# Quality Insights Annotation Report

## Freshub, Inc. et al v. Amazon.Com Inc. et al

## WDTX-6-21-cv-00511

Focus on: U.S. Pat. No. 9,908,153

Filing date: June 24, 2019

# Table of contents

Click on a page number to read

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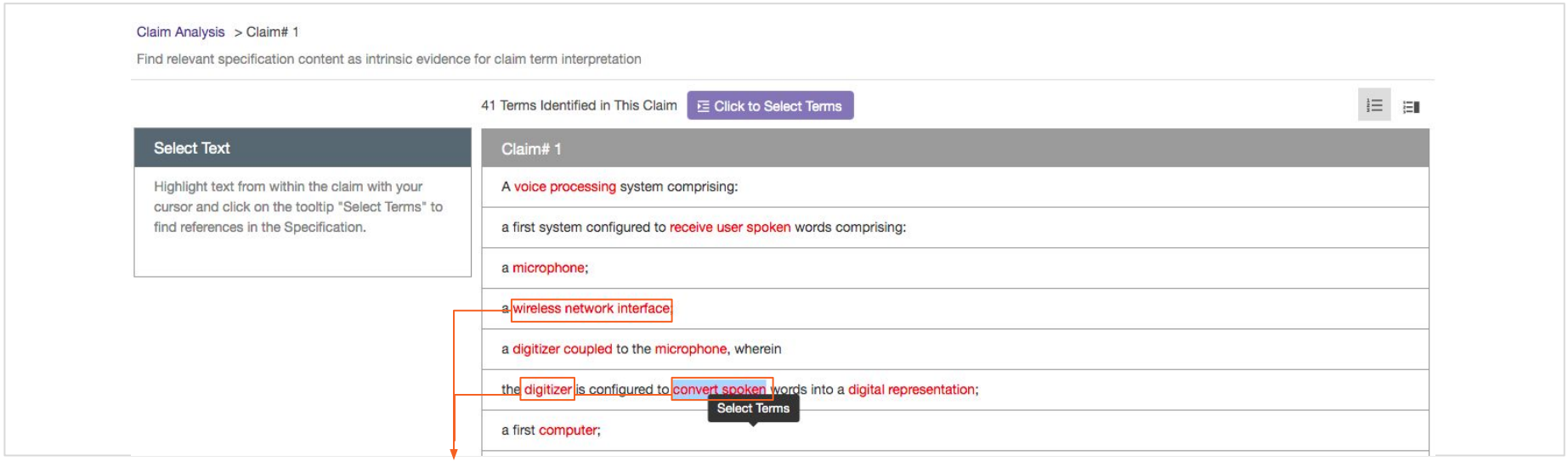
# Map claims to specification and file wrapper

# Map claims to specification - ‘153

Which claim terms are or are not in the specification?

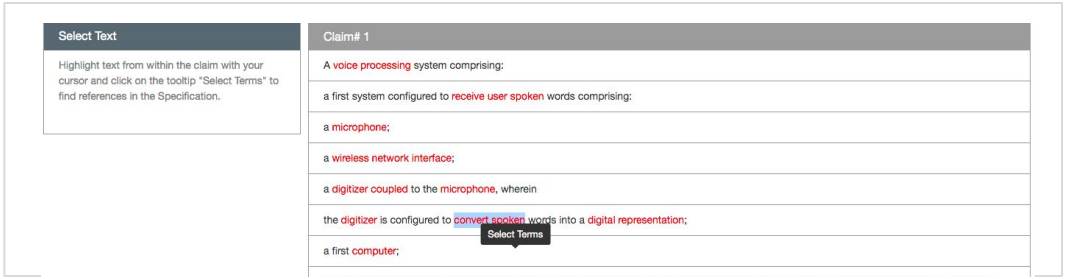



*Claim Analysis* **finds** these terms in the spec:
**“wireless network interface, “digitizer”, ”convert spoken”,**
*as well as other terms that are highlighted in red*

*Source: Quality Insights*

# Map claims to specification - ‘153

Which claim terms are or are not in the specification?

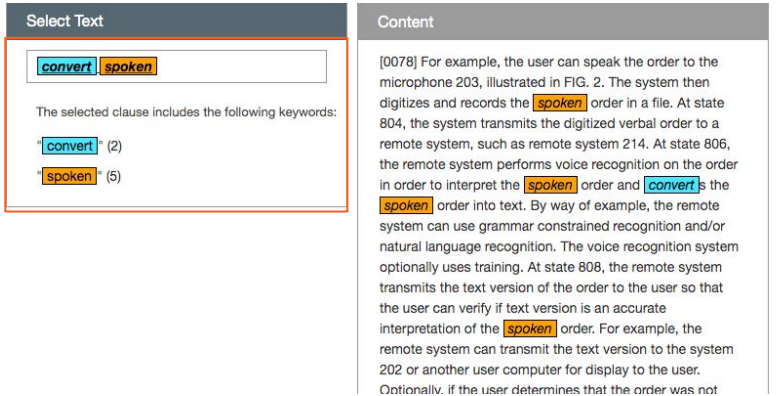



Review the selected claim element and see how it is defined in the patent specification and related figures.

Selected elements of ‘153 claim 1

Selected elements of ‘153 claim 1

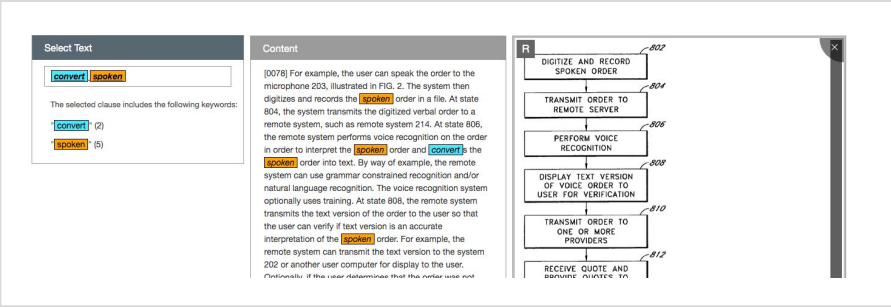
Figures of ‘153




*Source: Quality Insights*

# Map claims to specification - ‘153

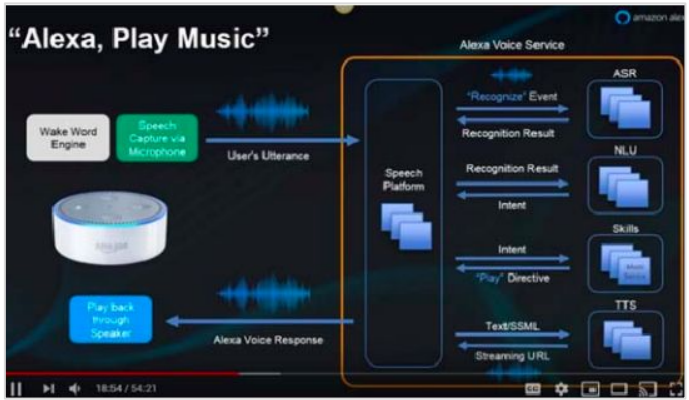
Does the allegedly infringing product element fall within or outside the patent’s scope?




With the claim scope interpretation from Claim Analysis, verify your findings against the complaint.

Answer the question:
Does the alleged Invention element fall within or outside the patent’s scope?

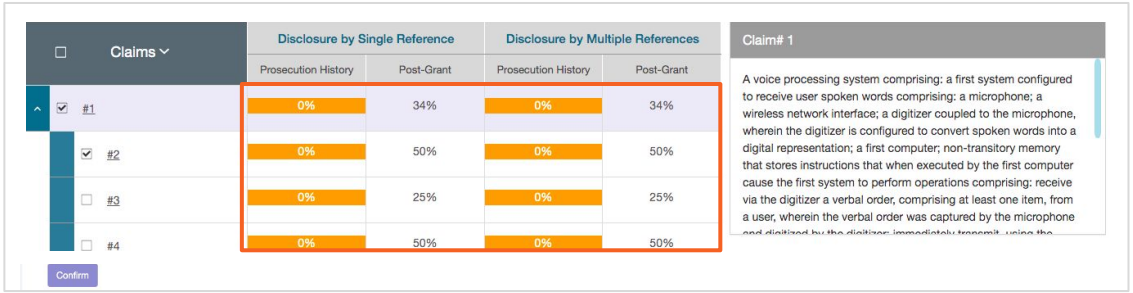
53. The ‘153 Accused Products, as shown in the below image and in the video cited, utilize Alexa Voice Service computers/servers in the cloud (a second computer) to receive a user’s spoken words and will convert those words into an action associated with the user.



