

Exhibit 883-02: Cheshire

U.S. Patent No. 7,532,862 (“Cheshire”) was filed on March 19, 2002, published on September 25, 2003, and issued on May 12, 2009. Accordingly, Cheshire constitutes prior art to U.S. Patent No. 10,541,883 (the “’883 Patent”) under at least 35 U.S.C. §§ 102 (a), (b) and/or (e).

Cheshire, including any material incorporated by reference into Cheshire, anticipates claims 1, 2, 4, 5, 9, 10, 11, 13, 14, 15, 16, 17, and 19 (the “Asserted Claims”) of the ’883 patent under 35 U.S.C. §§ 102 (a), (b) and/or (e).

To the extent any limitation is found not to be expressly or inherently disclosed in Cheshire, such a limitation would have been obvious either based on Cheshire alone, given the state of the art, or in combination with one or more of the references cited in Exhibits 883-01 through 883-11 or Exhibit 883-B, because the ’883 Patent is merely a collection of prior art elements that fails to meet the statutory requirement of non-obviousness under 35 U.S.C. § 103, and the factors delineated in *KSR Int’l Co. v. Teleflex, Inc.*, 550 U.S. 398 (2007), weigh against a finding of non-obviousness.

Any disclosures identified for each limitation of the ’883 Patent in the aforementioned Exhibits may be combined with the disclosures of Cheshire identified below for the same limitation to render that limitation obvious. A POSITA would have found such a combination/modification obvious for the reasons discussed herein and in Defendant’s cover pleading.¹

The citations to portions of any reference in this chart are exemplary only. Citations to the written description should be interpreted to include the figures associated with or relevant to the cited passages. Similarly, citations to a figure should be understood to encompass any description, text, or discussion of that figure. Defendant reserves the right to use the entirety of any reference cited in this chart to show that the asserted claims are anticipated and/or are obvious. Citations presented for one claim limitation are expressly incorporated by reference into all other limitations for that claim as well as all limitations of all claims on which that claim depends.

¹ Plaintiff appears in many instances to be pursuing overly broad constructions of limitations of the asserted claims in an effort to piece together an infringement claim where none exists. This claim chart accounts for overly broad construction of the claim limitations. Any assertion that a particular limitation is disclosed by a prior art reference or references may be based on Plaintiff’s apparent constructions and is not intended to be, and is not, an admission that such constructions are supportable or proper. Defendant is investigating this prior art and has not yet completed discovery from third parties, who may have relevant information concerning the prior art. Therefore, Defendant reserves the right to supplement this chart after additional discovery is received. To the extent that any of the prior art discloses the same or similar functionality or feature(s) of any of the accused products, Defendant reserves the right to argue that said feature or functionality does not practice any limitation of any of the asserted claims, and to argue, in the alternative, that if said feature or functionality is found to practice any limitation of any of the asserted claims, then the prior art reference teaches the limitation and that the claim is not patentable.

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Defendant reserves the right to rely on additional citations or sources of evidence that also may be applicable, or that may become applicable in light of claim construction, changes in Plaintiff's infringement contentions, and/or information obtained during discovery as the case progresses.

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1[pre] A playback device comprising:

Defendant does not concede that the preamble is limiting. To the extent it is limiting, Cheshire discloses the preamble. For example, Cheshire discloses new wireless device which can be a playback device such as an audio output device. *See, e.g.*, the following:

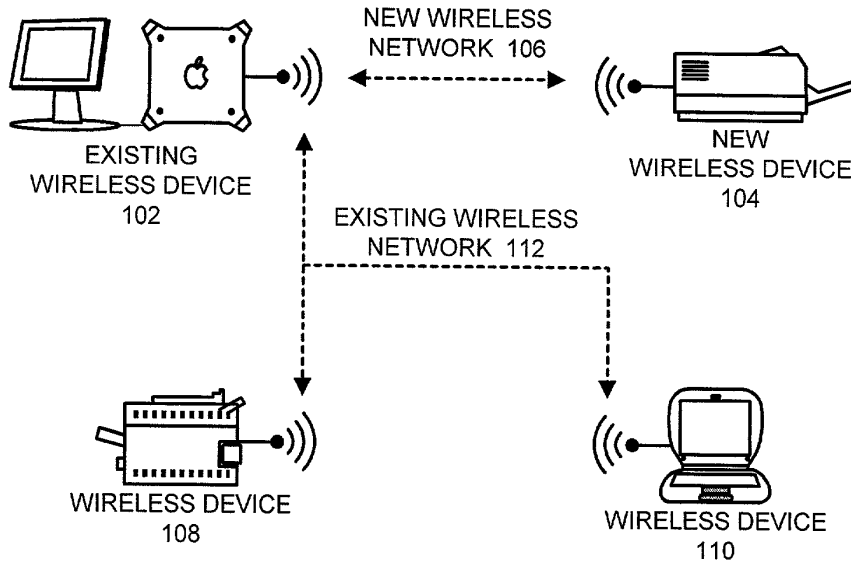


FIG. 1

Cheshire at FIG. 1.

“FIG. 1 illustrates a number of computing devices coupled together through wireless networks in accordance with an embodiment of the present invention. More specifically, FIG. 1 illustrates an existing wireless network 112, which couples together an existing wireless device 102 as well as other wireless devices 108 and 110. FIG. 1 also illustrates a new wireless network 106, which couples together new wireless device 104 and existing wireless device 102.”

Id. at 2:62-3:2.

“Wireless devices 102, 104, 108 and 110 can generally include any type of computer system, peripheral device or network appliance that can reside on a wireless computer network. They can include a computer system based on a microprocessor, a mainframe computer, a digital signal processor, a portable computing device, a personal organizer, a device controller, or a computational engine within an appliance. They can also include also peripheral devices, such as printers or storage devices, as well as input devices, such as cameras, microphones, keyboards or pointing devices, as well as output devices, such as displays or audio output devices. In the

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embodiment of the present invention illustrated in FIG. 1, existing wireless devices 102 is a personal computer, new wireless device 104 and wireless device 108 are printers, and wireless device 110 is a portable computer.”

Id. at 3:3-17.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose the preamble, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

1[a] a network interface that is configured to provide an interconnection with at least one data network;

Cheshire discloses this feature. For example, the new wireless device such as the playback device includes a network interface configured to provide an interconnection with at least one data network such as the existing wireless network and/or the new wireless network. *See, e.g.*, the following:

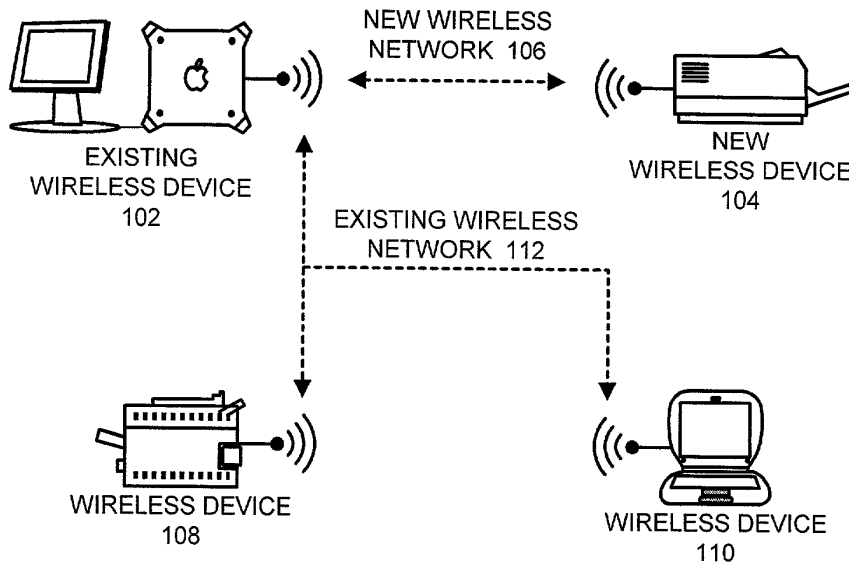


FIG. 1

Id. at FIG. 1.

“However, in order to communicate across a wireless network, a computing device must somehow be configured to join the wireless network. This can be a challenge because there may

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exist many wireless networks within transceiver range that a computing device can potentially join. The computing device can simply join the network with the strongest signal strength, but if there are lots of wireless networks within transceiver range, the computing device is likely to join the wrong network.”

Id. at 1:28-36.

