UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONOS, INC. Petitioner

V.

D&M HOLDINGS US INC.
Patent Owner

Case: To Be Assigned

Patent No. 6,473,441

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 6,473,441 PURSUANT TO 35 U.S.C. §311 et seq. and 37 CFR §42.1 et seq.



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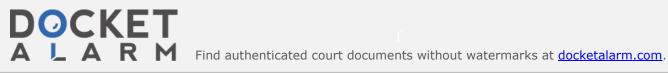


TABLE OF EXHIBITS

EXHIBIT	DESCRIPTION
SONOS 1001	U.S. Patent No. 6,473,441 to Dygert ("the '441 Patent")
SONOS 1002	Sonos's Complaint for <i>Sonos, Inc. v. D&M Holdings Inc.</i> , Case No. 1:14-cv-01330-RGA (D. Del.)
SONOS 1003	Sonos's First Amended Complaint for <i>Sonos, Inc. v. D&M Holdings Inc.</i> , Case No. 1:14-cv-01330-RGA (D. Del.)
SONOS 1004	Sonos's Second Amended Complaint for <i>Sonos, Inc. v. D&M Holdings Inc.</i> , Case No. 1:14-cv-01330-RGA (D. Del.)
SONOS 1005	D&M's first Answer to Sonos's Second Amended Complaint for <i>Sonos, Inc. v. D&M Holdings Inc.,</i> Case No. 1:14-cv-01330-RGA (D. Del.)
SONOS 1006	Selected portions of D&M's Redacted Motion for Leave to Amend Their Answer to Assert Counterclaims for <i>Sonos, Inc. v. D&M Holdings Inc.</i> , Case No. 1:14-cv-01330-RGA (D. Del.) (D.I. 83, dated 12/08/2015, but original unredacted version was filed as D.I. 81 on 11/30/2015)
SONOS 1007	Delaware District Court's Order granting Motion to Leave to Amend Answer to Sonos's Second Amended Complaint and severing D&M's Counterclaims for <i>Sonos, Inc. v. D&M Holdings Inc.</i> , Case No. 1:14-cv-01330-RGA (D. Del.)
SONOS 1008	Excerpt of case docket for <i>D&M Holdings Inc. v. Sonos, Inc.</i> , Case No. 1:16-cv-00141 (D. Del.) ("Underlying Litigation")
SONOS 1009	<i>TRW Automotive US LLC v. Magna Electronics, Inc.</i> , Case Nos. IPR2014-00293, IPR2014-00294, IPR2014-00296, IPR2014-00297, and IPR2014-00298
SONOS 1010	Dictionary Definitions from Microsoft Computer Dictionary (5th ed. 2002)
SONOS 1011	Dictionary Definitions from Rudolf F. Graf, Modern Dictionary of Electronics (7th ed. 1999)
SONOS 1012	Dictionary Definitions from Newnes Dictionary of Electronics (4th ed. 1999)



SONOS 1013	"Information Technology – Generic Coding of Moving Pictures and Associated Audio: Systems," ISO/IEC 13818-1, April 1995 ("MPEG-2")
SONOS 1014	U.S. Patent No. 5,892,535 to Allen ("Allen")
SONOS 1015	U.S. Patent No. 5,737,747 to Vishlitzky ("Vishlitzky")
SONOS 1016	"A Scalable Architecture for Video on Demand Servers," Wu et al., <i>IEEE Transactions on Consumer Electronics</i> , Vol. 42, No. 4, November 1996 ("Wu")
SONOS 1017	U.S. Patent No. 6,181,711 to Zhang ("Zhang")
SONOS 1018	Expert Declaration of Anthony Wechselberger in support of this Petition

I. <u>INTRODUCTION</u>

Pursuant to 35 U.S.C. §311 et seq. and 37 CFR §42.1 *et seq.*, Sonos, Inc. ("Petitioner" or "Sonos") hereby petitions the Patent Trial and Appeal Board ("PTAB") to institute an *Inter Partes* Review ("IPR") of Claims 1-4 of U.S. Patent No. 6,473,441 ("the '441 Patent"; SONOS 1001). The '441 Patent issued on October 29, 2002, resulting from U.S. Patent Application No. 09/226,169 ("the '169 Application"), filed on January 7, 1999. According to USPTO records, the '441 Patent is currently assigned to D&M Holdings US Inc. ("Patent Owner" or "D&M").

This petition for *Inter Partes* Review (the "Petition") demonstrates a reasonable likelihood that Petitioner will prevail with respect to Claims 1-4 of the '441 Patent ("the Challenged Claims"). 35 U.S.C. §314(a). Petitioner asserts that the Challenged Claims are anticipated by and/or obvious over the asserted prior art.

Pursuant to 37 CFR §42.22, Petitioner asks that the PTAB review the asserted prior art and below analysis, institute a trial for *Inter Partes* Review of the Challenged Claims, and cancel those claims as unpatentable.

II. MANDATORY NOTICES UNDER 37 CFR §42.8

Real Party-In-Interest – **37 CFR §42.8(b)(1):** Pursuant to 35 U.S.C. §312(a)(2), the real party-in-interest is Sonos, Inc., a corporation organized under the laws of the State of Delaware with a principal place of business at 614 Chapala Street, Santa Barbara, California 93101.



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