



222 Delaware Avenue • Suite 900
P.O. Box 25130 • Wilmington, DE 19899
Zip Code For Deliveries 19801

Writer's Direct Access:
(302) 429-4232
sbrauerman@bayardlaw.com

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VIA CM/ECF & HAND DELIVERY

The Honorable Richard G. Andrews
United States District Court for the District of Delaware
844 North King Street
Wilmington, Delaware 19801

Re: *IPA Technologies, Inc. v. Alco Electronics, Ltd.*, C.A. No. 16-1169-RGA,
IPA Technologies, Inc. v. Dish Network Corp., et al., C.A. No. 16-1170-RGA,
IPA Techs., Inc. v. TCL Comm'cn Tech. Holdings, Ltd., et al., C.A. No. 16-1236-RGA,
IPA Technologies, Inc. v. Amazon.com, Inc., et al., C.A. No. 16-1266-RGA,
IPA Technologies, Inc. v. Sony Electronics, Inc., et al., C.A. No. 17-55-RGA,
IPA Technologies, Inc. v. LG Electronics Inc., et al., C.A. No. 17-121-RGA,
IPA Technologies, Inc. v. Lenovo Group, Ltd., et al., C.A. No. 17-235-RGA,
IPA Technologies, Inc. v. Huawei Technologies Co., Ltd., et al., C.A. No. 17-248-RGA,
IPA Technologies, Inc. v. Kyocera International, Inc., C.A. No. 17-263-RGA
IPA Technologies, Inc. v. nVidia Corp., C.A. No. 17-287-RGA

Dear Judge Andrews,

Plaintiff IPA Technologies, Inc. ("IPA") provides the following proposed claim constructions for certain terms in the claims of the asserted patents and explanations of how they illustrate patent-eligibility, pursuant to the Court's Order. (C.A. No. 16-1266-RGA, D.I. 21.) In the context of motions to dismiss, the Court should adopt non-movant IPA's proposals as correct for purposes of the pending Section 101 motions.¹

¹ IPA provides these claim construction proposals solely for purposes of consideration of the pending Section 101 motions at the pleadings stage. Discovery has not yet begun, and Defendants have not produced any documents concerning the accused instrumentalities. The parties have not exchanged contentions, identified claim terms for construction, or provided proposed claim constructions. IPA reserves its rights to modify or withdraw any of the claim construction proposals herein, if necessary, in the claim construction exchange process later in the case.



Claim Term	Proposed Construction
navigation query	an electronic query, form, series of menu selections, or the like; being structured appropriately so as to navigate a particular data source of interest in search of desired information
electronic data source	source of information in numerical form that can be digitally transmitted or processed and that is implemented on or by means of a computing device
rendering an interpretation of the spoken request	determining a meaning of the spoken request using a computing device, such as that provided by extracting speech data from acoustic voice signals or data and linguistically parsing the speech data
constructing a navigation query based upon the interpretation / constructing at least part of a navigation query based upon the interpretation	combining or arranging elements of (at least part of) the navigation query based upon the interpretation

IPA's proposed constructions for these terms, which appear in the claims of all three asserted patents, demonstrate how the claimed inventions are directed to patent-eligible technological solutions or improvements specific to navigating electronic data sources, rather than an abstract idea of using speech to obtain any kind of information. *See Alice Corp. Pty. Ltd. v. CLS Bank Int'l*, 134 S. Ct. 2347, 2358 (2010) (claims that "solve a technological problem" or "improve[] an existing technological process" are eligible under Section 101); *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245 (Fed. Cir. 2014) (claims are patent-eligible where "the claimed solution is necessarily rooted in computer technology in order to overcome a problem specifically arising in the realm of computer networks").

The construction of "navigation query" flows from the express definition of the term in the specification, (*see* '021 Patent at 8:55-62), and places the claimed invention firmly in the realm of **electronic** navigation of data sources. IPA previously proposed the construction for "navigation query" and discussed how it grounds the claimed technological solutions to technological problems specific to existing computing-based systems. (C.A. No. 16-1266-RGA, D.I. 15 at 7-8.) The term "electronic data source" underscores the focus of the claims on specific technological solutions, as "data" is unpacked based on its plain meaning as information in numerical form that can be digitally transmitted or processed, and "electronic" is further unpacked as implemented on or by means of a computing device. The construction encompasses the range of electronic data sources discussed in the specification, including "database(s), Internet/web site(s), ... multimedia content, such as movies or other digital video and audio content, other various forms of entertainment data, or other electronic information." ('021 Patent at 4:11-20.)

The specification addresses the claim phrase "rendering an interpretation of the spoken request" in a passage stating that "[w]hen a spoken input request is received from a user, it is interpreted, such as by using a speech recognition engine to extract speech data from acoustic voice



extracting speech data from acoustic voice signals—is incorporated into the construction, as is the use of a language parsing software solution. The focus on data is a highlight of the specification passage and further grounds the claimed inventions as technological solutions. The specification goes on to explain, as reflected in the construction, that “[t]he interpretation of the spoken request can be performed on a computing device locally with the user or remotely from the user.” (*Id.* at 2:34-36.) The construction of the claim phrase “constructing a navigation query based upon the interpretation” also reflects the software outputs of rendering an interpretation, because the navigation query is constructed by combining or arranging elements of the navigation query based on outputs of the software that interprets the spoken request. Both of these constructions show how the claimed inventions address the technological problem of speech-based navigation of complex and heterogeneous electronic data sources: software can extract and parse the speech data, and then can construct navigation queries that meaningfully connect the interpreted spoken request to electronic repositories of digital information.

In sum, IPA’s proposed constructions demonstrate for all the asserted patents that the claimed inventions are directed to specific technological solutions or improvements in the context of computing devices. Courts have rejected patent-eligibility challenges to such claimed solutions rooted in computing technologies. *Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1337-38 (Fed. Cir. 2016); *DDR Holdings*, 773 F.3d at 1255-59; *see also* cases cited at Case No. 16-1266-RGA, D.I. 15 at 11-12 & n.6. This Court should similarly reject the patent-eligibility challenges here.

Respectfully submitted,

/s/ Stephen B. Brauerman

Stephen B. Brauerman (sb0922)

cc: All counsel of record