

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SUPERCELL OY,
Petitioner

v.

GREE, INC.,
Patent Owner

Case: PGR2018-00047
U.S. Patent No. 9,636,659

PATENT OWNER'S PRELIMINARY RESPONSE

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Patent Owner's Exhibit List

Exhibit No.	Exhibit Description
2001	Biography of Steven D. Moore
2002	Declaration of David Crane
2003	JP2007252696 and Machine Translation of Description
2004	File History of Patent Application No. 15/686268
2005	April 26, 2018 "Guidance on the impact of SAS on AIA trial proceedings," <i>available at</i> https://www.uspto.gov/patents-application-process/patent-trial-and-appeal-board/trials/guidance-impact-sas-aia-trial

I. Introduction.

The petition should be denied. Petitioner's alleged grounds of invalidity under § 101 and § 112 are nothing more than mere attorney argument and are unsupported by any evidence. Although Petitioner contends the claims of the '659 patent are patent-ineligible, Petitioner ignores the actual language of the challenged claims in the petition and fails to provide any evidence of what was well-understood, routine, and conventional in the art. Petitioner's assertions that the claims lack sufficient written description and are indefinite are also nothing more than attorney argument and fail to analyze the claims from the perspective of a person of ordinary skill. Notwithstanding Petitioner's failure to meet its burden, the challenges raised in the petition also fail on their merits. The invention disclosed in the '659 patent is a technological improvement to graphical user-interfaces. The '659 patent's claims are definite, and its disclosure satisfies the written description requirement. The Board should deny Petitioner's request and not institute review.

II. The '659 Patent.

The '659 patent generally discloses "a game program and a game processing method of a game in which a plurality of characters battle against each other." Ex. 1001, 1:23-24. According to the '659 patent, "card game[s] in which the user plays against other users or against the computer using cards collected in the

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