# Map claims to the file wrapper - '153

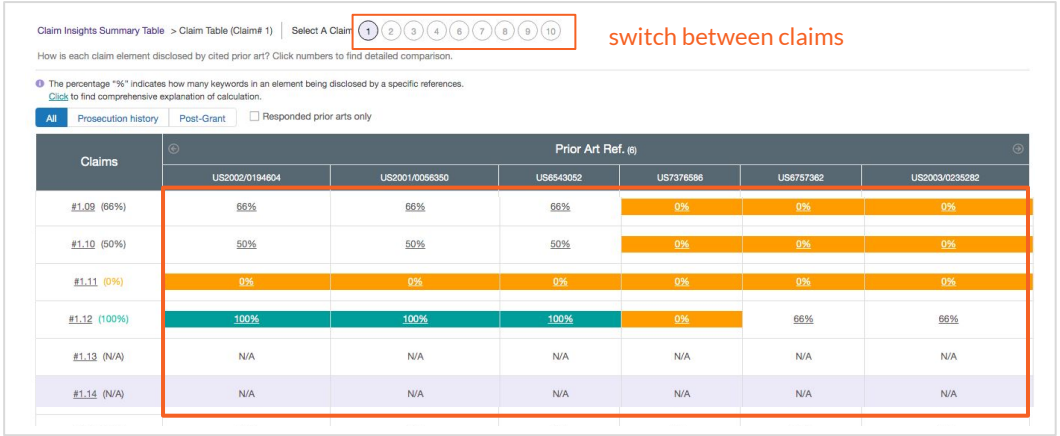
Which claim terms are in the file wrapper(i.e. examiner's opinion) ?

Disclosure Rate by Prior Art




Review how the asserted claims were disclosed by the prior art found by the examiner during prosecution and post-grant proceedings.

**A higher percentage means** more claim elements were disclosed by the prior art.

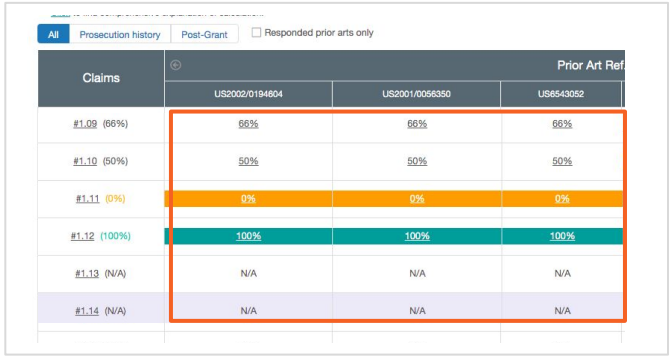



Disclosure Rate by Prior Art

*Source: Quality Insights*

# Map claims terms to the file wrapper - '153

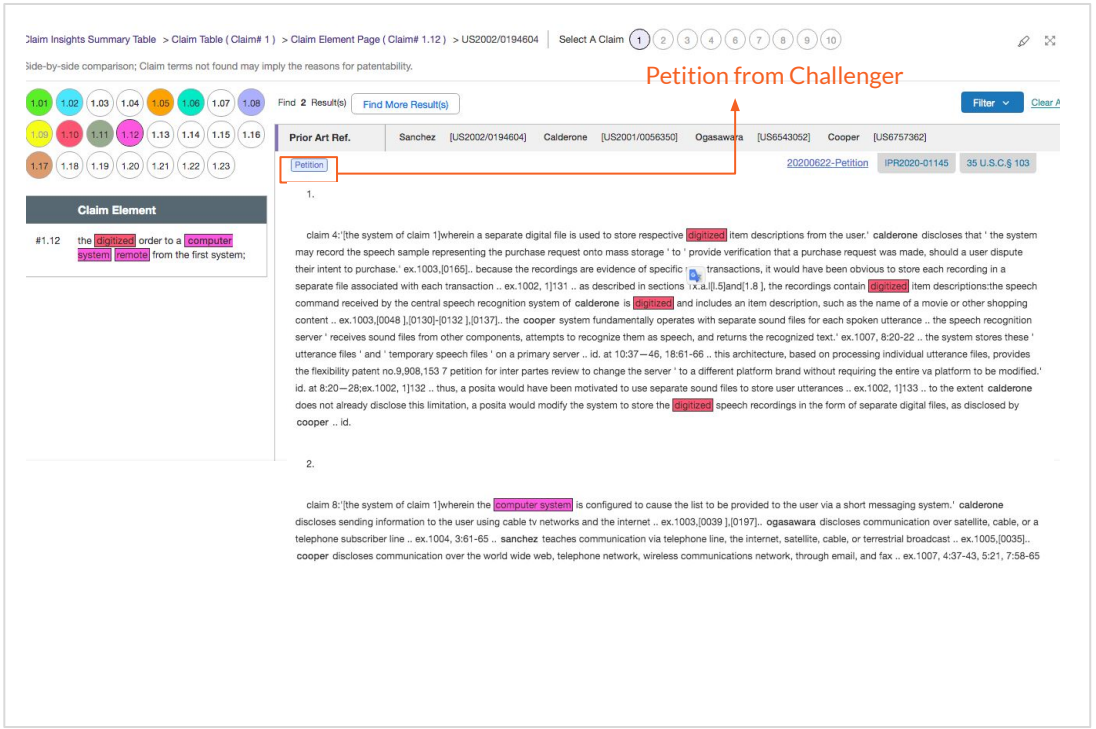
Why was this patent challenged? How were the claims challenged?




All of the limitations of this asserted claim element in '956 were 85% known by Ogasawara (US6543052) .

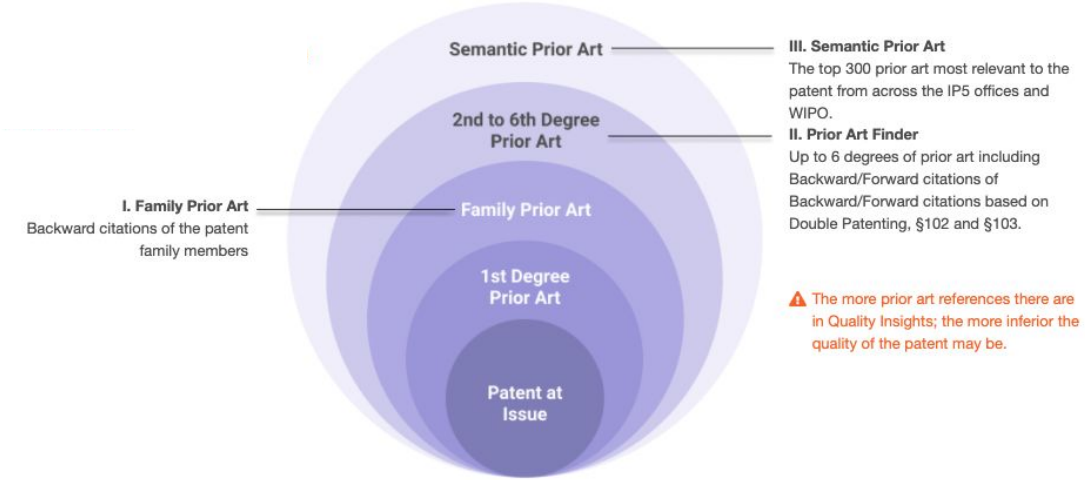
**Answer the questions:**

Why was this patent got challenged?