“Existing wireless network 112 and new wireless network 106 can generally include any type of wireless communication channel through which computing devices can communicate. For example, they can include wireless networks that transmit information through infrared signals or radio frequency signals. Moreover, existing wireless network 112 and new wireless network 106 can include, but are not limited to, a local area wireless network, a wide area wireless network, or a combination of networks. In one embodiment of the present invention, existing wireless network 112 and new wireless network 106 can be used to communicate with the Internet.”

Id. at 3:18-29.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

1[b] at least one processor;

Cheshire discloses this feature. For example, the new wireless device such as the playback device can have a microprocessor or built-in processors. *See, e.g.,* the following:

“Wireless devices 102, 104, 108 and 110 can generally include any type of computer system, peripheral device or network appliance that can reside on a wireless computer network. They can include a computer system based on a microprocessor, a mainframe computer, a digital signal processor, a portable computing device, a personal organizer, a device controller, or a computational engine within an appliance. They can also include also peripheral devices, such as printers or storage devices, as well as input devices, such as cameras, microphones, keyboards or pointing devices, as well as output devices, such as displays or audio output devices. In the embodiment of the present invention illustrated in FIG. 1, existing wireless devices 102 is a personal computer, new wireless device 104 and wireless device 108 are printers, and wireless device 110 is a portable computer.”

Id. at 3:3-17.

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“For example, a user of the Mac OS™ can temporarily switch the “AirPort” connection to new wireless network 106. (The terms “Macintosh” and “Mac OS” are trademarks or registered trademarks of Apple Computer, Inc. in the United States and other countries.)”

Id. at 4:39-43.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

1[c] a non-transitory computer-readable medium; and;

Cheshire discloses this feature. For example, the new wireless device can include a computer readable storage medium. *See, e.g.*, the following:

“The data structures and code described in this detailed description are typically stored on a computer readable storage medium, which may be any device or medium that can store code and/or data for use by a computer system. This includes, but is not limited to, magnetic and optical storage devices such as disk drives, magnetic tape, CDs (compact discs) and DVDs (digital versatile discs or digital video discs), and computer instruction signals embodied in a transmission medium (with or without a carrier wave upon which the signals are modulated). For example, the transmission medium may include a communications network, such as the Internet.”

Id. at 2:48-59.

“Wireless devices 102, 104, 108 and 110 can generally include any type of computer system, peripheral device or network appliance that can reside on a wireless computer network. They can include a computer system based on a microprocessor, a mainframe computer, a digital signal processor, a portable computing device, a personal organizer, a device controller, or a computational engine within an appliance. They can also include also peripheral devices, such as printers or storage devices, as well as input devices, such as cameras, microphones, keyboards or pointing devices, as well as output devices, such as displays or audio output devices. In the embodiment of the present invention illustrated in FIG. 1, existing wireless devices 102 is a personal computer, new wireless device 104 and wireless device 108 are printers, and wireless device 110 is a portable computer.”

Id. at 3:3-17.

See also, Id. at claims.

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To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant's cover pleading.

1[d] program instructions stored on the non-transitory computer-readable medium that, when executed by the at least one processor, cause the playback device to perform functions comprising:

Cheshire discloses this feature. For example, the new wireless device includes data structures and code stored on the computer readable storage medium which can be executed by the processor. *See, e.g.*, the following:

“The data structures and code described in this detailed description are typically stored on a computer readable storage medium, which may be any device or medium that can store code and/or data for use by a computer system. This includes, but is not limited to, magnetic and optical storage devices such as disk drives, magnetic tape, CDs (compact discs) and DVDs (digital versatile discs or digital video discs), and computer instruction signals embodied in a transmission medium (with or without a carrier wave upon which the signals are modulated). For example, the transmission medium may include a communications network, such as the Internet.”

Id. at 2:48-59.

“Wireless devices 102, 104, 108 and 110 can generally include any type of computer system, peripheral device or network appliance that can reside on a wireless computer network. They can include a computer system based on a microprocessor, a mainframe computer, a digital signal processor, a portable computing device, a personal organizer, a device controller, or a computational engine within an appliance. They can also include also peripheral devices, such as printers or storage devices, as well as input devices, such as cameras, microphones, keyboards or pointing devices, as well as output devices, such as displays or audio output devices. In the embodiment of the present invention illustrated in FIG. 1, existing wireless device 102 is a personal computer, new wireless device 104 and wireless device 108 are printers, and wireless device 110 is a portable computer.”

Id. at 3:3-17.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant's cover pleading.

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1[e] detecting a triggering event that causes the playback device to enter a setup mode in which the playback device transmits at least a first message indicating that the playback device is available for setup;

Cheshire discloses this feature. For example, the new wireless device detects a triggering event that causes the device to enter a setup mode such as powering up the device or a user pressing a reset switch. *See, e.g.*, the following:

“This process starts, for example, when a new wireless device 104, such as a printer, powers up. First, new wireless device 104 advertises a new wireless network 106 (step 302). In one embodiment of the present invention, new wireless device 104 offers a computer-to-computer (Independent Basic Service Set (IBSS)) network.”

Id. at 4:10-15.

“For example, (1) new wireless device 104 may require that the configuration packet contains the serial number of the device, which is printed on a label on the back of the device and not otherwise available to a neighbor who does not have physical access to the device. (2) New wireless device 104 may have a physical reset switch, and require that the switch be pressed within five seconds of sending the configuration packet. A neighbor who does not have physical access to the device would not be able to press the reset switch. (3) Moreover, if new wireless device 104 is a printer, when the physical reset switch is pressed it may print a page including a random number that the user must enter into their configuration tool for inclusion in the configuration packet, to prove that the user has physical access to the device.”

Id. at 5:9-22.

The new wireless device transmits a message indicating that the device is available for set up. For example, the device advertises a new wireless network and/or it is ready for wireless configuration.

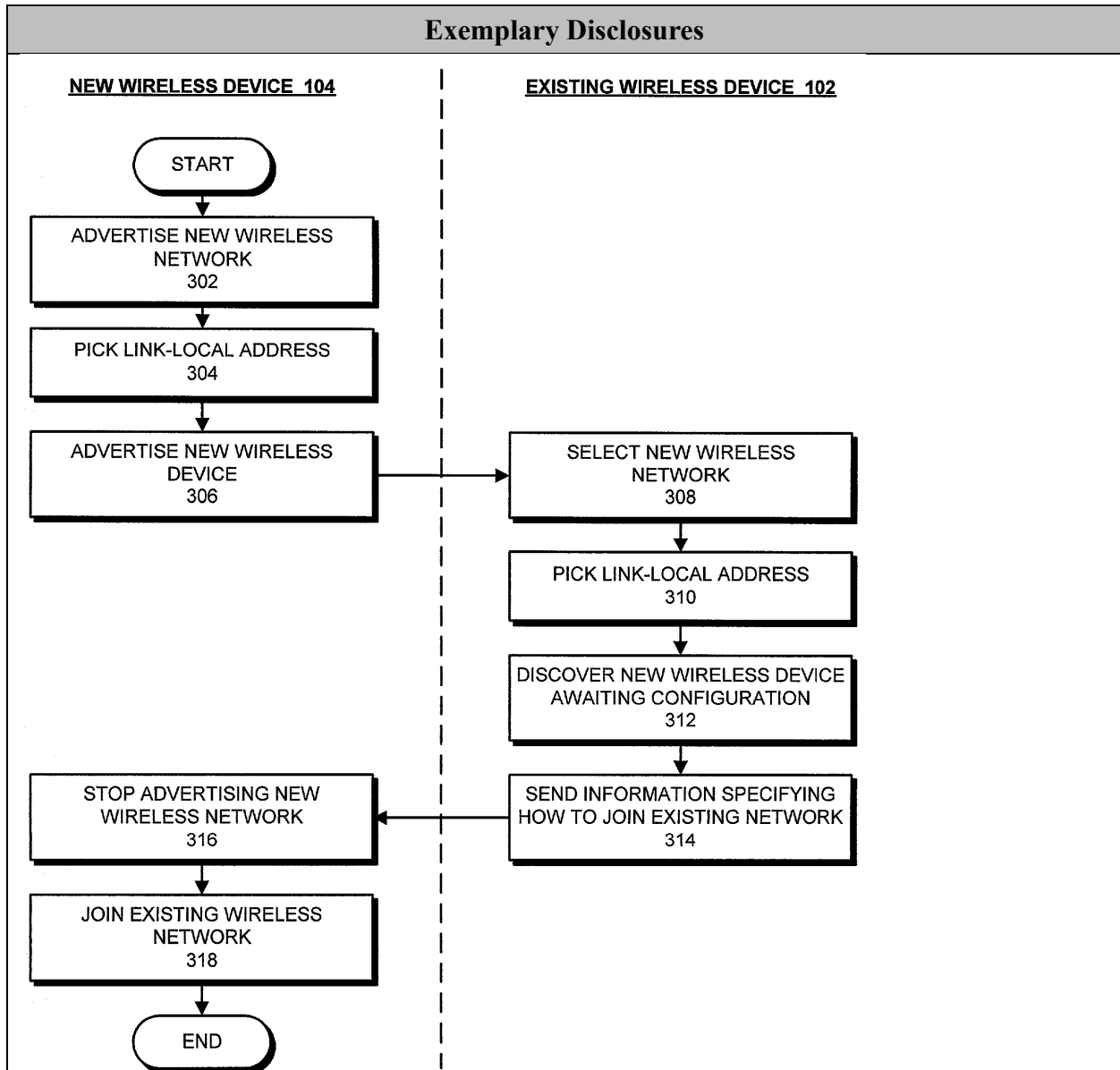


FIG. 3

Id. at FIG. 3.

