

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.

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IPR2020-00687  
Patent 9,451,084 B2

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Before DAVID C. McKONE, STACEY G. WHITE,  
and SHELDON M. McGEE, *Administrative Patent Judges*.

McGEE, *Administrative Patent Judge*.

JUDGMENT

Final Written Decision  
Determining No Challenged Claims Unpatentable  
*35 U.S.C. § 318(a)*  
Denying Patent Owner's Motion to Exclude  
*37 C.F.R. § 42.64*

## I. INTRODUCTION

Apple Inc. (“Petitioner”) filed a Petition requesting an *inter partes* review of claims 1–7, 10, and 14 of U.S. Patent No. 9,451,084 B2 (Ex. 1030, “the ’084 patent”). Paper 1 (“Pet.”). Parus Holdings, Inc., (“Patent Owner”) filed a Preliminary Response to the Petition. Paper 6. We authorized Petitioner to file a Reply to Patent Owner’s Preliminary Response (Paper 7), and Patent Owner filed a Sur-reply (Paper 8). After considering these filings by both parties, we instituted an *inter partes* review of claims 1–7, 10, and 14 of the ’084 patent on all grounds of unpatentability alleged in the Petition. Paper 9 (“Institution Decision” or “Dec.”).

After institution of trial, Patent Owner filed a Patent Owner Response. Paper 15 (“PO Resp.”). Petitioner filed a Reply. Paper 19 (“Reply”). Patent Owner filed a Sur-reply (Paper 21 (“Sur-reply”)), as well as Objections to Evidence (Paper 20 (“PO Obj. Evid.”)). Patent Owner filed a Motion to Exclude certain evidence submitted by Petitioner (Paper 29 (“Mot. Excl.”)), to which Petitioner filed an Opposition (Paper 30 (“Opp. Mot. Excl.”)). Patent Owner filed a Reply to Petitioner’s Opposition to its Motion to Exclude (styled a “Sur-reply”). Paper 32 (“Reply Mot. Excl.”).

An oral hearing was held on June 22, 2021, and a transcript of the hearing is included in the record. Paper 36 (“Tr.”).

We have jurisdiction under 35 U.S.C. § 6. This Final Written Decision is issued pursuant to 35 U.S.C. § 318(a). For the reasons that follow, we determine Petitioner has not established by a preponderance of the evidence that claims 1, 7–10, and 14 of the ’084 patent are unpatentable. We also deny Patent Owner’s Motion to Exclude.

*A. Related Proceedings*

The parties identify the following district court proceeding as related to the '084 patent: *Parus Holdings Inc. v. Apple, Inc.*, No. 6:19-cv-00432 (W.D. Tex.) (“the Texas case”); *Parus Holdings Inc. v. Amazon.com, Inc.*, No. 6:19-cv-00454 (W.D. Tex.); *Parus Holdings Inc. v. Samsung Electronics Co., Ltd.*, No. 6:19-cv-00438 (W.D. Tex.); *Parus Holdings Inc. v. Google LLC*, No. 6:19-cv-00433 (W.D. Tex.); and *Parus Holdings Inc. v. LG Electronics, Inc.*, No. 6:19-cv-00437 (W.D. Tex.). Pet. 68; Paper 5, 1.

The parties also identify U.S. Patent No. 6,721,705 and U.S. Patent No. 7,076,431 as related to the '084 patent, and further identify that U.S. Patent No. 7,076,431 has been asserted in the district court proceedings listed *supra*, and is the subject of IPR2020-00686. Pet. 68; Paper 5, 1.

*B. The '084 Patent (Ex. 1030)*

The '084 patent, titled “Robust Voice Browser System and Voice Activated Device Controller,” issued September 20, 2016. Ex. 1030, codes (54), (45). The '084 patent relates to a “robust and highly reliable system that allows users to browse web sites and retrieve information by using conversational voice commands.” *Id.* at 1:35–38. Systems disclosed by the '084 patent allow devices connected to a network to be controlled by conversational voice commands spoken into any voice enabled device interconnected with the network. *Id.* at 3:37–41. Systems disclosed by the '084 patent also allow users to access and browse web sites when the users do not have access to computers with Internet access, by providing users with a voice browsing system to browse web sites using conversational voice commands spoken into voice enabled devices, such as wireline or wireless telephones. *Id.* at 3:29–32, 3:52–59. The users’ spoken commands

are converted into data messages by a speech recognition software engine, and are transmitted to the user's desired web site over the Internet. *Id.* at 3:60–65. Responses sent from the web site are received and converted into audio messages via a speech synthesis engine or a pre-recorded audio concatenation application, and finally transmitted to the user's voice enabled device. *Id.* at 3:65–4:3. The disclosed voice browsing system maintains a database containing a list of information sources (e.g., Internet web sites), with rank numbers assigned to the information sources. *Id.* at 3:17–20, 4:5–20. The '084 patent explains that:

the voice browser system and method uses a web site polling and ranking methodology that allows the system to detect changes in web sites and adapt to those changes in real-time. This enables the voice browser system of a preferred embodiment to deliver highly reliable information to users over any voice enabled device. This ranking system also enables the present invention to provide rapid responses to user requests. Long delays before receiving responses to requests are not tolerated by users of voice-based systems, such as telephones. When a user speaks into a telephone, an almost immediate response is expected. This expectation does not exist for non-voice communications, such as email transmissions or accessing a web site using a personal computer. In such situations, a reasonable amount of transmission delay is acceptable. The ranking system . . . implemented by a preferred embodiment of the present invention ensures users will always receive the fastest possible response to their request.

*Id.* at 4:4–21. Figure 1 of the '084 patent, reproduced below, illustrates a voice browsing system. *Id.* at 4:29–30.

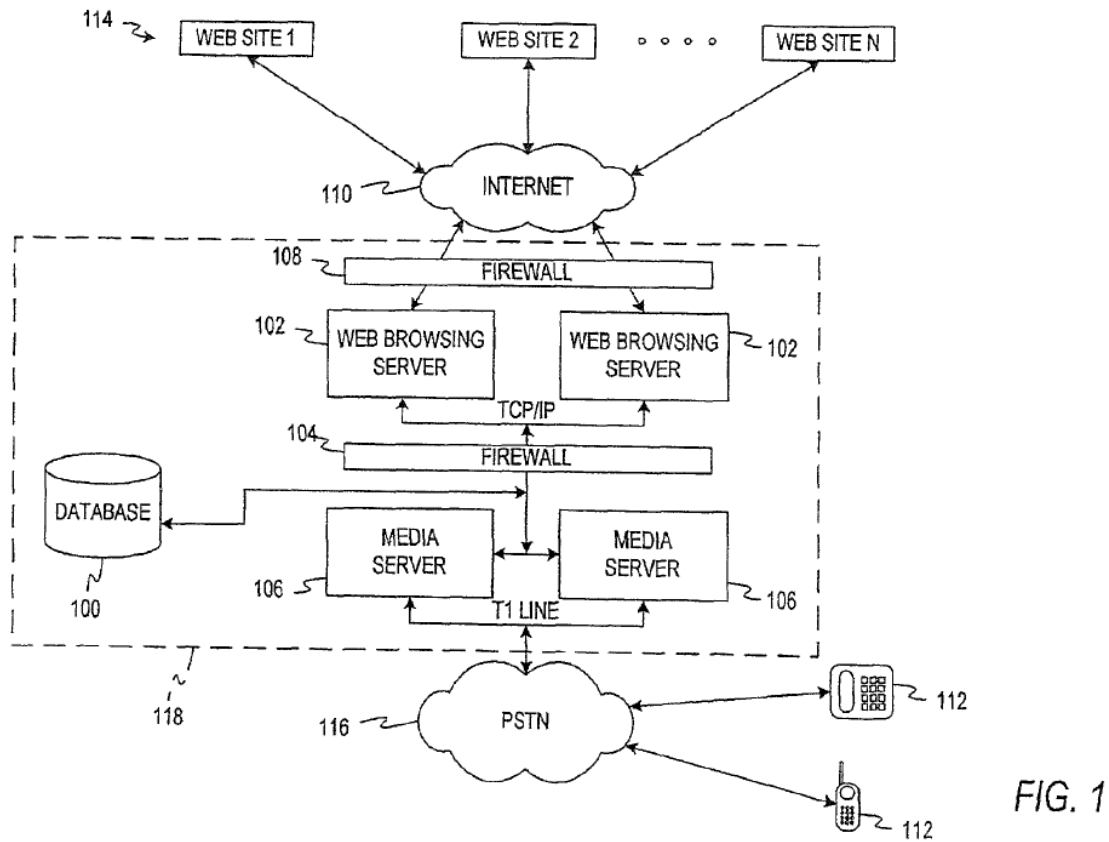


FIG. 1

Figure 1 illustrates a voice browsing system. *Id.* at 4:29–30.

Voice browsing system 118 illustrated in Figure 1 includes media servers 106 (which may contain a speech recognition engine), database 100, web browsing servers 102, and firewalls 104 and 108. *Id.* at 5:10–18, 6:10–12, 6:20–23, 20:26–34. Voice browsing system 118 connects on one side to voice-enabled device 112 (e.g., a telephone) through public switched telephone network (“PSTN”) 106, and to individual websites 114 through internet 110 on the other side. *Id.* at 19:56–20:38.

Specifically, a user of the voice browsing system establishes a connection between voice enabled device 112 and media server 106 by, e.g., calling a telephone number associated with the voice browsing system. *Id.* at 19:59–62. Once the connection is established, media server 106

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