*Source: Quality Insights*

# How does Quality Insights generate prior art?




*Source: Quality Insights*

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# Semantic Prior Art

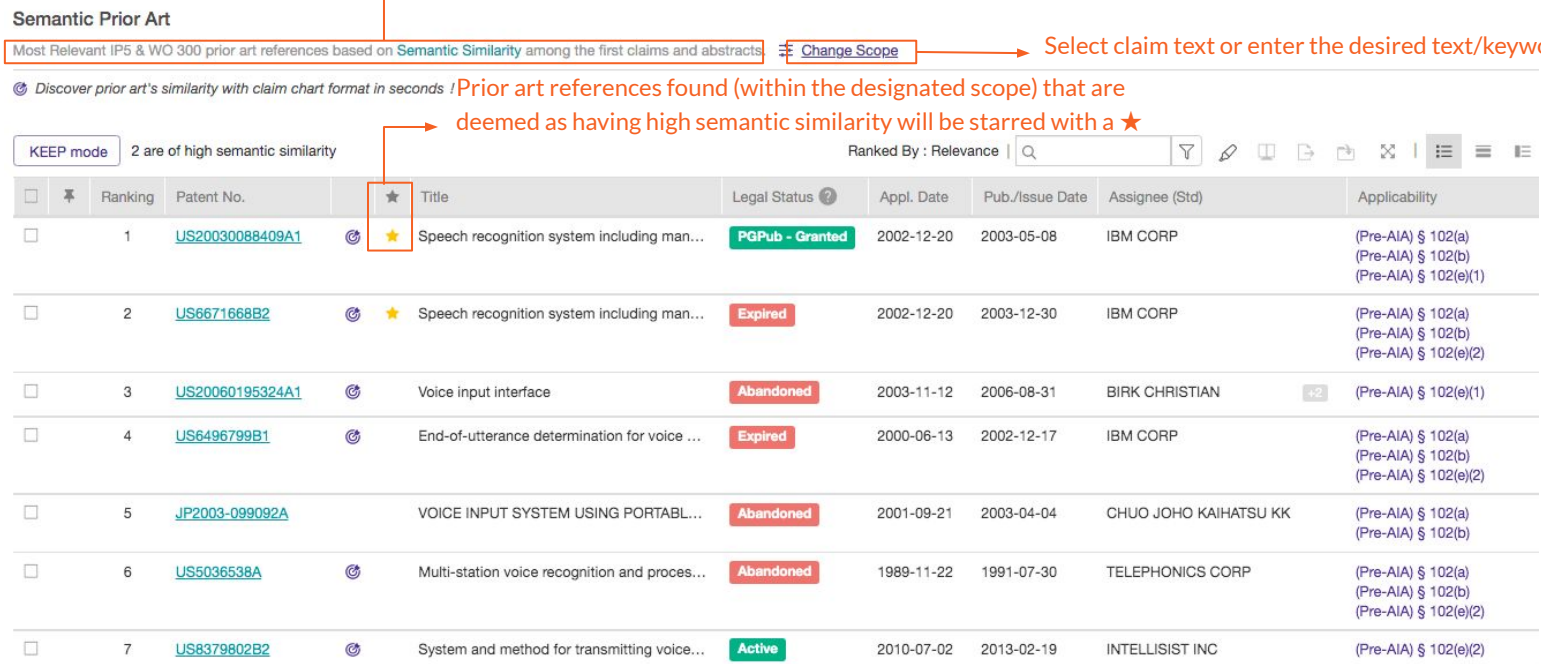
# Semantic Prior Art of ‘153

Review potential prior art ranked by concept similarity

Across IP5 and WIPO thanks to Patentcloud’s proprietary algorithm

Select claim text or enter the desired text/keywords

Prior art references found (within the designated scope) that are deemed as having high semantic similarity will be starred with a ★

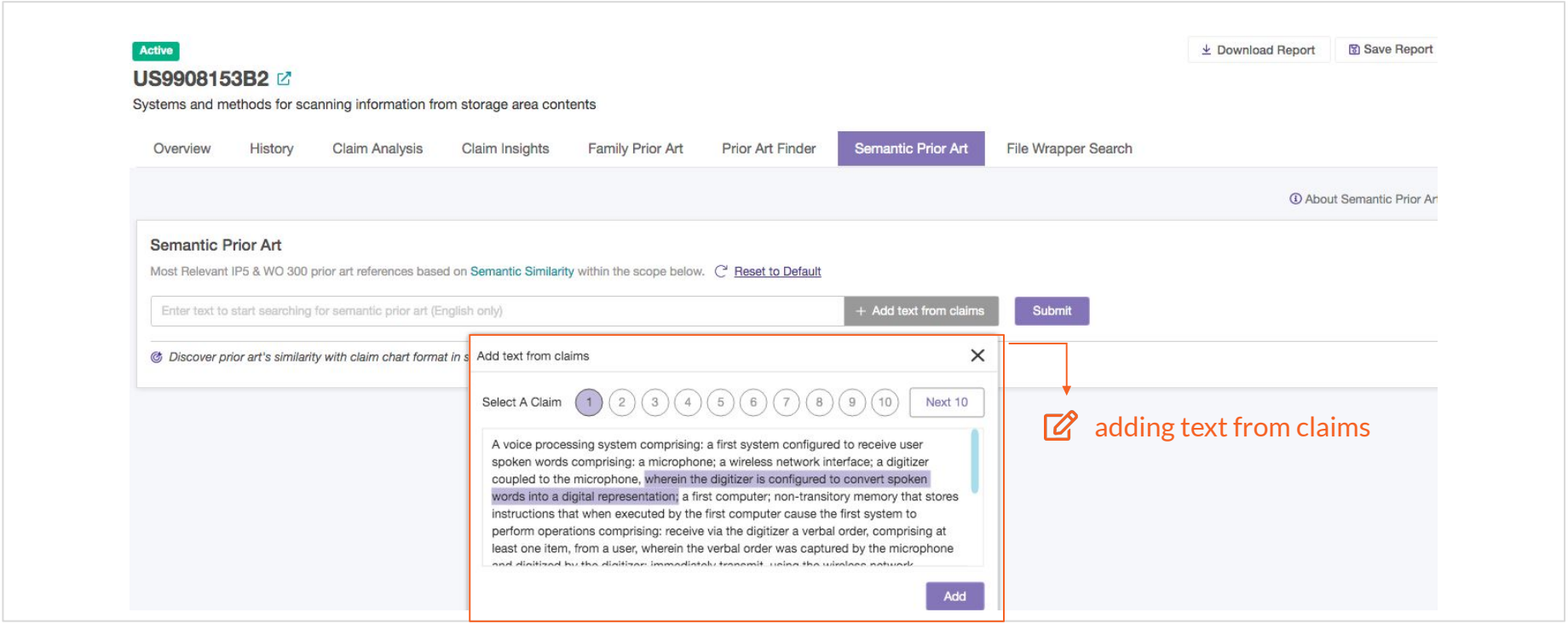



| Ranking | Patent No. | Title | Legal Status | Appl. Date | Pub./Issue Date | Assignee (Std) | Applicability |
|---|---|---|---|---|---|---|---|
| 1 | US20030088409A1 | Speech recognition system including man… | PGPub - Granted | 2002-12-20 | 2003-05-08 | IBM CORP | (Pre-AIA) § 102(a)<br>(Pre-AIA) § 102(b)<br>(Pre-AIA) § 102(e)(1) |
| 2 | US6671668B2 | Speech recognition system including man… | Expired | 2002-12-20 | 2003-12-30 | IBM CORP | (Pre-AIA) § 102(a)<br>(Pre-AIA) § 102(b)<br>(Pre-AIA) § 102(e)(2) |
| 3 | US20060195324A1 | Voice input interface | Abandoned | 2003-11-12 | 2006-08-31 | BIRK CHRISTIAN +2 | (Pre-AIA) § 102(e)(1) |
| 4 | US6496799B1 | End-of-utterance determination for voice … | Expired | 2000-06-13 | 2002-12-17 | IBM CORP | (Pre-AIA) § 102(a)<br>(Pre-AIA) § 102(b)<br>(Pre-AIA) § 102(e)(2) |
| 5 | JP2003-099092A | VOICE INPUT SYSTEM USING PORTABL… | Abandoned | 2001-09-21 | 2003-04-04 | CHUO JOHO KAIHATSU KK | (Pre-AIA) § 102(a)<br>(Pre-AIA) § 102(b) |
| 6 | US5036538A | Multi-station voice recognition and proces… | Abandoned | 1989-11-22 | 1991-07-30 | TELEPHONICS CORP | (Pre-AIA) § 102(a)<br>(Pre-AIA) § 102(b)<br>(Pre-AIA) § 102(e)(2) |
| 7 | US8379802B2 | System and method for transmitting voice… | Active | 2010-07-02 | 2013-02-19 | INTELLISIST INC | (Pre-AIA) § 102(e)(2) |