“In a variation on this embodiment, broadcasting the advertisement for the new wireless device involves advertising a new wireless network from the new wireless device, and then advertising the new wireless device on the new wireless network.”

Id. at 1:63-66.

“This process starts, for example, when a new wireless device 104, such as a printer, powers up. First, new wireless device 104 advertises a new wireless network 106 (step 302). In one

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embodiment of the present invention, new wireless device 104 offers a computer-to-computer (Independent Basic Service Set (IBSS)) network.”

Id. at 4:10-15.

For example, the new wireless device creates a service advertisement announcement such as through a DNS Service Discovery message.

“Next, new wireless device 104 begins listening for incoming configuration packets, and creates a service advertisement announcing the fact that it is listening and ready for wireless configuration. This announcement can be made using DNS Service Discovery, or any other Service Discovery protocol known to those skilled in the art. If the announcement is made using DNS Service Discovery, and the official IANA name of the configuration protocol were “nwdcp” (for “new wireless device configuration protocol”), then new wireless device 104 would advertise a named instance of the service called “_nwdcp._udp.local.arpa.””

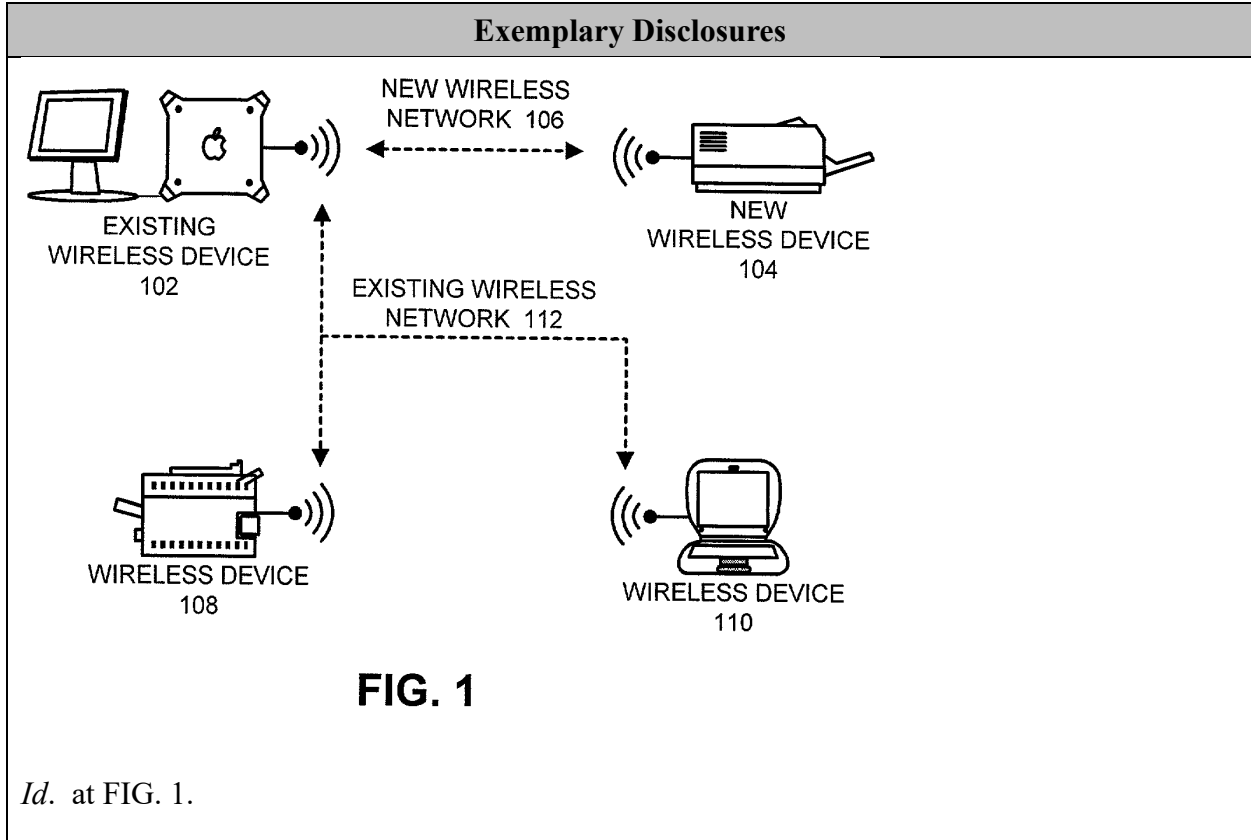
Id. at 4:20-30.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

1[f] while in the setup mode, receiving a response to the first message that facilitates establishing an initial communication path with a computing device that is installed with an application for controlling the playback device, wherein the computing device is operating on a secure wireless local area network (WLAN) that is defined by an access point, wherein the initial communication path with the computing device does not traverse the access point;

Cheshire discloses this feature. For example, the new wireless device receives a response to the first message that facilitates establishing an initial communication path such as the new wireless network with a computing device such as the existing wireless device. *See, e.g.*, the following:



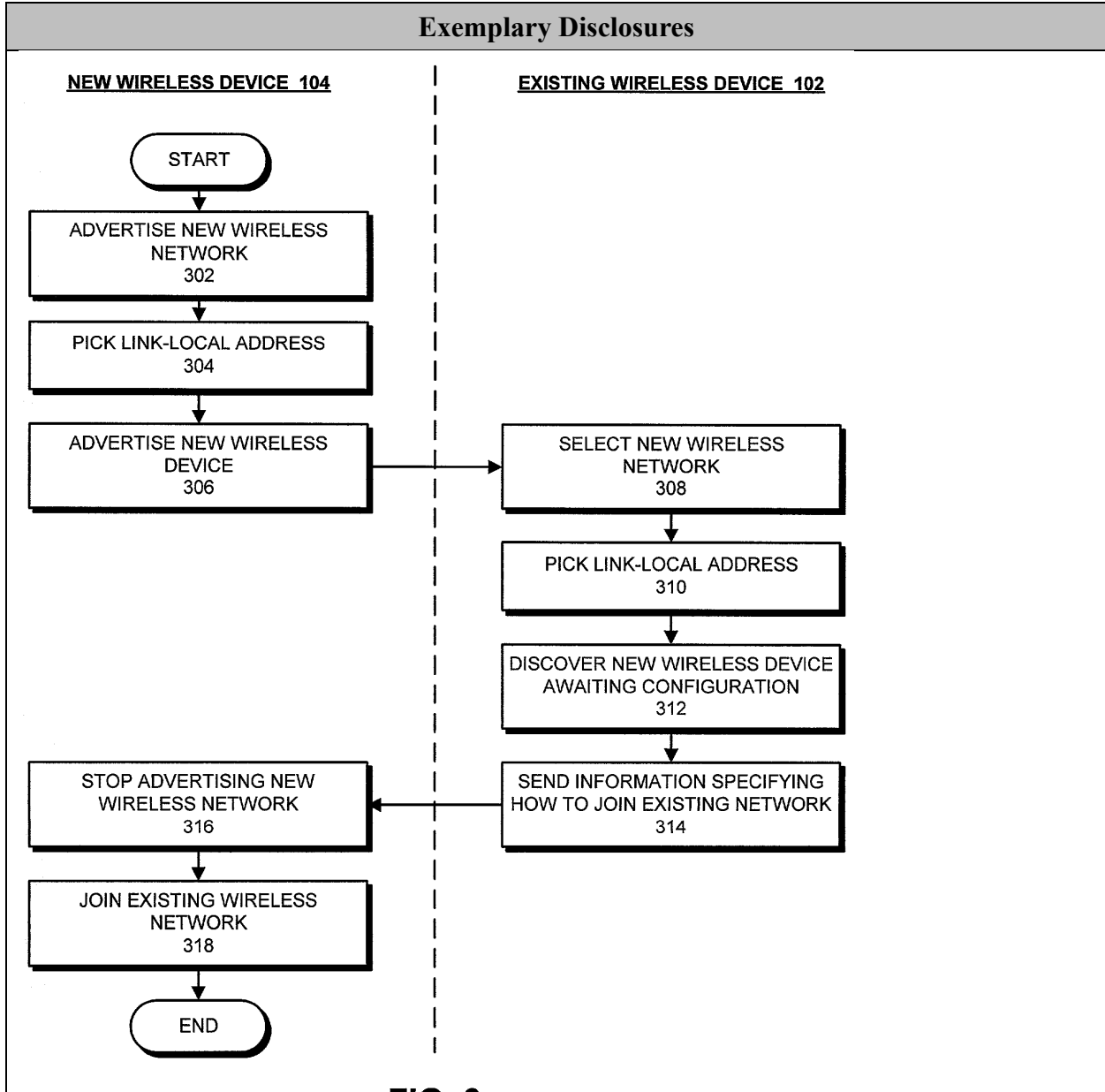


FIG. 3

Id. at FIG. 3.

“In a variation on this embodiment, receiving the information from the existing wireless device on the existing wireless network involves: receiving a request to join the new wireless network from the existing wireless device; allowing the existing wireless device to join the new wireless network; and then receiving information from the existing wireless device specifying how to join the existing wireless network.”

Id. at 2:4-10.

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“Next, new wireless device 104 begins listening for incoming configuration packets, and creates a service advertisement announcing the fact that it is listening and ready for wireless configuration. This announcement can be made using DNS Service Discovery, or any other Service Discovery protocol known to those skilled in the art. If the announcement is made using DNS Service Discovery, and the official IANA name of the configuration protocol were “nwdcp” (for “new wireless device configuration protocol”), then new wireless device 104 would advertise a named instance of the service called “_nwdcp._udp.local.arpa.””

Id. at 4:20-30.

“At this point, existing wireless device 102 selects the new wireless network 106 (step 308). Note that this process can involve allowing a user of existing wireless device 102 to browse through available wireless networks before selecting new wireless network 106. For example, a user of the Mac OS™ can temporarily switch the “AirPort” connection to new wireless network 106. (The terms “Macintosh” and “Mac OS” are trademarks or registered trademarks of Apple Computer, Inc. in the United States and other countries.)”

Id. at 4:35-43.

“Since there is no DHCP server on new wireless network 106, existing wireless device 102 picks itself a link-local address on new wireless network 106 (step 310).”

Id. at 4:44-46.

“Next, existing wireless device 102 uses DNS Service Discovery (or another appropriate Service Discovery protocol known to those skilled in the art) to discover the list of entities on new wireless network 106 that are awaiting configuration information (step 312).”

Id. at 4:47-52.

The existing wireless device operates on the existing wireless network which can be a secure wireless local area network (WLAN) defined by an access point. The existing wireless device can be installed with an application for controlling the playback device.

“Existing wireless network 112 and new wireless network 106 can generally include any type of wireless communication channel through which computing devices can communicate. For example, they can include wireless networks that transmit information through infrared signals or radio frequency signals. Moreover, existing wireless network 112 and new wireless network 106 can include, but are not limited to, a local area wireless network, a wide area wireless network, or a combination of networks. In one embodiment of the present invention, existing wireless network 112 and new wireless network 106 can be used to communicate with the Internet.”

Id. at 3:18-29.

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“Wireless devices 102, 104, 108 and 110 can generally include any type of computer system, peripheral device or network appliance that can reside on a wireless computer network. They can include a computer system based on a microprocessor, a mainframe computer, a digital signal processor, a portable computing device, a personal organizer, a device controller, or a computational engine within an appliance. They can also include also peripheral devices, such as printers or storage devices, as well as input devices, such as cameras, microphones, keyboards or pointing devices, as well as output devices, such as displays or audio output devices. In the embodiment of the present invention illustrated in FIG. 1, existing wireless device 102 is a personal computer, new wireless device 104 and wireless device 108 are printers, and wireless device 110 is a portable computer.”

Id. at 3:3-17.

“For example, a user of the Mac OS™ can temporarily switch the “AirPort” connection to new wireless network 106. (The terms “Macintosh” and “Mac OS” are trademarks or registered trademarks of Apple Computer, Inc. in the United States and other countries.)”

Id. at 4:39-43.

“At this point, existing wireless device 102 selects the new wireless network 106 (step 308). Note that this process can involve allowing a user of existing wireless device 102 to browse through available wireless networks before selecting new wireless network 106. For example, a user of the Mac OS™ can temporarily switch the “AirPort” connection to new wireless network 106. (The terms “Macintosh” and “Mac OS” are trademarks or registered trademarks of Apple Computer, Inc. in the United States and other countries.)”

Id. at 4:35-43.

The initial communication path such as the new wireless network does not traverse the existing wireless network.

“In a variation on this embodiment, receiving the information from the existing wireless device on the existing wireless network involves: receiving a request to join the new wireless network from the existing wireless device; allowing the existing wireless device to join the new wireless network; and then receiving information from the existing wireless device specifying how to join the existing wireless network.”

Id. at 2:4-10.

“During operation, new wireless device 104 initially communicates with existing wireless device 102 through new wireless network 106 in order to receive configuration information, which allows new wireless device 104 to join existing wireless network 112 as is described below with reference to FIGS. 2 and 3.”

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Id. at 3:30-35.

“Next, new wireless device 104 begins listening for incoming configuration packets, and creates a service advertisement announcing the fact that it is listening and ready for wireless configuration. This announcement can be made using DNS Service Discovery, or any other Service Discovery protocol known to those skilled in the art. If the announcement is made using DNS Service Discovery, and the official IANA name of the configuration protocol were “nwdcp” (for “new wireless device configuration protocol”), then new wireless device 104 would advertise a named instance of the service called “_nwdcp._udp.local.arpa.””

Id. at 4:20-30.

“At this point, existing wireless device 102 selects the new wireless network 106 (step 308). Note that this process can involve allowing a user of existing wireless device 102 to browse through available wireless networks before selecting new wireless network 106. For example, a user of the Mac OS™ can temporarily switch the “AirPort” connection to new wireless network 106. (The terms “Macintosh” and “Mac OS” are trademarks or registered trademarks of Apple Computer, Inc. in the United States and other countries.)”

Id. at 4:35-43.

“Since there is no DHCP server on new wireless network 106, existing wireless device 102 picks itself a link-local address on new wireless network 106 (step 310).”

Id. at 4:44-46.

“Next, existing wireless device 102 uses DNS Service Discovery (or another appropriate Service Discovery protocol known to those skilled in the art) to discover the list of entities on new wireless network 106 that are awaiting configuration information (step 312).”

Id. at 4:47-52.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

1[g] receiving, from the computing device via the initial communication path, at least a second message containing network configuration parameters for the secure WLAN, wherein the network configuration parameters comprise an identifier of the secure WLAN and a security key for the secure WLAN;

Cheshire discloses this feature. For example, the new wireless device receives from the existing wireless device such as the computing device a packet containing network configuration

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parameters for the existing wireless network such as the secure WLAN. The packet is received via the new wireless network. *See, e.g.*, the following:

