

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GOOGLE LLC,

Plaintiff,

No. C 20-06754 WHA

v.

SONOS, INC.,

Defendant.

**ORDER RE CROSS MOTIONS FOR  
PARTIAL SUMMARY JUDGMENT  
AS TO CLAIM 1 OF '885 PATENT**

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**INTRODUCTION**

In this patent infringement action, the patent owner moves for summary judgment of infringement of claim 1 of United States Patent No. 10,848,885. The alleged infringer cross moves for summary judgment of noninfringement and invalidity. For the reasons that follow, the patent owner’s motion is **GRANTED**.

**STATEMENT**

Patent owner Sonos, Inc. asserts that Google LLC infringes its patents, including United States Patent Nos. 10,848,885 and 9,967,615. Pursuant to our “patent showdown” procedure (Dkt. Nos. 68, 206), Sonos moves for summary judgment of infringement of claim 1 of the ’885 patent. Google, meanwhile, cross moves for summary judgment of noninfringement as to that claim and separately moves for summary judgment of noninfringement of claim 13 of the ’615 patent. Google also raises a variety of invalidity theories as to both claims. This order

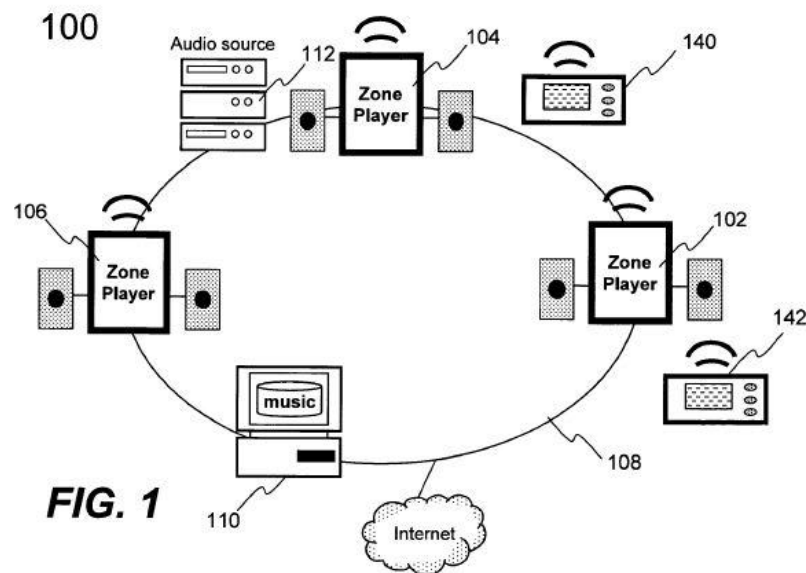
1 considers the motions related to the '885 patent. A separate order will follow as to Google's  
2 motion on the '615 patent.

3 The technology at issue in this case broadly relates to wireless multi-room audio systems.  
4 These wireless audio systems include "networked audio players" now commonly referred to as  
5 "smart" speakers. Smart speakers can communicate with each other and with other "networked  
6 devices" over the internet. This ability to communicate with other networked devices allows  
7 smart speakers to be controlled using a smart phone or other computer, which makes it easier to  
8 play music or other audio.

9 The accused products provide a helpful example. Imagine someone has a smart phone, a  
10 networked device connected to the internet. On the smart phone is the Google Play Music app,  
11 which offers a library of songs. Smart phone speakers generally produce lesser-quality sound,  
12 so listeners may prefer to listen to songs on an external, higher-quality speaker. Prior to the  
13 arrival of smart speakers, the external, better speaker would have to be connected to the phone  
14 through wires. Smart speakers, however, can connect to the smart phone over the internet,  
15 without wires. Using the Google Play Music app, the user can tap a button to connect the phone  
16 to the smart speaker. After the devices are connected, the audio that would have otherwise  
17 played through the phone's speaker will play through the smart speaker instead. Google calls  
18 such connecting "casting," and the parties herein refer to this feature as "cast" technology.

19 Now, imagine our user has smart speakers in several rooms, *e.g.*, one in each of the living  
20 room, kitchen, and bedroom. Sometimes the user may want to play music in only the living  
21 room. At other times, the user may want to play music in only the living room and kitchen.  
22 And at yet other times, the user may want to play music in all three rooms. The '885 patent  
23 broadly relates to managing and organizing these groups of smart speakers and other  
24 "multimedia players."

1 In particular, the patent is directed toward a “method and apparatus for controlling or  
2 manipulating a plurality of multimedia players in a multi-zone system” (’885 patent at 1:32–  
3 34). A player is a speaker or television or other similar device that can play content. The patent  
4 refers to the player’s location, such as a bedroom or kitchen, as a “zone” and the player therein  
5 as a “zone player” (*see, e.g., id.* at 2:36–41; 3:13–23). Figure 1 of the patent illustrates what  
6 this system looks like:

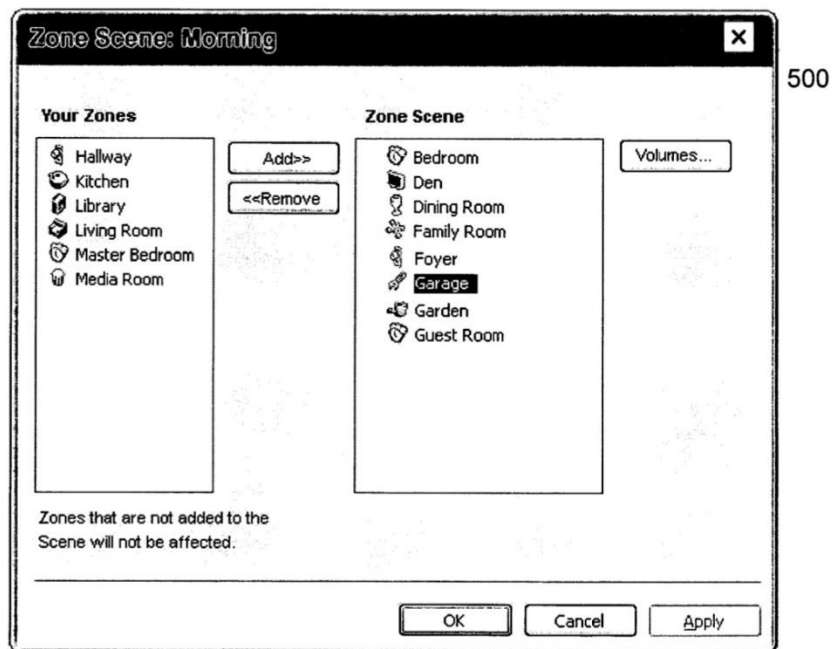


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18 Sonos filed the application that led to the ’885 patent in April 2019, but the patent  
19 application claims priority through a long chain of continuation applications dating back to a  
20 provisional application filed in September 2006. The patent’s specification recounts that, prior  
21 to 2006, it was difficult for users to dynamically control speaker groups. In a “traditional multi-  
22 zone audio system,” the specification explains, audio sources are “hard-wired” or “controlled by  
23 a pre-configured and pre-programmed controller,” which makes it cumbersome to “dynamically  
24 manag[e] the ad hoc creation and deletion of groups,” particularly when desired groups overlap  
25 (*id.* at 1:62–2:2:25). As an illustrative example, the specification laments that someone who  
26 enjoys “listen[ing] to broadcast news from his/her favorite radio station in a bedroom, a  
27 bathroom, and a den while preparing to go to work in the morning” but also prefers to “listen in  
28 the den and the living room to music . . . in the evening” would not easily be able to configure a

1 traditional audio system to accommodate those preferences (*ibid.*). The specification describes  
2 both technological and physical hurdles that made such dynamic grouping “difficult” (*ibid.*).

3 The '885 patent announced that it solved this problem by providing a “mechanism” to  
4 “allow a user to group” multimedia players “according to a theme or scene, where each of the  
5 players is located in a zone” (*id.* at 2:36–41). Then, “[w]hen the scene is activated, the players  
6 in the scene react in a synchronized manner” (*id.* at 2:41–42). In other words, the '885 patent  
7 allows a user to customize and save multiple groups of smart speakers or other players, each  
8 according to a “theme or scene,” and then later “activate” a customized group, called a “zone  
9 scene,” on demand (*id.* at 2:46–51). For example, the person described above who enjoys  
10 listening to broadcast news in the morning can form a “zone scene” called “Morning” that is  
11 composed of speakers in the bedroom, bathroom, and den. Figure 5A illustrates a user forming  
12 a zone scene called “Morning”:



**FIG. 5A**

1 After saving the “Morning” zone scene, the user can “invoke” the group on demand through an  
2 app on the “controller” device (e.g., a smart phone).

3 Claim 1 of the ’885 patent was written from the perspective of a “zone player” that  
4 connects to other “zone players” to form a “zone scene.” Using Google’s paragraph numbering,  
5 claim 1 recites:

6 [1.pre] A first zone player comprising:

7 [1.1] a network interface that is configured to communicatively  
8 couple the first zone player to at least one data network;

9 [1.2] one or more processors;

10 [1.3] a non-transitory computer-readable medium; and

11 [1.4] program instructions stored on the non-transitory computer-  
12 readable medium that, when executed by the one or more  
13 processors, cause the first zone player to perform functions  
14 comprising:

15 [1.5] while operating *in a standalone mode* in which the first zone  
16 player is configured to play back media individually in a  
17 networked media playback system comprising the first zone player  
18 and at least two other zone players:

19 (i) receiving, from a network device over a data network, *a first*  
20 *indication* that the first zone player *has been added* to a *first zone*  
21 *scene* comprising a first predefined grouping of zone players  
22 including at least the first zone player and a second zone player  
23 that are to be configured for synchronous playback of media when  
24 the first zone scene is invoked; and

25 (ii) receiving, from the network device over the data network, a  
26 *second indication* that the first zone player *has been added* to a  
27 *second zone scene* comprising a second predefined grouping of  
28 zone players including at least the first zone player and a third zone  
29 player that are to be configured for synchronous playback of media  
30 when the second zone scene is invoked, wherein the second zone  
31 player is different than the third zone player;

32 [1.6] after receiving the first and second indications, *continuing to*  
33 *operate in the standalone mode* until a given one of the first and  
34 second zone scenes has been selected for invocation;

35 [1.7] after the given one of the first and second zone scenes has  
36 been selected for invocation, receiving, from the network device  
37 over the data network, an instruction to operate in accordance with  
38 a given one of the first and second zone scenes respectively  
39 comprising a given one of the first and second predefined  
40 groupings of zone players; and

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