IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIVINT LLC
Petitioner,

v.

DUKE W. ZINSER,
Patent Owner,

U.S. Patent No. 7,583,191
Issue Date: September 1, 2009
Title: SECURITY SYSTEM AND METHOD FOR USE OF SAME

Inter Partes Review No.: IPR2026-00300

PETITIONER'S EXPLANATION OF MULTIPLE PETITIONS CHALLENGING U.S. PATENT NO. 7,583,191

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

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PETITIONER'S EXHIBIT LIST

Exhibit #	***Description***
1001	U.S. Patent No. 7,583,191 ("'191 Patent")
1002	Prosecution History of the '191 Patent ("File History")
1003	IPR2026-00300 Declaration of Petitioner's Expert James Parker
1004	U.S. Patent Publication 2004/0086093 ("Schranz")
1005	Re-Exam Prosecution History of the '191 Patent
1006	U.S. Pat. No. 6,429,893
1007	U.S. Pat. No. 6,778,084
1008	U.S. Patent Publication 2002/0147982
1009	*Curriculum Vitae* of James Parker
1010	James Parker Patent Summary
1011	*Intentionally Left Blank*
1012	Excerpts of Plaintiff's Disclosure of Asserted Claims and Infringement Contentions (2026-04-16)
1013	*Intentionally Left Blank*
1014	*Intentionally Left Blank*
1015	*Intentionally Left Blank*
1016	Letter from B. Greene to G. Sorden dated May 20, 2026

I. Introduction

Pursuant to the November 2019 Consolidated Trial Practice Guide ("Guide"), Petitioner Vivint LLC provides this explanation of multiple petitions challenging U.S. Patent No. 7,583,191.

On March 16, 2026, Petitioner filed a Request for IPR in IPR2026-00300 challenging Claims 21-47 of the '191 Patent as unpatentable under 35 U.S.C. §103 in view U.S. Pat. Pub. No. 2004/0086093 ("Schranz"). Claims 21-47 issued pursuant to a Request for Reexamination filed by the Patent Owner in Reexamination Application No. 90/019,542. EX-1005, 6.

On June 1, 2026, Petitioner filed a Request for IPR in IPR2026-00375 challenging Claims 5, 7 and 15-18 of the '191 Patent as unpatentable under 35 U.S.C. §103 in view of Schranz. Claims 5, 7 and 15-18 are dependent claims that initially issued in the '191 Patent.

Petitioner presents two petitions, each of which applies an identical prior art reference. The separate Petitions were required because of the Patent Owner's conduct in the associated litigation. At the time that the Petitioner filed IPR2026-00300:

(1) Patent Owner's Complaint only asserted claims that had issued following reexamination proceeding, Claims 21-47.

(2) Patent Owner had previously asserted that all originally issued claims of the ’191 Patent were invalid during reexamination. There was no confirmation of the patentability of claims 5, 7 and 15-18 in Reexamination Application No. 90/019,542, as those claims were not reexamined due to Patent Owner’s failure to comply with 37 CFR 1.510(b).

(3) Petitioner relied on Patent Owner’s Complaint and its assertion that all originally issued claims of the ’191 Patent were invalid and therefore challenged only the claims that had issued following reexamination proceeding and were asserted in the Complaint.

Subsequent to the filing of the ’300 Petition, Patent Owner asserted original Claims 5-7 and 15-18. The multiple petitions are justified by the changing positions of the Patent Owner, including the claims asserted in the related district court litigation and the Patent Owner’s previous assertion that the originally issued claims were invalid.

II. Background

On June 19, 2024, Patent Owner requested an *Ex Parte* Reexamination of the ’191 Patent. In the Request for Reexamination filed June 19, 2024 (“Request”), the Patent Owner stated: “Von Bauer with Menard renders claims 1-7 and 19-20 obvious….Claims 8-18 are obvious over Von Bauer in combination with Menard and Klein.” EX-1005, 2.

On July 31, 2024, the USPTO vacated the Request because it failed to provide a detailed explanation for why the dependent claims were invalid over the cited art and instead, just stated that the challenged depended claims "depend directly or indirectly" from the independent base claims and "inherit all features and limitations" of the base claims and are therefore "invalid for the same reasons" as the base claims. EX-1005, 345-47.