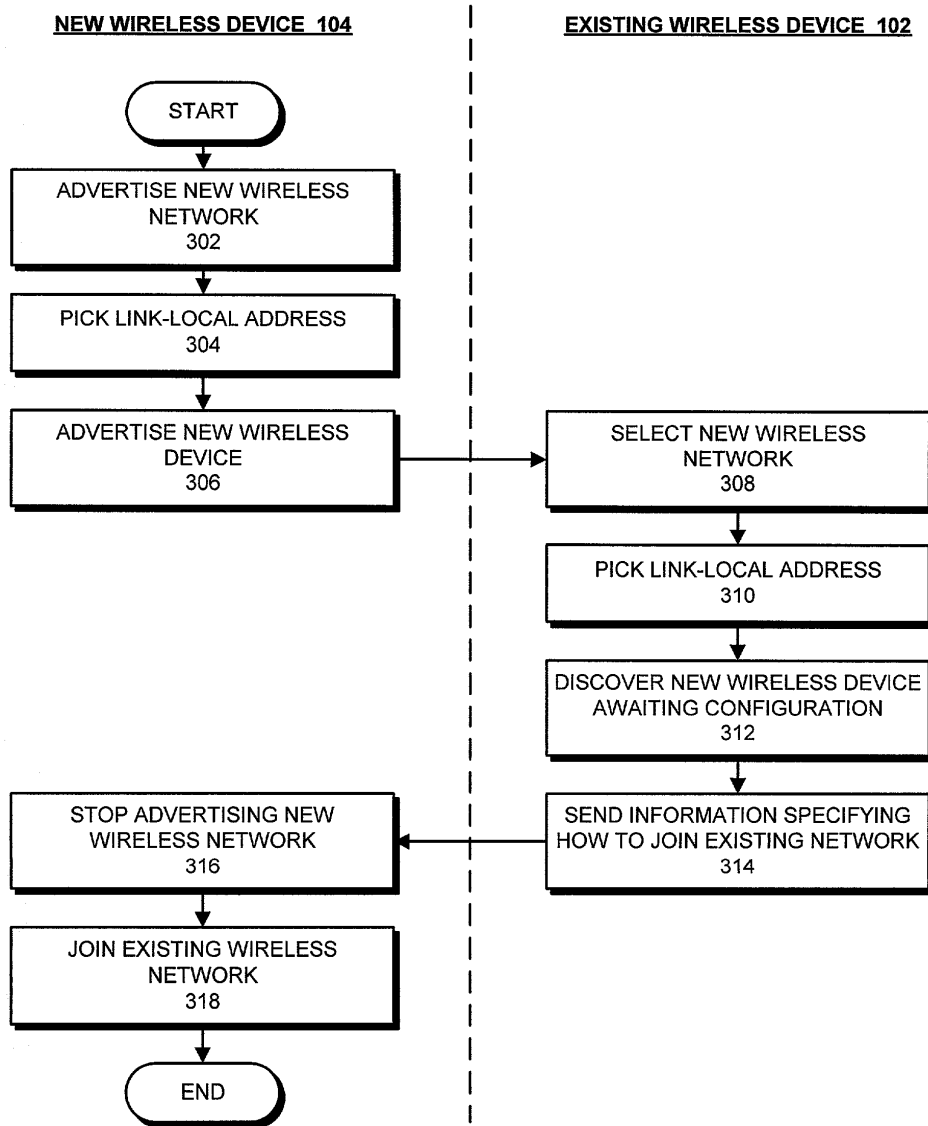


FIG. 3

Id. at FIG. 3.

“In a variation on this embodiment, broadcasting the advertisement for the new wireless device involves advertising a new wireless network from the new wireless device, and then advertising the new wireless device on the new wireless network.”

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Id. at 1:63-66.

“In a variation on this embodiment, receiving the information from the existing wireless device on the existing wireless network involves: receiving a request to join the new wireless network from the existing wireless device; allowing the existing wireless device to join the new wireless network; and then receiving information from the existing wireless device specifying how to join the existing wireless network.”

Id. at 2:4-10.

“During operation, new wireless device 104 initially communicates with existing wireless device 102 through new wireless network 106 in order to receive configuration information, which allows new wireless device 104 to join existing wireless network 112 as is described below with reference to FIGS. 2 and 3.”

Id. at 3:30-35.

“In order to provide this configuration information, existing wireless device 102 sends packet 200 (illustrated in FIG. 2) to new wireless device 104 through new wireless network 106 (step 314). Recall that packet 200 contains configuration information that allows new wireless device 104 to join existing wireless network 112.”

Id. at 4:53-58.

For example, the network configuration parameters comprise an identifier of the WLAN and a security key for the secure WLAN.

PACKET 200

NETWORK TO JOIN	201
KEY TYPE	202
KEY	203
IP ADDRESS	204
SUBNET MASK	205
IP GATEWAY ADDRESS	206
DNS SERVER ADDRESS	207

FIG. 2

Id. at FIG. 2.

“FIG. 2 illustrates a packet 200 containing configuration information to be used in configuring new wireless device 104 to join existing wireless network 112 in accordance with an

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embodiment of the present invention. Note that packet 200 is sent by existing wireless device 102 to new wireless device 104 through new wireless network 106 as is discussed below with reference to FIG. 3.”

Id. at 3:38-44.

“Packet 200 includes a number of pieces of information that new wireless device 104 can use to communicate on existing wireless network 112. More specifically, packet 200 contains the name of a network to join 201. In the example illustrated in FIG. 1, this name identifies existing wireless network 112.”

Id. at 3:45-49.

“Packet 200 also includes a key type field 202, which identifies the type of encryption key used by the network. For example, the key type can specify that the encryption key is a Wired Equivalent Privacy (WEP) key or some other type of encryption key. Packet 200 also includes the encryption key 203 to be used in communicating on existing wireless network 112.”

Id. at 3:50-56.

“Packet 200 may additionally include standard information related to an Internet Protocol (IP) address for new wireless device 104. This information may include IP address 204, subnet mask 205, IP gateway address 206 and DNS server address 207. In the absence of such explicit IP configuration information, new wireless device 104 will typically use an IPv4 link-local address, or use a Dynamic Host Configuration Protocol (DHCP) server to obtain the necessary IP configuration information, or use the equivalent IPv6 capabilities.”

Id. at 3:57-65.

“Note that the above-specified information merely provides an example of possible configuration information. In other embodiments of the present invention, packet 200 can include more or less configuration information. In general, any other type of configuration information for new wireless device 104 can be included within packet 200.”

Id. at 3:66-4:4.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

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1[h] using the network configuration parameters to connect to the secure WLAN that is defined by the access point; and

Cheshire discloses this feature. For example, the existing wireless device uses the network configuration parameters to connect to the existing wireless network such as the secure WLAN defined by the access point. *See, e.g.*, the following:

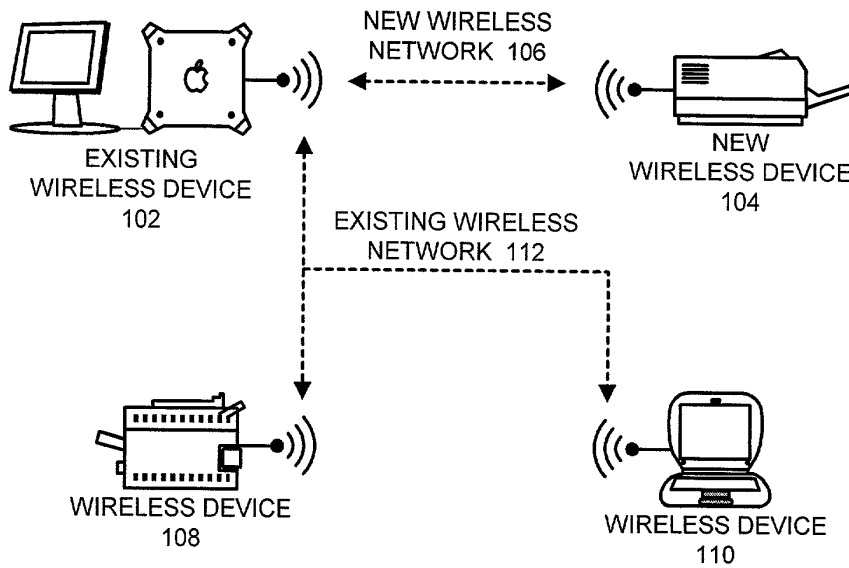


FIG. 1

Id. at FIG. 1.

