

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

ACCUSEARCH TECHNOLOGIES LLC,
Patent Owner.

IPR2026-00287
U.S. Patent No. 10,867,001

**PATENT OWNER'S AUTHORIZED REPLY BRIEF TO PETITIONER'S
OPPOSITION TO PATENT OWNER'S DISCRETIONARY DENIAL BRIEF**

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Pursuant to the Director’s authorization on June 18, 2026, Patent Owner AccuSearch respectfully files this authorized Reply to address misleading statements in Petitioner Google’s “Response” (Paper 11).

First, before filing its Petition, Google disclosed 34 indefiniteness arguments across the four challenged patents, including against most independent claims. Ex. 2011, 69-73, 86-87. It then asked the Board to apply plain and ordinary meaning to all terms—knowing it was preserving its indefiniteness positions in district court. Google never attempted to justify taking inconsistent positions. Paper 7, 5-6 (citing cases).

Google’s Response does not cure those inconsistencies; it simply denies “taking *different* positions.” Resp., 8. But Google uses careful wording to imply that it withdrew those positions:

Google’s *preliminary* invalidity contentions identified certain terms as potentially being indefinite. ... But Google did not, in fact, identify any terms as being indefinite in its more recent claim-constructions filings. Resp., 10. It did not. In Delaware, indefiniteness arguments disclosed in invalidity contentions remain in the case, even if not argued during claim construction.

Moreover, Google did not merely assert that the claims are “potentially” indefinite. Resp., 10. It stated that “the Asserted Claims *are* invalid as indefinite....” Ex. 2011, 71 (emphasis added).

Google even acknowledged that its indefiniteness arguments are at least potentially inconsistent with its prior art arguments—stating that they “should not be construed as a concession that Defendant believes those limitations satisfy the definiteness requirement of 35 U.S.C. § 112, ¶ 2.” Ex. 2011, 71 n.3.

Ford Motor Co. v. AutoConnect Holding LLC made clear that an attempt to use inconsistent indefiniteness positions “to gain an upper hand in the overall litigation” is grounds for denial of institution. IPR2025-01342, Paper 27, 3 (Director May 12, 2026)) (informative) (quoting *Terumo BCT Inc. v. Haemonetics Corp.*, IPR2025-01374, Paper 20 (Director May 12, 2026)). Google’s conduct here goes beyond *Ford*. Like Ford (the petitioner in that case), Google attempted to use IPR as a strategic vehicle. But Ford at least acknowledged its tactics and stipulated to withdrawing its inconsistent indefiniteness arguments. (The Director held that it was too late and denied institution anyway.) Here, Google embarked down the same path. But instead of acknowledging it, Google responded with the misleading language quoted above.

Second, Google also denies raising other inconsistent claim construction positions, stating that it “used the *same exact language*” across forums and that its constructions before the district court “*are* the two terms’ plain meaning.” Resp., 9-10. Neither is correct. Google only proposed plain and ordinary meaning for one term: “Internet search.” It proposed express, limiting constructions of two other

terms. Each imports *different* language than the Petition uses:

Term	Proposed Construction	Petition
“selectable filtering function ...”	“An [option/function] that, when selected by the user, causes the system to display a <u>narrowed set of search</u> results by removing, from the original search results, references to webpages that are missing one or more terms from the user’s query”	“causing the system to display an <u>updated set of search results</u> by removing, from the already-identified search results, references to webpages that are missing one or more terms from the user’s query.”
“descendant webpage”	“ <u>A webpage in the same domain as the referenced webpage</u> and that is reachable by clicking an outbound link on the referenced webpage”	“ <u>a webpage to which a search-result webpage links; for example,</u> ...”

Contrast Ex. 2002 *with* Pet., 51, 59. Google’s proposed inclusion of “narrowed” in the “selectable” term is, by definition, *narrower* than the plain and ordinary meaning. It is also different than the “updated” set-of-results language Google uses in the Petition. For “descendant webpage,” Google imports the requirement that the webpage be in the “same domain,” whereas in the Petition, it is just an “example.”

The above are additional reasons the Petition should be denied.

Dated: June 23, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing PATENT OWNER'S
AUTHORIZED REPLY TO PETITIONER'S OPPOSITION TO PATENT
OWNER'S DISCRETIONARY DENIAL BRIEF was served electronically via
email on June 23, 2026, on the following counsel of record for Petitioners:

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