claim term indefinite. EX2002. Google originally reserved the right to argue that certain terms are indefinite in its ***preliminary*** invalidity contentions, served in February. By the time Google filed its Petition, however, Google was not pursuing indefiniteness—a decision that AccuSearch knew by April when the parties agreed on the JCCC.

Without citing a case, AccuSearch alleges that Google's decision not to raise indefiniteness arguments in the JCCC is not necessarily a waiver of those arguments. Reply, 1. But Google did not include indefiniteness in the JCCC because it affirmatively elected not to pursue indefiniteness. **For the sake of clarity, Google reiterates and hereby confirms that it is not asking (and will not ask) the district court to find any challenged claim indefinite, and that this has been Google's position throughout the pendency of its IPR Petition.**

The *Ford* decision is thus distinguishable because the petitioner affirmatively argued that the challenged claims were indefinite ***after*** the petition was filed, and only when facing vacatur of the Board's institution decision did the petitioner offer

[1] Emphasis added throughout unless otherwise indicated.

to waive that argument. *Ford Motor v. AutoConnect Holding*, IPR2025-01342, Paper 27, 3 (May 12, 2026). Here, Google abandoned its indefiniteness arguments and has not taken any inconsistent position since filing its Petition.

II. THE OTHER ALLEGED INCONSISTENCIES DO NOT EXIST

AccuSearch also argues Google is taking inconsistent positions with respect to two claim terms. Reply, 2-3. As explained below, there are no inconsistencies in Google's position. Moreover, AccuSearch does not dispute that the prior art in Google's Petition meets the terms under both the plain meaning and the constructions proposed by Google in the district court to aid the jury. The Board thus has no need to explicitly construe the terms to resolve the parties' dispute. The district court, in contrast, must educate a non-technical jury; and it makes sense that ***both*** parties have added additional explanation regarding technical terms for the benefit of the jury.

For "selectable ***filtering*** function," AccuSearch says there is a material distinction between Google's district-court construction that requires "display[ing] a **narrowed set of search** results" and the Petition's demonstration that its prior art is "display[ing] an **updated set of search results**." *Id.*, 2-3 (emphasis original). But the limitation requires ***filtering*** to remove search results from being displayed. That ***filtering*** will **narrow** (and thereby **update**) the set of search results being displayed.

AccuSearch argues the "inclusion of 'narrowed' in the 'selectable' term is, by definition, *narrower* than the plain and ordinary meaning." *Id.*, 3 (italics original). Not so. These are two sides of the same coin: removing (*filtering*) search results causes the display of results to be **updated** by being **narrowed**. The new results are being modified in the same manner: "removing" from the initial search results a specific type of result, *i.e.*, "webpages that are missing one or more terms from the user's query." *E.g.*, Claim 3 (EX1001, 14:58-63). Google's construction articulates the same claim scope demonstrated in the Petition with only slight variations in language, and there is no dispute that Google's prior art meets either articulation.

Google has likewise handled "descendant webpage" consistently. AccuSearch argues that Google's district-court construction requires "that the webpage be in the 'same domain,' whereas in the Petition, it is just an 'example.'" *Id.*, 3. But AccuSearch ignores that the Petition's prior art, in fact, satisfies the same-domain requirement. Google's position is consistent: to a POSA, the plain meaning of a "descendant webpage" requires a webpage in the same domain as the referenced webpage. Google's construction simply makes explicit for a lay jury the same-domain requirement that is undisputedly met by the prior art.

Date: June 25, 2026

/ *Nathan R. Speed* /
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CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6 (E)(4)

I certify that on June 25, 2026, a copy of the foregoing document, including any exhibits or appendices filed therewith, is being served via electronic mail, as previously consented to by Patent Owner, upon the following:

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