*Source: Quality Insights*

# Semantic Prior Art of ‘153

Review potential prior art ranked by concept similarity




*Source: Quality Insights*

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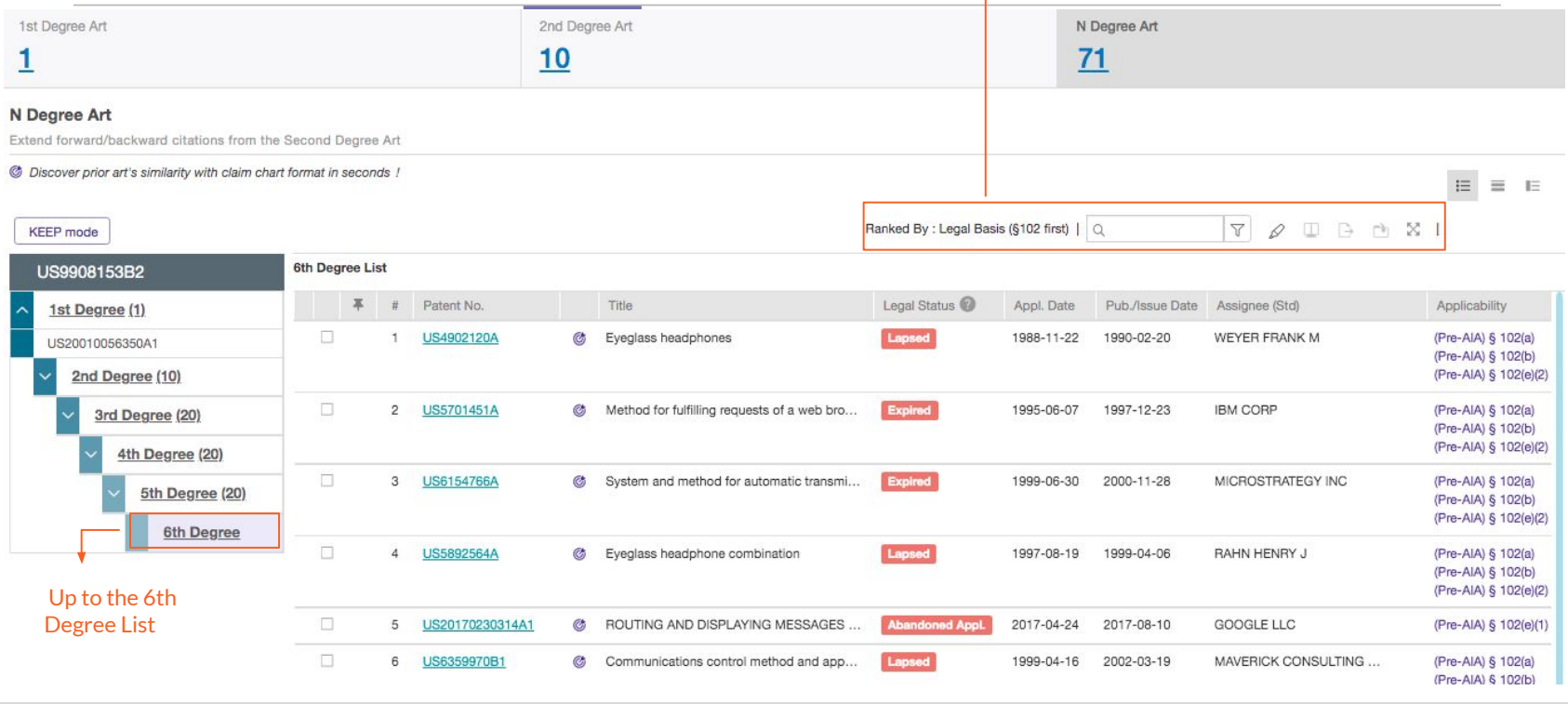
# Prior Art Finder

# Prior Art Finder for ‘153

Review cited and citing patents of ‘153 from the first to the sixth degree

Filter by:
Applicability
Legal Basis (102 or 103)
Patent Office
Legal Status




Up to the 6th Degree List

*Source: Quality Insights*

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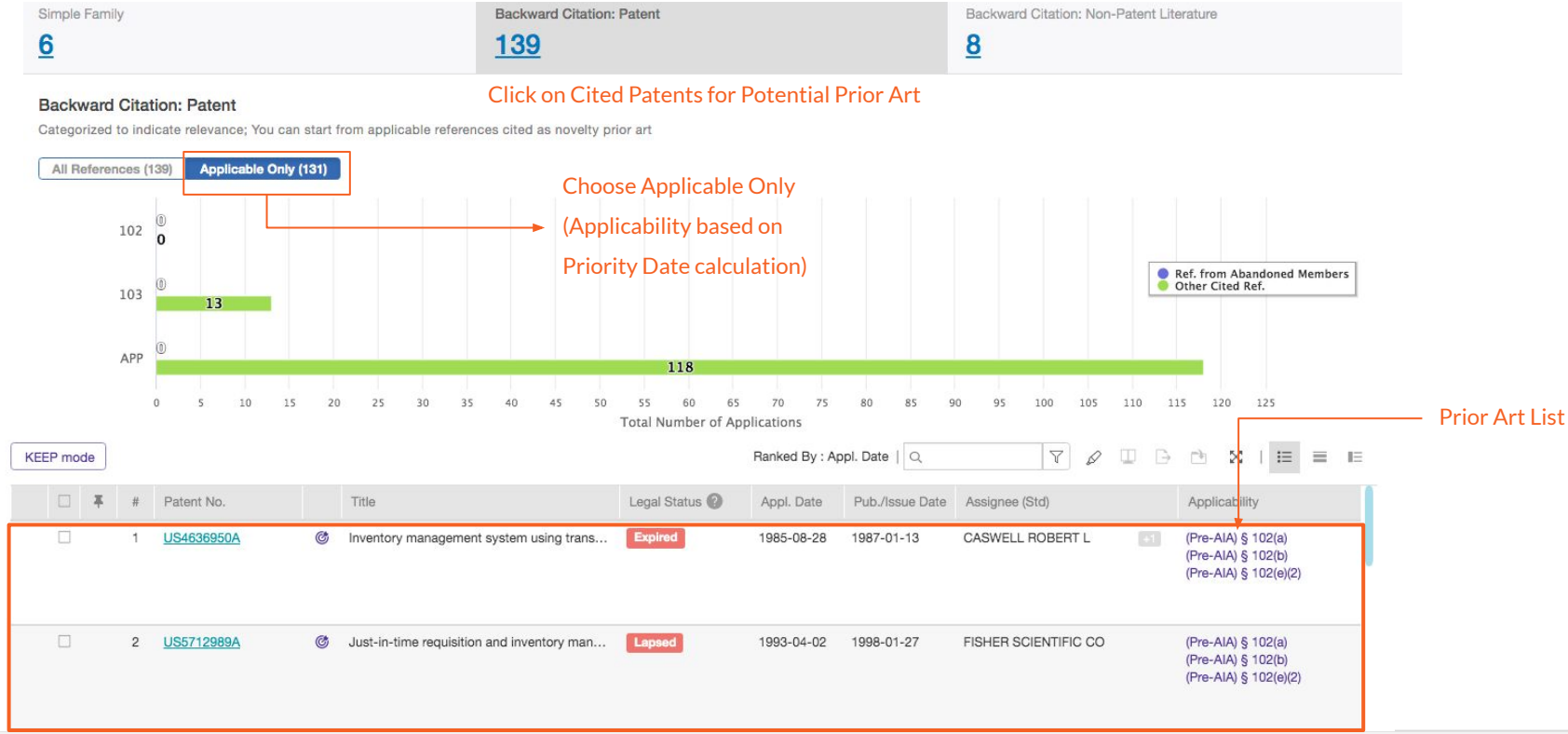
# Family Prior Art