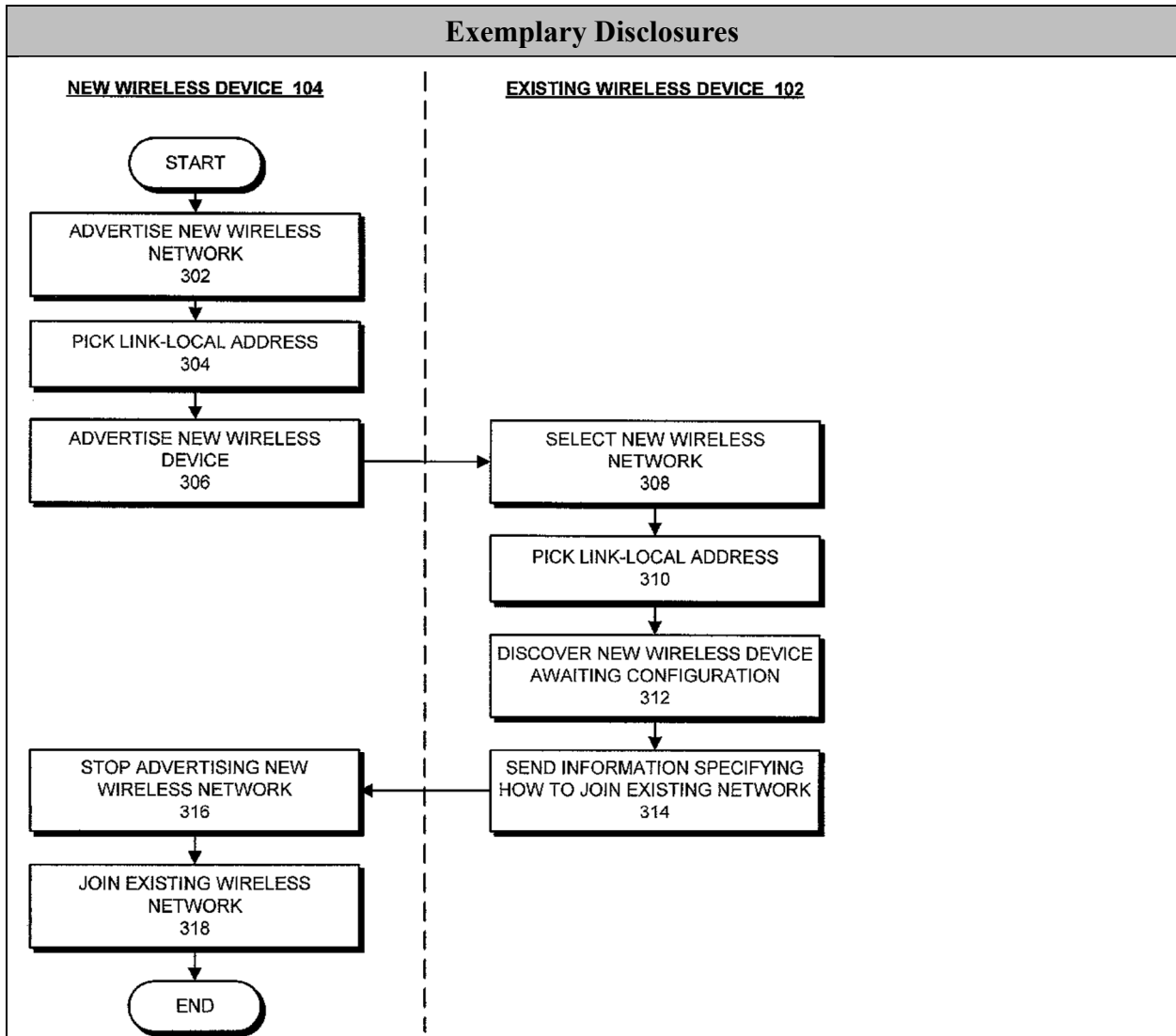


FIG. 3

Id. at FIG. 3.

“One embodiment of the present invention provides a system that uses reverse advertising to configure a new wireless device to join an existing wireless network. During operation, the new wireless device broadcasts an advertisement for itself. In response to the advertisement, the new wireless device receives information from an existing wireless device on the existing wireless network. This information specifies how to join the existing wireless network. Next, the new wireless device uses the information to configure itself to join the existing wireless network.”

Id. at 1:53-62.

“In a variation on this embodiment, receiving the information from the existing wireless device on the existing wireless network involves: receiving a request to join the new wireless network

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from the existing wireless device; allowing the existing wireless device to join the new wireless network; and then receiving information from the existing wireless device specifying how to join the existing wireless network.”

Id. at 2:4-10.

“During operation, new wireless device 104 initially communicates with existing wireless device 102 through new wireless network 106 in order to receive configuration information, which allows new wireless device 104 to join existing wireless network 112 as is described below with reference to FIGS. 2 and 3.”

Id. at 3:30-35.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

1[i] transitioning from communicating with the computing device via the initial communication path to communicating with the computing device via the secure WLAN that is defined by the access point.

Cheshire discloses this feature. For example, the new wireless device transitions from communicating with the existing wireless device such as the computing device via the new wireless network to communicating with the existing wireless device via the existing wireless network such as the secure WLAN defined by the access point. *See, e.g.*, the following:

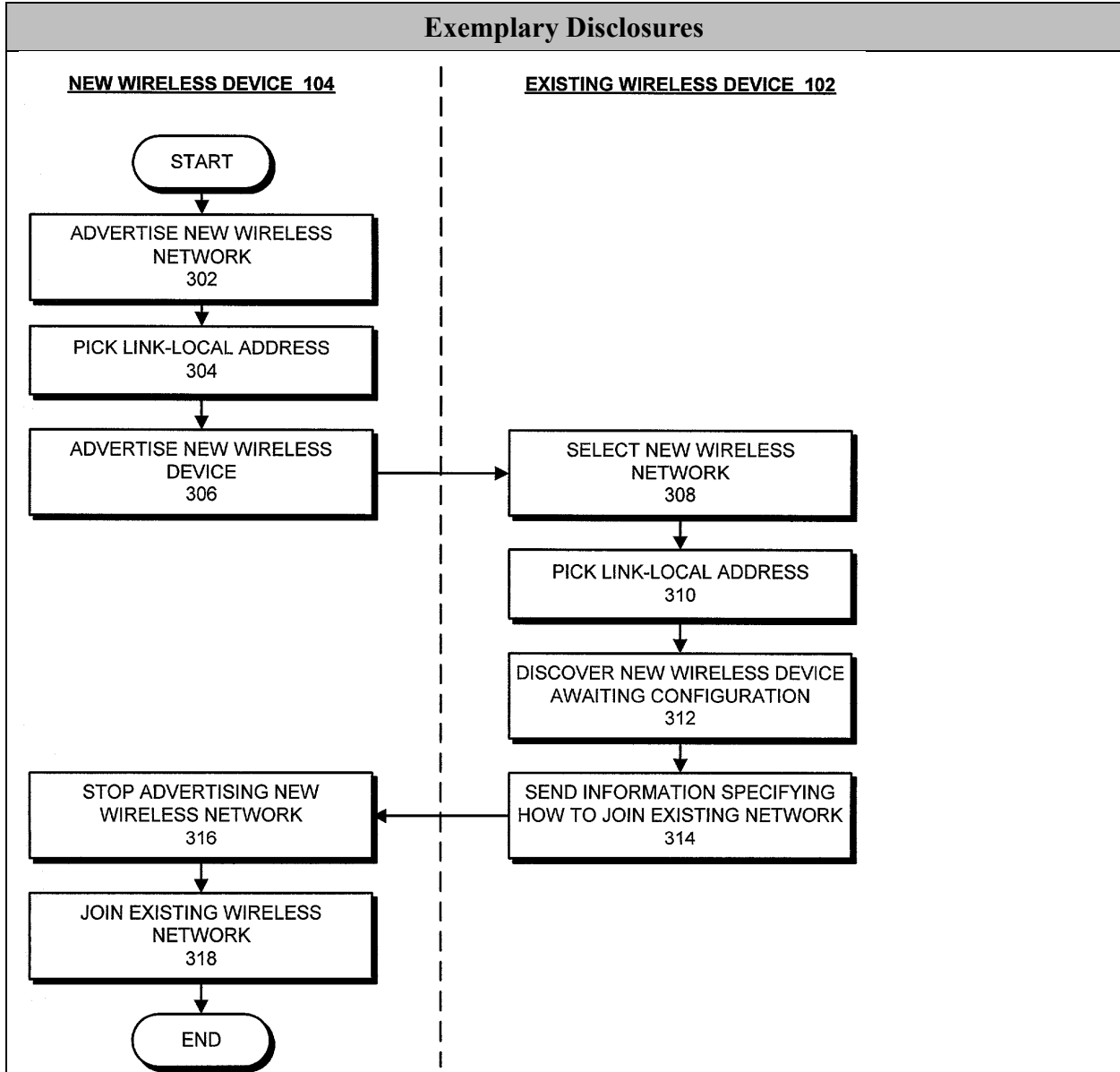


FIG. 3

Id. at FIG. 3.

