UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

UNILOC USA, INC. and UNILOC LUXEMBOURG S.A.,
Patent Owners.

Case IPR2017-00058
Patent 7,805,948

PATENT OWNER RESPONSE

PURSUANT TO 37 C.F.R. § 42.120

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I. INTRODUCTION

Pursuant to 35 U.S.C. § 313 and 37 C.F.R. § 42.120, Uniloc Luxembourg S.A. ("Patent Owner") submits this Response to the Petition for *Inter Partes* Review ("the Petition") of U.S. Patent 7,804,948 ("the '948 Patent") filed by Cisco Systems, Inc. ("Petitioner").

Petitioner has failed to prove that there is a reasonable likelihood that at least one of the claims challenged in the Petition is unpatentable. *See* 37 C.F.R. § 42.108(c). The Petition does not prove obviousness for at least the following independent reasons: (1) the proposed combination challenging the independent claims would change the principle operation of the primary reference; (2) the teachings in the cited references lead away from the proposed combination; and (3) even if the primary reference did not teach away from the proposed modification (which clearly is not the case), the Petition would nevertheless still fail to "specify where each element of the claim is found in the prior art patents or printed publications relied upon." 37 C.F.R. § 42.104(b)(4). The Petition should be dismissed in its entirety.

II. RELATED MATTER

Petitioner relies on the exact same combination of references and substantially identical obviousness theories to those presented in IPR2017-00198, filed by the same

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Petitioner against U.S. Patent No. 7,853,000, which claims priority to and is a continuation of the '948 Patent.

III. THE '948 PATENT

A. Overview of System and Method for Initiating a Conference Call

In general, the '948 Patent discloses and claims various embodiments for "initiating conference calls via an instant messaging system to reduce the effort required to initiate and manage the call." EX1001 at Abstract. The '194 Patent claims priority to a provisional application filed on December 22, 2003.

As explained in the Background section of the '948 Patent and summarized in the attached Declaration of Dr. Val DiEuliis (EX2001), the state of the art at the time of the invention for integrating certain telephony products into software was encumbered by multiple deficiencies. EX2001 ¶ 22 (citing EX1001 2:33-47). For example, passing the correct telephony commands via certain technologies, such as private branch exchange or "PBX," was problematic because "no two PBX's are alike." *Id*. Further PBX technology often required "system integrators" and had reduced scalability opportunity. *Id*.

The art at the time of the invention typically required all users who wanted to join a conference call to dial in to a central number and enter a passcode, which

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