# Family Prior Art of ‘153

Review prior art cited by and cited against the family counterparts when available




*Source: Quality Insights*

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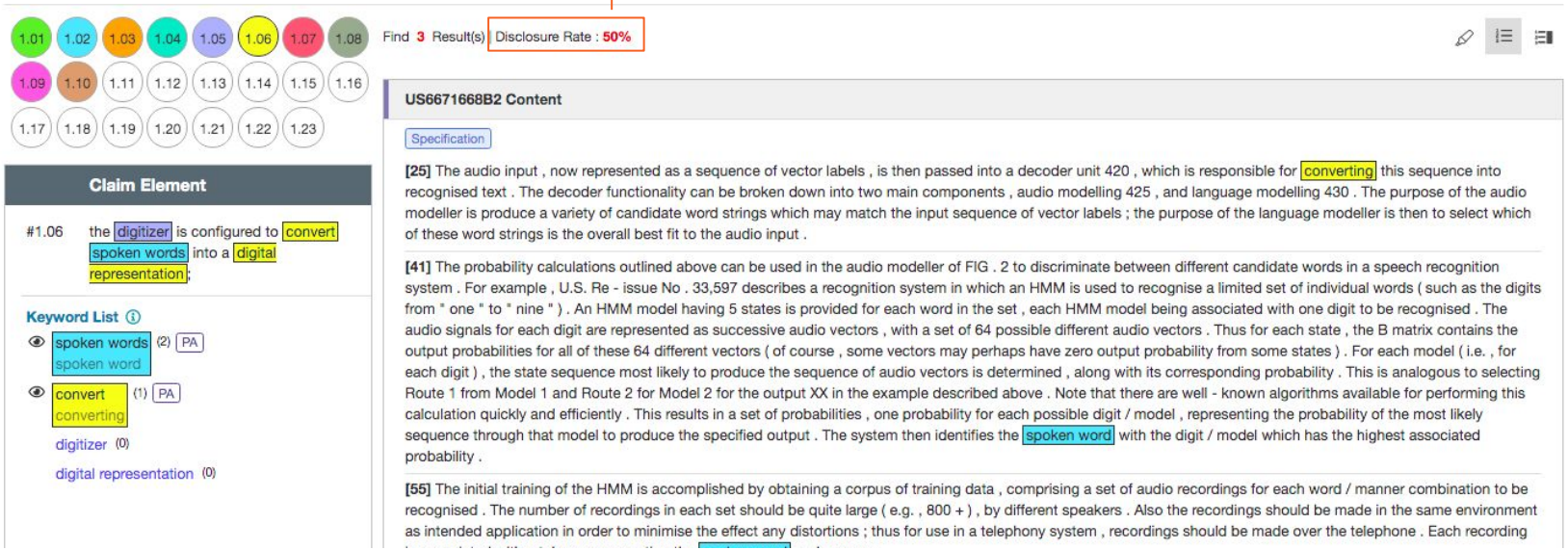
# Comparison tools

# Prior Art Comparison (claim chart format)

What does this prior art say about the critical elements?

Disclosure Rate of Prior Art




Answer the question:
What does this prior art say about the Claim elements: convert, spoken words?

Discover prior art similarity with keywords (includes keyword stemming) mapped to the selected prior art reference Abstract, Claims, and Specification.

*Source: Quality Insights*

# Prior Art Comparison (sample output)

Easily generate a table like below

| | Claim | Claim-Term Interpretation | Semantic Prior Art - '668 | 3rd Degree Citation Prior Art - B |
|---|---|---|---|---|
| 1 | A voice processing system comprising:..... | Refer to Claim Analysis results | 0% | …… |
| | digitizer is configured to convert spoken words into a digital representation; | …… | 50% | …… |
| | a first computer; | …… | N/A | |
| | non-transitory memory that stores instructions that when executed by the first computer cause the first system to perform operations comprising:..... | …… | ……. | …… |
| | a networks interface; | …… | 100% | …… |
| | ……including the identified item, to be displayed via a user display. | …… | ……. | ……. |

System-identified keywords and key phrases (highlighting of other keywords is available)

Results from claim to specification and file wrapper mapping

Results from prior art comparison by claim element

*Source: Quality Insights*

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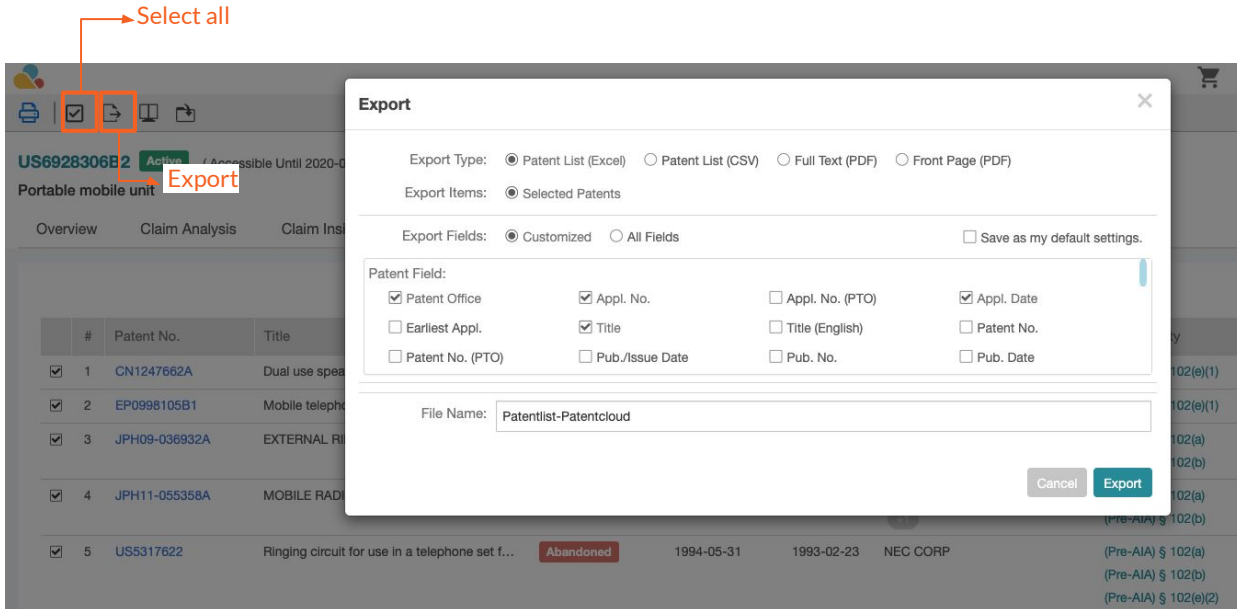
# Prior art downloads

# Prior art downloads




Download patent data in Excel or PDF format for Family Prior Art, Second Degree Prior Art, and/or Semantic Prior Art.