“One embodiment of the present invention provides a system that uses reverse advertising to configure a new wireless device to join an existing wireless network. During operation, the new wireless device broadcasts an advertisement for itself. In response to the advertisement, the new wireless device receives information from an existing wireless device on the existing wireless network. This information specifies how to join the existing wireless network. Next, the new wireless device uses the information to configure itself to join the existing wireless network.”

Exemplary Disclosures

Id. at 1:53-62.

“In a variation on this embodiment, receiving the information from the existing wireless device on the existing wireless network involves: receiving a request to join the new wireless network from the existing wireless device; allowing the existing wireless device to join the new wireless network; and then receiving information from the existing wireless device specifying how to join the existing wireless network.”

Id. at 2:4-10.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

2. The playback device of claim 1, wherein the triggering event comprises one of (a) powering on the playback device or (b) receiving user input via a physical interface of the playback device.

Cheshire discloses this feature. For example, the triggering event comprises powering on the device or receiving a user input such as by pressing a physical reset switch. *See, e.g.*, the following:

“This process starts, for example, when a new wireless device 104, such as a printer, powers up. First, new wireless device 104 advertises a new wireless network 106 (step 302). In one embodiment of the present invention, new wireless device 104 offers a computer-to-computer (Independent Basic Service Set (IBSS)) network.”

Id. at 4:10-15.

“For example, (1) new wireless device 104 may require that the configuration packet contains the serial number of the device, which is printed on a label on the back of the device and not otherwise available to a neighbor who does not have physical access to the device. (2) New wireless device 104 may have a physical reset switch, and require that the switch be pressed within five seconds of sending the configuration packet. A neighbor who does not have physical access to the device would not be able to press the reset switch. (3) Moreover, if new wireless device 104 is a printer, when the physical reset switch is pressed it may print a page including a random number that the user must enter into their configuration tool for inclusion in the configuration packet, to prove that the user has physical access to the device.”

Id. at 5:9-22.

See also, Id. at claims.

Exhibit 883-02: Cheshire

Exemplary Disclosures
To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant's cover pleading.
4. The playback device of claim 1, further comprising program instructions stored on the non-transitory computer-readable medium that, when executed by the at least one processor, cause the playback device to perform functions comprising: after receiving the second message, providing an indication that the playback device has successfully received the network configuration parameters for the secure WLAN.
Cheshire discloses this feature. For example, the new wireless device such as the playback includes program instructions stored on the non-transitory computer-readable medium. When the program instructions are executed by the device's processor, the new wireless device provides an indication that the new wireless device has successfully received the network configuration parameters. For example, the new wireless device stops advertising, indicating the network configuration parameters are successfully received. <i>See, e.g.</i> , the following:

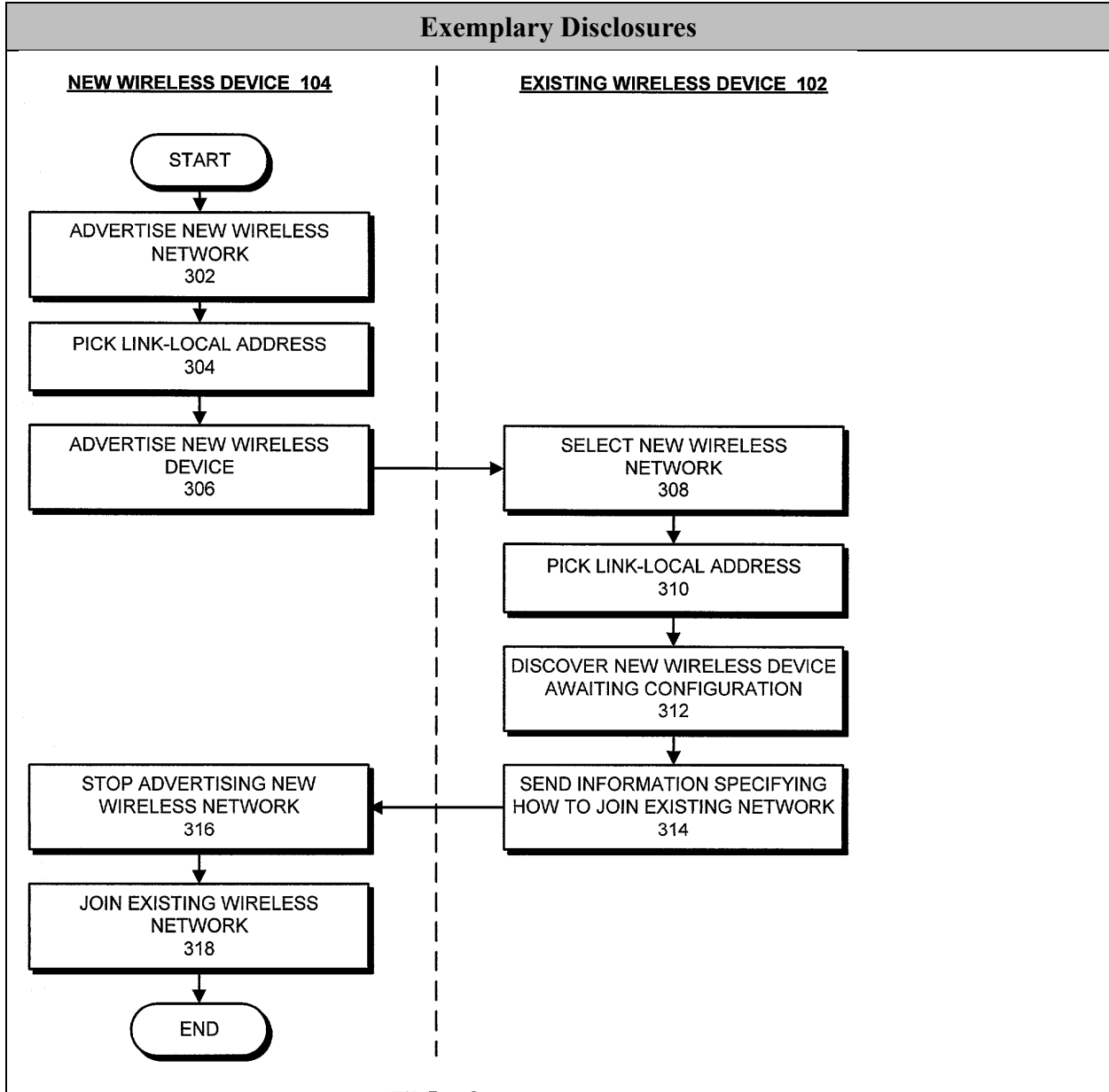


FIG. 3

Id. at FIG. 3.

“In a variation on this embodiment, receiving the information from the existing wireless device on the existing wireless network involves: receiving a request to join the new wireless network from the existing wireless device; allowing the existing wireless device to join the new wireless network; and then receiving information from the existing wireless device specifying how to join the existing wireless network.”

Id. at 2:4-10.

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“Next, existing wireless device 102 uses DNS Service Discovery (or another appropriate Service Discovery protocol known to those skilled in the art) to discover the list of entities on new wireless network 106 that are awaiting configuration information (step 312).”

Id. at 4:20-23.

“Upon receiving packet 200, new wireless device 104 stops advertising new wireless network 106 (step 316). New wireless device 104 also uses the information contained in packet 200 to join existing wireless network 112.”

Id. at 4:66-5:2.

For another example, the new and the existing wireless devices engage in a Diffie-Hellman key exchange and confirm a shared key.

“In a variation on this embodiment, the new wireless device additionally receives an encryption key to facilitate secure communications across the existing wireless network. In a further variation, the new wireless device employs a Diffie-Hellman key exchange to ensure that the encryption key is received securely.”

Id. at 2:15-20.

“Furthermore, note that sending packet 200 to new wireless device 104 can involve a secure communication so as not to reveal encryption key 203 to an eavesdropper who may be listening in on the communication. A Diffie-Hellman key exchange is one possible solution. However, any appropriate encryption technique can be used to keep the information in packet 200 private.”

Id. at 4:66-5:2.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

5. The playback device of claim 4, wherein providing the indication comprises transmitting, to the computing device via the initial communication path, at least a third message indicating that the playback device has successfully received the network configuration parameters.

Cheshire discloses this feature. For example, the new wireless device transmits a message to the existing wireless device via the new wireless network, indicating that the new wireless device has successfully received the network configuration parameters. For example, the new and the

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existing devices engage in a Diffie-Hellman key exchange and confirm a shared key such that the encrypted network configuration parameters can be retrieved.

