

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACTIVATION BLIZZARD, INC. and RIOT GAMES, INC.,
Petitioners

v.

GAME AND TECHNOLOGY CO., LTD.,
Patent Owner

Case IPR2016-01880
Patent 8,035,649

PRELIMINARY RESPONSE TO PETITION UNDER 37 C.F.R. § 42.107

As permitted under 37 C.F.R. § 42.107, Game and Technology Co., Ltd. (“Patent Owner”) timely submits this Preliminary Response to Petition Under 37 C.F.R. § 42.107 (“Preliminary Response”). This Preliminary Response sets forth the reasons why the Petition for *Inter Partes* Review of U.S. Patent No. 8,035,649 (“Petition”) submitted by Activation Blizzard, Inc. and Riot Games, Inc. (“Petitioners”) should be denied and dismissed by the Patent Trial and Appeal Board (“Board”).

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EXHIBITS

Document	Exhibit No.
Verified English Translation of Priority Document KR 10-2004-0049556	2001
Priority Document KR 10-2004-0049556 from file history	2002

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I. INTRODUCTION

Patent Owner respectfully submits that the Petition requesting *Inter Partes* Review fails to demonstrate a reasonable likelihood that claims 1- 16 of U.S. Patent No. 8,035,649 (“the ‘649 Patent”) are unpatentable. This is at least because the Petition relies on erroneous claim construction and misrepresentations of prior art references’ disclosures. For example, the Petition fails to establish that:

(1) “the second image data is generated **without being rendered**” of independent claims 1, 13, and 15 was disclosed or suggested in the prior art,

(2) “the second image is **not loaded** in the buffer space” of independent claims 1, and “second image data **not being loaded** on a buffer” of independent claims 13 and 15 were disclosed or suggested in the prior art,

(3) the “loading the identified image resource data in a buffer space ... in which the image resourced data are **loaded in rotation**” of independent claim 1 was disclosed or suggested by the prior art, and

(4) the “generating the first image at **a first frame rate**” and “generating a second image ... at **a second frame rate**” of independent claims 1, 13, and 15 were disclosed or suggested by the prior art.

Thus, the Petition fails to establish a reasonable likelihood that each and every element of the challenged claims would have been rendered obvious by the

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