*Source: Quality Insights*

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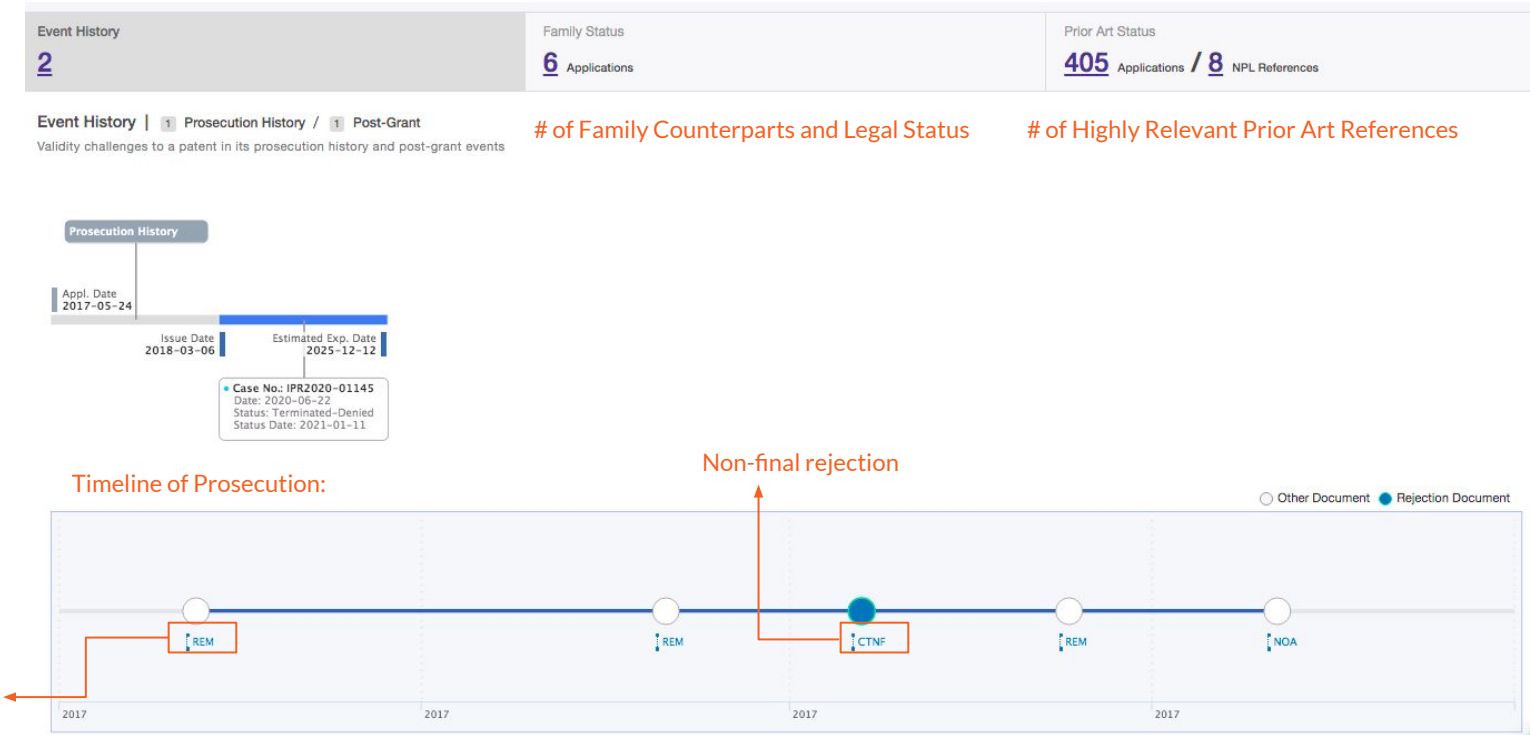
# Prosecution and PTAB History Key Events

# Key Events - ‘153

1 Prosecution & 1 Post-Grant

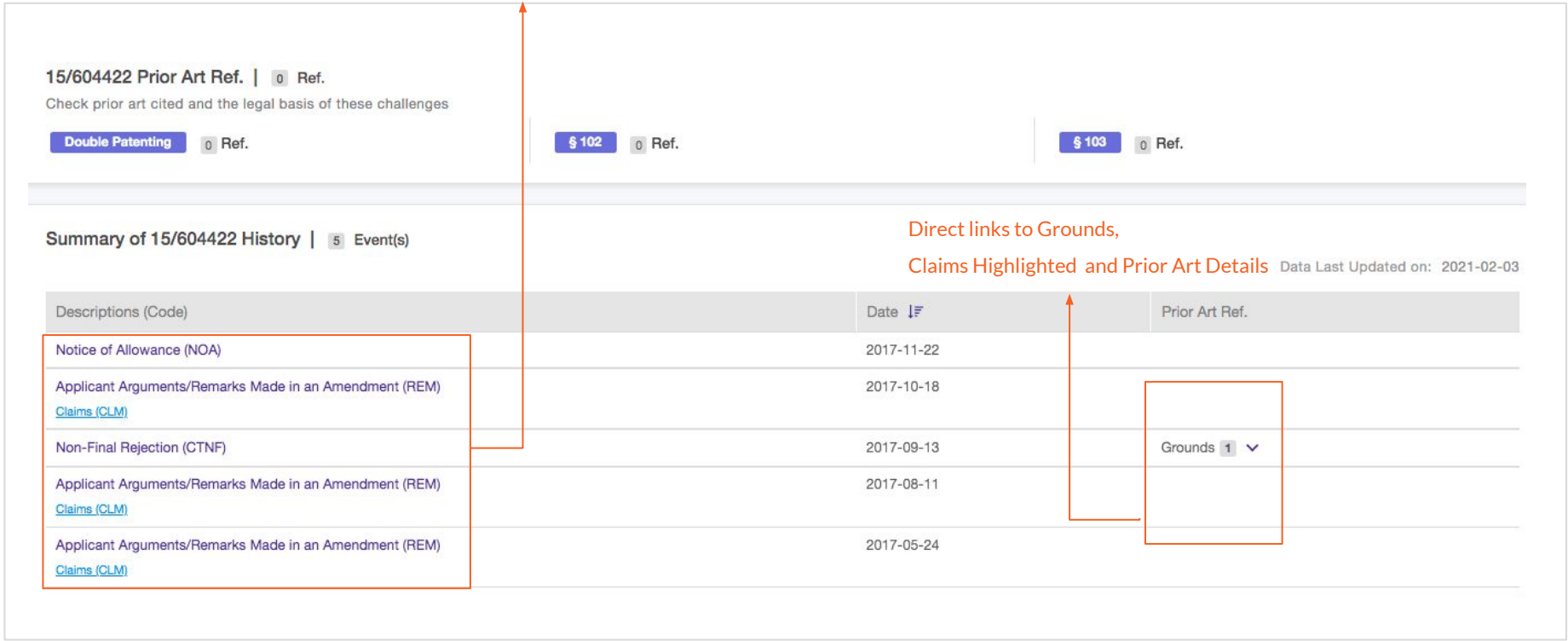



*Source: Quality Insights*

# Key Events - ‘153

## Prosecution History

Clickable events for original OAs and their OCR version when available.

