**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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GOOGLE INC.,
Petitioner,

v.

VEDANTI SYSTEMS LIMITED,[1]
Patent Owner.

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Case IPR2016-00212[2]
U.S. Patent No. 7,974,339 B2

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**PATENT OWNER'S REPLY IN SUPPORT OF ITS
CONTINGENT MOTION TO AMEND**

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[1] Vedanti Systems Limited has assigned the patent to the current patent owner, Vedanti Licensing Limited.
[2] Case IPR2016-00215 has been consolidated with this proceeding.

# TABLE OF CONTENTS

# TABLE OF AUTHORITIES

**Cases**

**Statutes**

**Other Authorities**

This Reply responds to Petitioner's Opposition to Patent Owner's

Contingent Motion to Amend.

## I.      The Amendments Add Terms Whose Plain Meanings Are Easily Understood and Are Supported by the Original Application

Petitioner wrongly argues that "Vedanti's Motion should be denied because

a proper claim construction was not provided." (Opp. at 5.) A claim construction

may be required when the meaning of a new term in a proposed substitute claim

reasonably can be anticipated as subject to dispute. *See Corning Optical*

*Commc'ns RF, LLC v. PPC Broadband, Inc.*, IPR2014-00441, at 4 (PTAB Oct. 30,

2014) (Paper 19). Petitioner fails to point out any truly reasonable disputes and

instead manufactures them.

"Aspect ratio" is well-understood: it is a width to height ratio of the number

of pixels in a region. As the Patent Owner pointed out in its motion to amend,

Figure 10 of the applications discloses regions that can be "(7 x 3), (5 x 6), (5 x 4),

(7 x 7), (2 x 3), (2 x 7)," (Exs. 1002 and 1018 at ¶ 67 and Fig. 10), which results in

aspect ratios of 7x3, 5x6, 5x4, 1x1, 2x3, and 2x7. This confirmed that the Patent

Owner interprets aspect ratio in accordance with its ordinary meaning. This same

specification support also provides written description and enablement support.

Contrary to Petitioner's belief, (Opp. at 5–8), the specification does not need to use

the precise words of the claim to satisfy section 112. *Eiselstein v. Frank*, 52 F.3d

1035, 1038 (Fed. Cir. 1995) ("[T]he prior application need not describe the claimed subject matter in exactly the same terms as used in the claims . . . ."). Petitioner also contends that the specification "merely" discloses matrices of pixel data having "different sizes," and that "'[d]ifferent size' does not require different aspect ratios." (Opp. at 6.) Petitioner ignores, however, that Figure 10 discloses five regions having different *aspect ratios* of "(7 x 3), (5 x 6), (5 x 4), (7 x 7), (2 x 3), (2 x 7)." (Exs. 1002 and 1018 at ¶ 67 and Fig. 10.) Petitioner's argument that this example does not "isolate two different aspect ratios as such" is confusing: Figure 10 "isolates" five different regions having five different aspect ratios, which is an unambiguous disclosure of the "at least two regions having different aspect ratios" limitation.

As to "non-predetermined," Petitioner admits that the "ordinary meaning" of the term is not determined beforehand. (Opp. at 9 ("The scope of 'non-predetermined' could refer to 'not known ahead of time' *based on its ordinary meaning . . . .*" (emphasis added); "the ordinary meaning of 'nonpredetermined' [] signifies something not already determined before a selection event occurs.").) Petitioner also concedes that the "random" pixel selection embodiment is an "example" of the "non-predetermined" limitation. (*Id.*) Petitioner attempts to sow confusion, however, by arguing that "it could" be construed as limited to this

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