UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,

Petitioner

v.

PARUS HOLDINGS, INC.,

Patent Owner

Case IPR2020-00686

U.S. Patent No. 7,076,431

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**PETITIONER APPLE INC.'S REPLY
TO PATENT OWNER'S RESPONSE**

TABLE OF CONTENTS

TABLE OF AUTHORITIES

Cases:

Regulations:

I.   INTRODUCTION

Parus's primary argument for patentability relies on a claim construction requiring the claimed speaker-independent speech recognition device to <u>not</u> recognize spoken words using "predefined voice patterns." (Paper 15, *Patent Owner Response*, 21-24). Parus asserts Ladd's speaker-independent speech recognition device <u>does</u> recognize spoken words using predefined voice patterns. *Id.* at 34-38. Critically missing from Parus's Patent Owner Response (POR) is any explanation, let alone evidence or factual basis, that the "predefined voice patterns" excluded by Parus's claim construction are the same "voice patterns" taught by Ladd. Parus's POR did not even explain Parus's opinion of what constitutes a "voice pattern." It was only after deposition questioning of Parus's declarant that Parus provided its definition of "voice pattern." Parus's excluded "voice pattern" is wholly different than the speech/voice patterns described in Ladd. Because Parus provides no analysis or evidence of how Ladd's described speech/voice patterns are the same as Parus's excluded voice patterns, Parus does not establish Ladd fails to teach the claimed speaker-independent speech recognition device.

Parus's remaining arguments do not respond to the Petition's mapping or motivations to combine and consequently, provide no rebuttal arguments changing the Board's initial decision.

## II.	LIMITATION 1(C): "SPEAKER-INDEPENDENT SPEECH RECOGNITION DEVICE"

### A.	Parus's Claim Construction

Parus contends the claimed "speaker-independent speech recognition device" is not taught by Ladd when applying Parus's proposed claim construction. (Paper 15, 34-38). The District Court in the concurrent litigation previously construed the term. For purposes of this IPR, Apple submits the Court's construction should be applied. Parus proposes a modification of the Court's construction. *Id.* at 21. Below are the various constructions.

District Court's Construction	Parus's IPR Construction	Parus's District Court Construction	Apple's District Court Construction
speech recognition device that recognizes spoken words without adapting to individual speakers or using predefined voice patterns	speech recognition device that recognizes spoken words without using predefined voice patterns	device capable of recognizing spoken audible inputs that need not be trained to recognize the voice patterns of an individual user	speech recognition device that does not adapt to individual users

(Ex. 1041, *Claim Construction Order*, 2; Paper 15, 34; Ex. 2012, 14-15).

Parus bases its claim construction on the '431 Patent's statement of *not* using "predefined voice patterns" to recognize spoken voice commands. *'431 Patent,* Ex. 1001, 4:38-43. Parus argues that because the '431 Patent describes using phonemes to recognize spoken voice commands and not using predefined voice patterns, the claimed speaker-independent speech recognition device *excludes* recognizing voice

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