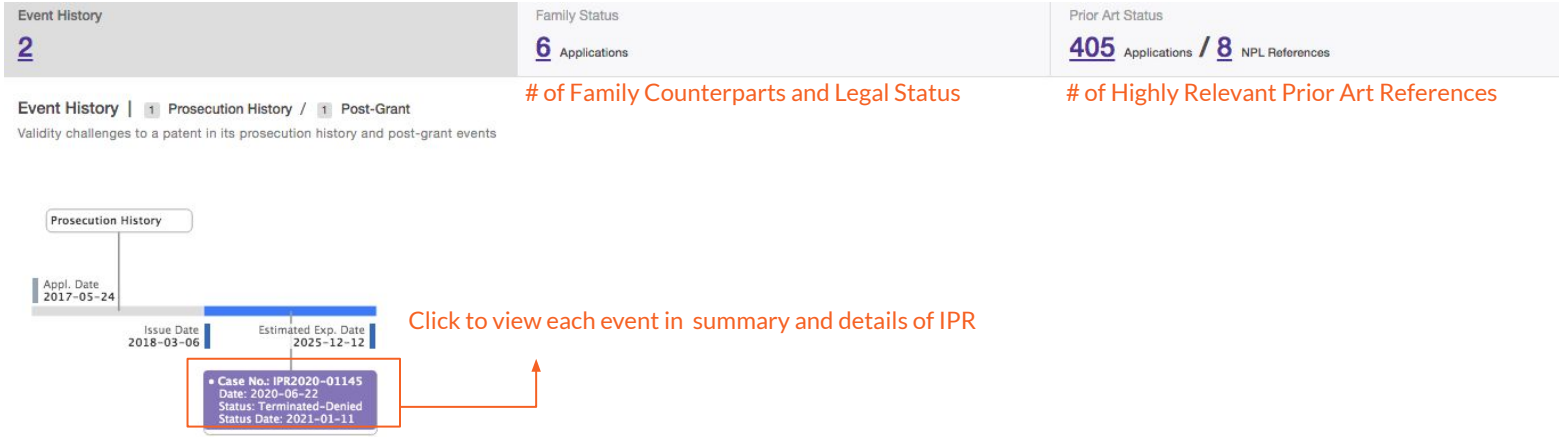



*Source: Quality Insights*

# Key Events - ‘153

## Post-Grant

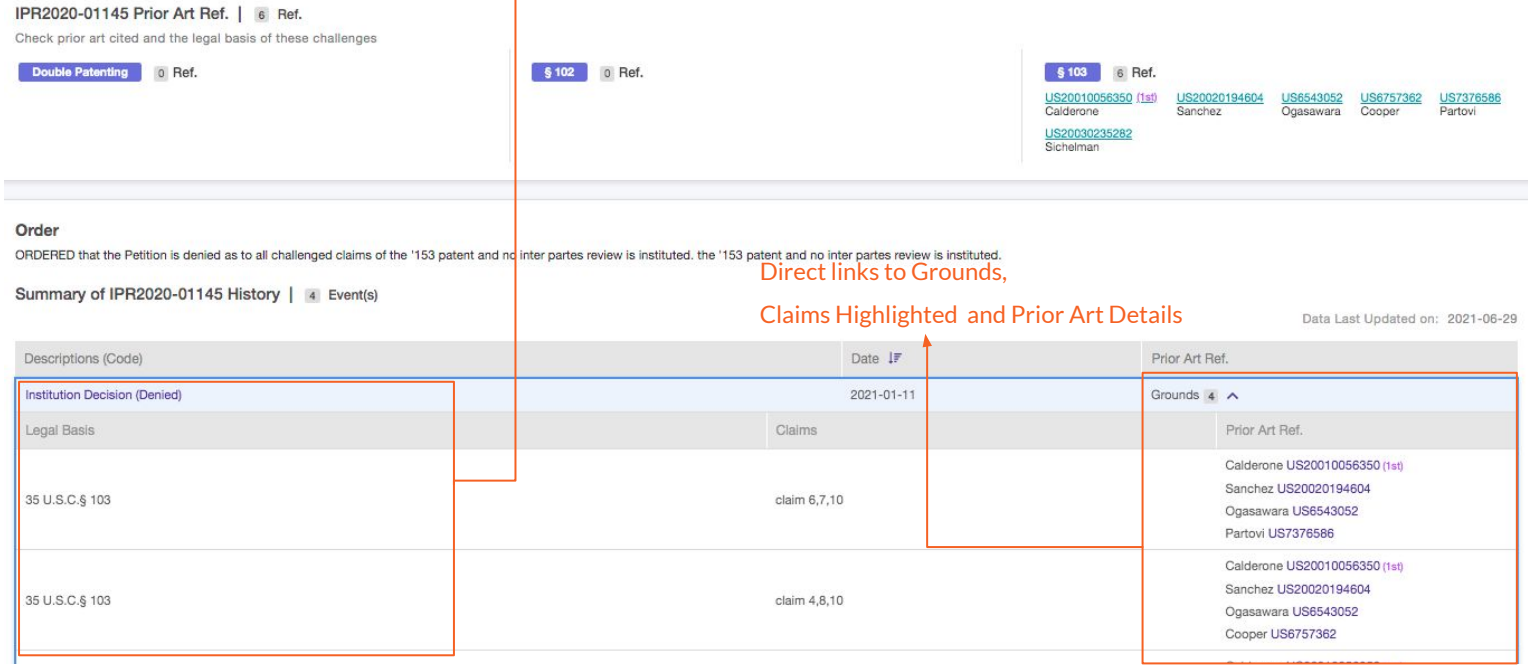



*Source: Quality Insights*

# Key Events - ‘153

## Post-Grant

Clickable events for original OAs and their OCR version when available.




*Source: Quality Insights*

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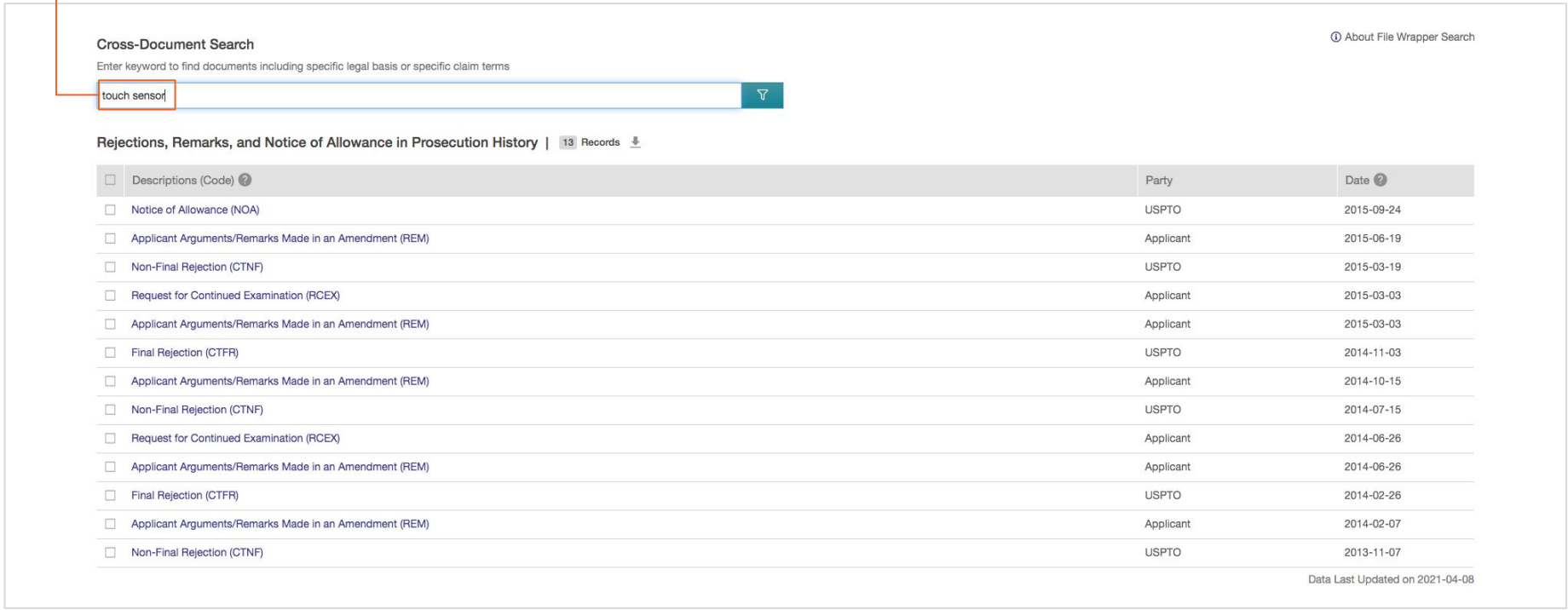
# Prosecution and PTAB History Search

# Patent File Wrapper Search

Directly discover details in the prosecution history and post-grant proceeding across all documents via a keyword search.