On August 15, 2024, the Patent Owner filed a corrected Request, seeking only reexamination of independent Claims 1, 8, 15 and 19. EX-1005, 364.

On September 26, 2024, the PTO granted the Request. During reexamination, Patent Owner cancelled independent claims 1, 8, 15 and 19, and added claims 21-47. EX-1005, 1020-1029.

On September 18, 2025 an Ex Parte Reexamination Certificate issued for the '191 Patent stating that Indpendent Claims 1, 8, 14 and 19 are cancelled, dependent claims 2-7, 9-13, 15-18 and 20 were not reexamined, and new claims 21-47 were added, for a total of 43 claims.

That same day, September 18, 2025, Patent Owner filed a Complaint for patent infringment of the '191 Patent against Petitioner asserting the newly added claims --"Claims 21 – 47 of the '191 Patent." EX-2001 ¶39.

On March 16, 2026, relying on the Complaint, and Patent Owner's previous admission that the original dependent claims of the '191 Patent were invalid in the

Request for Reexamination, Petitioner filed IPR2026-00300, challenging claims 21-47. IPR2026-00300, Paper 1.

On April 16, 2026, after having received the Petition for IPR2026-00300, Patent Owner served its infringement contentions, asserting for the first time, originally issued claims 2-7, 15-18, and 20, that Patent Owner previously had asserted were not valid in its Request. EX-1012, 1; EX-1005, 2. On May 8, 2026, Patent Owner withdrew its assertion of claims 2-4, 6, and 20. EX-1016.

This Petition is only directed to the currently-remaining asserted claims 5, 7 and 15-18, that were added in the infringement contentions and that were originally issued in the '191 Patent—the same claims that the Patent Owner had previously informed the USPTO were invalid.

III. Reasons Why More Than One Petition Should Be Instituted

Patent Owner's recent assertion of claims 5, 7 and 15-18 prompted Petitioner to file the current Petition directed to these claims. At the time that Petitioner filed IPR2026-00300, Petitioner had no reason to challenge these claims. Claims 5, 7 and 15-18 had not been asserted in the Complaint, and Petitioner was aware of, and relied on, Patent Owner's assertion that these claims were invalid.

In order to reduce any burden on the Board, the present Petition was written asserting the same reference –Schranz— as a single ground obviousness challenge

with very similar arguments to IPR2026-00300, relying on the same expert and exhibits.

Thus, two petitions were necessary to challenge all asserted claims in the litigation. It is manifestly unfair for Patent Owner to belatedly assert the originally issued dependent claims after Petitioner had already filed IPR2026-00300. The Board should not allow Patent Owner to benefit from such gamesmanship.

IV. Ordering of Petitions

For the reasons discussed above, the Board should grant institution for both petitions. The Petitioner requests that the Board institute this Petition, join it with IPR2026-00300 and track the same schedule post-institution, maximizing the efficiency of depositions, briefing, and oral argument.[1] Under the circumstances a ranking of petitions is not appropriate given that it was Patent Owner's conduct that necessitated filing of a second petition. However, in view of the guidance in the consolidated trial practice guide (Guide, 60), Petitioner requests that the Board consider the petitions in the following order:

Order	IPR No.	Challenged Claims
1	IPR2026-00300	21-47
2	IPR2026-00375	5, 7 and 15-18

[1] Petitioner will be filing a motion to join this IPR with IPR2026-00300.

Respectfully submitted,

DUANE MORRIS LLP

Dated: June 1, 2026

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CERTIFICATION OF SERVICE ON PATENT OWNER

Pursuant to 37 C.F.R. §42.6(e), the undersigned certifies that on June 1, 2026, a complete and entire copy of Petitioner's Explanation of Multiple Petitions Challenging U.S. Patent No. 7, 583,191 was served by filing with P-TACTS along with a copy via electronic mail to the Patent Owner's counsel at the following addresses:

Date of service	June 1, 2026
Manner of service	P-TACTS and email
Documents served	Petitioner's Explanation of Multiple Petitions Challenging U.S. Patent No. 7, 583,191.
Persons served	Gary R. Sorden gsorden@coleschotz.com Brian A. Carpenter bcarpenter@coleschotz.com

Courtesy copies of the Petition and supporting exhibits were sent by email to the litigation Counsel below:

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