*Source: Quality Insights*

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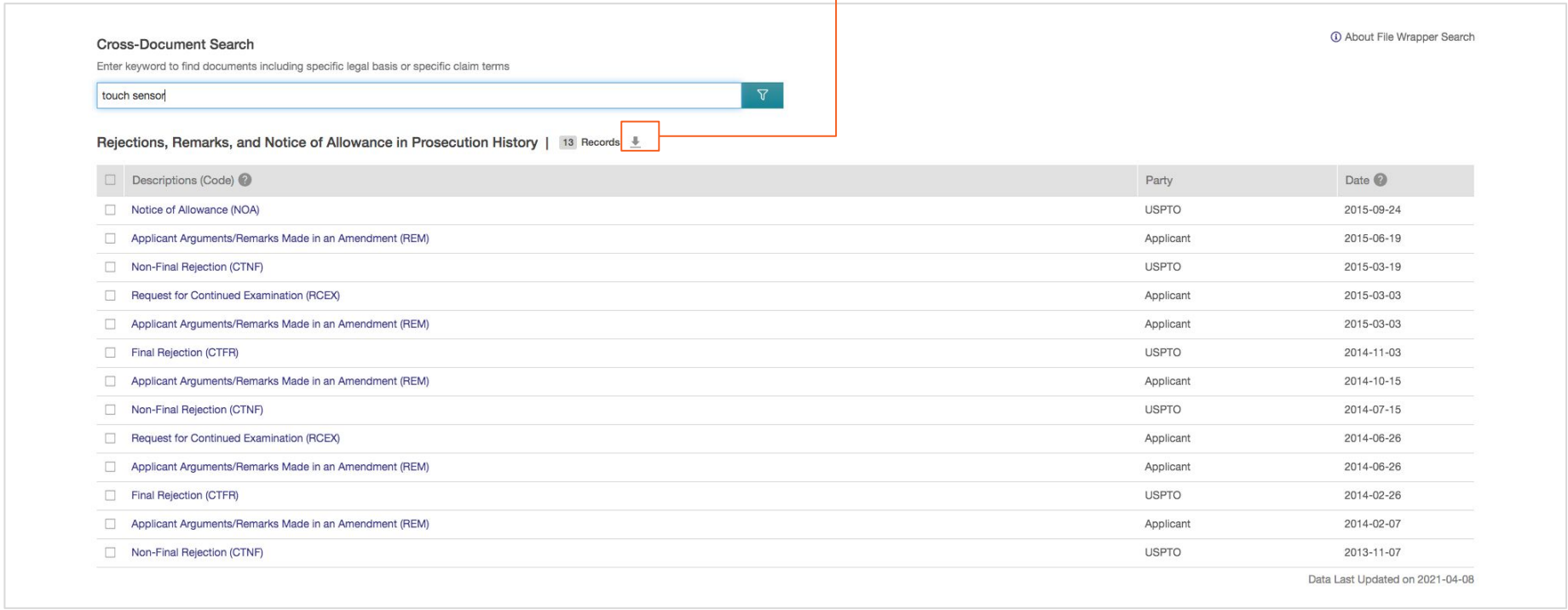
# Prosecution and PTAB History PDF Downloads

# PDF Downloads

Download the complete set or just part of the PDF files in the File Wrapper Search.



Cross-Document Search

Enter keyword to find documents including specific legal basis or specific claim terms

touch sensor

About File Wrapper Search

Rejections, Remarks, and Notice of Allowance in Prosecution History | 13 Records

| Descriptions (Code) | Party | Date |
|---|---|---|
| Notice of Allowance (NOA) | USPTO | 2015-09-24 |
| Applicant Arguments/Remarks Made in an Amendment (REM) | Applicant | 2015-06-19 |
| Non-Final Rejection (CTNF) | USPTO | 2015-03-19 |
| Request for Continued Examination (RCEX) | Applicant | 2015-03-03 |
| Applicant Arguments/Remarks Made in an Amendment (REM) | Applicant | 2015-03-03 |
| Final Rejection (CTFR) | USPTO | 2014-11-03 |
| Applicant Arguments/Remarks Made in an Amendment (REM) | Applicant | 2014-10-15 |
| Non-Final Rejection (CTNF) | USPTO | 2014-07-15 |
| Request for Continued Examination (RCEX) | Applicant | 2014-06-26 |
| Applicant Arguments/Remarks Made in an Amendment (REM) | Applicant | 2014-06-26 |
| Final Rejection (CTFR) | USPTO | 2014-02-26 |
| Applicant Arguments/Remarks Made in an Amendment (REM) | Applicant | 2014-02-07 |
| Non-Final Rejection (CTNF) | USPTO | 2013-11-07 |

Data Last Updated on 2021-04-08

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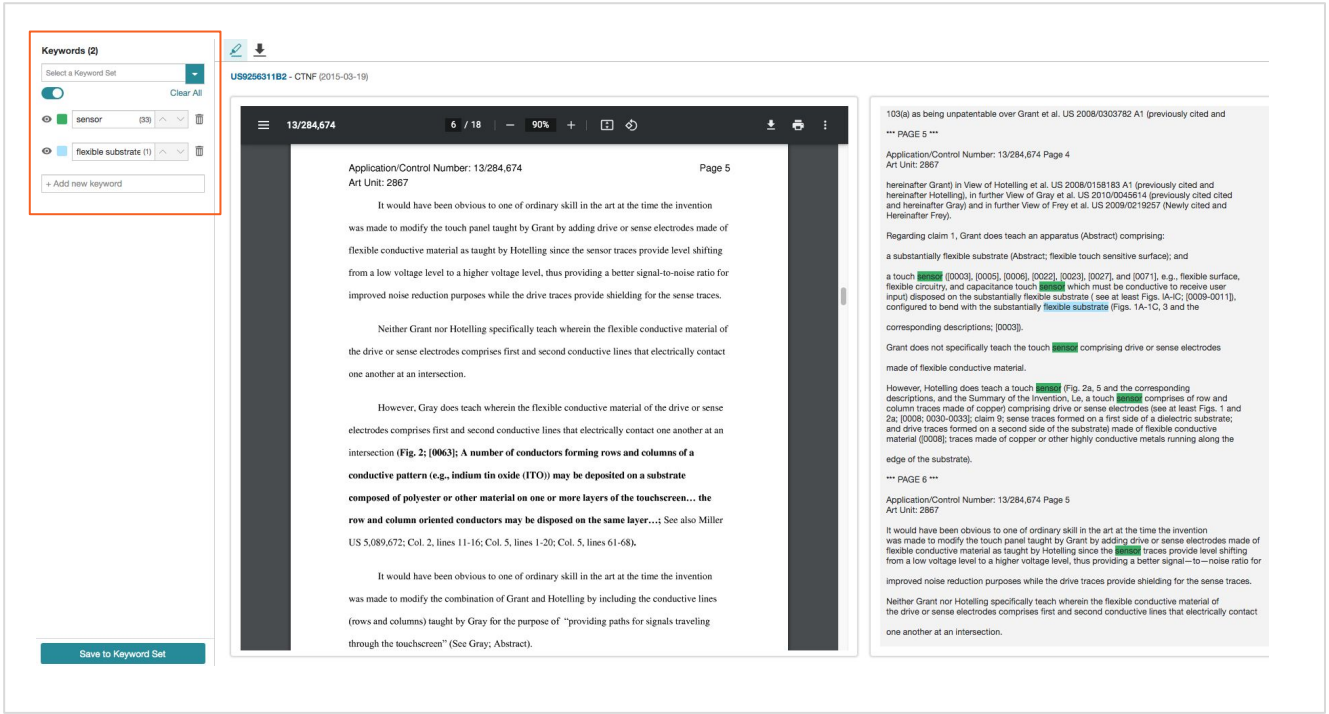
# Prosecution and PTAB History Side-by-side PDF and OCR

# Side by Side: PDF & OCR

Conduct a keyword search in a single document to identify the claim scope quickly and easily. You can even search additional claim terms within rejections.




*Source: Quality Insights*

# QI is a Game Changer

- Take control of a patent at issue with its comprehensive Overview
- Discover claim construction issues and define the claim scope
- Find more relevant prior art references
- Save time to increase productivity for a pitch and win