“In a variation on this embodiment, the new wireless device additionally receives an encryption key to facilitate secure communications across the existing wireless network. In a further variation, the new wireless device employs a Diffie-Hellman key exchange to ensure that the encryption key is received securely.”

Id. at 2:15-20.

“Furthermore, note that sending packet 200 to new wireless device 104 can involve a secure communication so as not to reveal encryption key 203 to an eavesdropper who may be listening in on the communication. A Diffie-Hellman key exchange is one possible solution. However, any appropriate encryption technique can be used to keep the information in packet 200 private.”

Id. at 4:66-5:2.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

9. The playback device of claim 1, further comprising program instructions stored on the non-transitory computer-readable medium that, when executed by the at least one processor, cause the playback device to perform functions comprising: receiving, from the computing device, a command to assign a name to the playback device.

Cheshire discloses this feature. For example, the new wireless device such as the playback device includes program instructions stored on the non-transitory computer-readable medium. When the program instructions are executed by the device’s processor, the device receives a command from the existing wireless device such as the computing device to assign a name to the new wireless device. For example, the existing wireless device can be a computer which assigns a name to a newly connected device, such as using a default name or from a user input. *See, e.g.*, the following:

“Wireless networks provide an attractive alternative to convention wire-based computer networks. It is presently possible to equip a computing device with a low-cost wireless transceiver that enables the computing device to communicate through a wireless network. This avoids the expense and delay involved in running cable through a building to connect the computing device to a wire-based network. Moreover, the computing device can be easily moved to a new location within the building without having to reconfigure the network connection. Furthermore, a wireless network can be used to connect a portable computing

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device, such as a laptop computer or a personal organizer, to a computer network, without having to plug the portable computing device into a cable.”

Id. at 1:15-27.

“The data structures and code described in this detailed description are typically stored on a computer readable storage medium, which may be any device or medium that can store code and/or data for use by a computer system. This includes, but is not limited to, magnetic and optical storage devices such as disk drives, magnetic tape, CDs (compact discs) and DVDs (digital versatile discs or digital video discs), and computer instruction signals embodied in a transmission medium (with or without a carrier wave upon which the signals are modulated). For example, the transmission medium may include a communications network, such as the Internet.”

Id. at 2:48-59.

“FIG. 1 illustrates a number of computing devices coupled together through wireless networks in accordance with an embodiment of the present invention. More specifically, FIG. 1 illustrates an existing wireless network 112, which couples together an existing wireless device 102 as well as other wireless devices 108 and 110. FIG. 1 also illustrates a new wireless network 106, which couples together new wireless device 104 and existing wireless device 102.”

Id. at 2:62-3:2.

“Wireless devices 102, 104, 108 and 110 can generally include any type of computer system, peripheral device or network appliance that can reside on a wireless computer network. They can include a computer system based on a microprocessor, a mainframe computer, a digital signal processor, a portable computing device, a personal organizer, a device controller, or a computational engine within an appliance. They can also include also peripheral devices, such as printers or storage devices, as well as input devices, such as cameras, microphones, keyboards or pointing devices, as well as output devices, such as displays or audio output devices. In the embodiment of the present invention illustrated in FIG. 1, existing wireless devices 102 is a personal computer, new wireless device 104 and wireless device 108 are printers, and wireless device 110 is a portable computer.”

Id. at 3:3-17.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

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10. The playback device of claim 1, wherein communicating with the computing device via the secure WLAN comprises receiving a command related to playback of audio content.

Cheshire discloses this feature. For example, the new wireless device such as the playback device communicates with the existing wireless device such as the computing device via the existing wireless network. The new wireless device, which is an audio output device, receives a command related to playback of audio content. *See, e.g.*, the following:

“Wireless devices 102, 104, 108 and 110 can generally include any type of computer system, peripheral device or network appliance that can reside on a wireless computer network. They can include a computer system based on a microprocessor, a mainframe computer, a digital signal processor, a portable computing device, a personal organizer, a device controller, or a computational engine within an appliance. They can also include also peripheral devices, such as printers or storage devices, as well as input devices, such as cameras, microphones, keyboards or pointing devices, as well as output devices, such as displays or audio output devices. In the embodiment of the present invention illustrated in FIG. 1, existing wireless devices 102 is a personal computer, new wireless device 104 and wireless device 108 are printers, and wireless device 110 is a portable computer.”

Id. at 3:3-17.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

11. The playback device of claim 10, wherein the command comprises a command to retrieve audio content for playback from an audio source that is accessible via a communication path that includes the secure WLAN, and wherein the playback device further comprises program instructions stored on the non-transitory computer-readable medium that, when executed by the at least one processor, cause the playback device to perform functions comprising:

in response to receiving the command, retrieving the audio content from the audio source via the communication path that includes the secure WLAN.

Cheshire discloses this feature. For example, the new wireless device such as the playback device includes program instructions stored on the non-transitory computer-readable medium. When the processor of the new wireless device executes the program instructions, the new wireless device, which is an audio output device, retrieves audio content from the audio source via the existing wireless network in response to receiving the command. *See, e.g.*, the following:

“The data structures and code described in this detailed description are typically stored on a computer readable storage medium, which may be any device or medium that can store code

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and/or data for use by a computer system. This includes, but is not limited to, magnetic and optical storage devices such as disk drives, magnetic tape, CDs (compact discs) and DVDs (digital versatile discs or digital video discs), and computer instruction signals embodied in a transmission medium (with or without a carrier wave upon which the signals are modulated). For example, the transmission medium may include a communications network, such as the Internet.”

Id. at 2:48-59.

“Wireless devices 102, 104, 108 and 110 can generally include any type of computer system, peripheral device or network appliance that can reside on a wireless computer network. They can include a computer system based on a microprocessor, a mainframe computer, a digital signal processor, a portable computing device, a personal organizer, a device controller, or a computational engine within an appliance. They can also include also peripheral devices, such as printers or storage devices, as well as input devices, such as cameras, microphones, keyboards or pointing devices, as well as output devices, such as displays or audio output devices. In the embodiment of the present invention illustrated in FIG. 1, existing wireless device 102 is a personal computer, new wireless device 104 and wireless device 108 are printers, and wireless device 110 is a portable computer.”

Id. at 3:3-17.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

**13. The computing device of claim 1, further comprising program instructions stored on the non-transitory computer-readable medium that, when executed by the at least one processor, cause the computing device to perform functions comprising:
after transitioning to communicating with computing device via the secure WLAN, receiving, from the computing device, a command to form a group with at least a first playback device of a networked audio system such that the playback device is configured to play back audio content in synchrony with at least the first playback device.**

Claim 13 recites “The computing device of claim 1, further comprising ...” and “cause the computing device to perform functions comprising.” The term “the computing device” lacks antecedent basis. As such, claim 13 is indefinite.

To the extent the court finds claim 13 not indefinite, Cheshire discloses this feature. For example, the playback device is an audio output device and includes program instructions. The playback

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device is configured to play back audio content in synchrony with another playback device. *See, e.g.*, the following:

“The data structures and code described in this detailed description are typically stored on a computer readable storage medium, which may be any device or medium that can store code and/or data for use by a computer system. This includes, but is not limited to, magnetic and optical storage devices such as disk drives, magnetic tape, CDs (compact discs) and DVDs (digital versatile discs or digital video discs), and computer instruction signals embodied in a transmission medium (with or without a carrier wave upon which the signals are modulated). For example, the transmission medium may include a communications network, such as the Internet.”

Id. at 2:48-59.

“Wireless devices 102, 104, 108 and 110 can generally include any type of computer system, peripheral device or network appliance that can reside on a wireless computer network. They can include a computer system based on a microprocessor, a mainframe computer, a digital signal processor, a portable computing device, a personal organizer, a device controller, or a computational engine within an appliance. They can also include also peripheral devices, such as printers or storage devices, as well as input devices, such as cameras, microphones, keyboards or pointing devices, as well as output devices, such as displays or audio output devices. In the embodiment of the present invention illustrated in FIG. 1, existing wireless device 102 is a personal computer, new wireless device 104 and wireless device 108 are printers, and wireless device 110 is a portable computer.”

Id. at 3:3-17.

See also, Id. at claims.

To the extent that Cheshire is found not to disclose this feature, it would have been obvious based on the disclosures of Cheshire alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 883-01 through 883-11 or Exhibit 883-B for the reasons discussed herein and in Defendant’s cover pleading.

Exhibit 883-02: Cheshire

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14[pre]. A non-transitory, computer-readable storage medium, wherein the non-transitory computer-readable storage medium is provisioned with program instructions that are executable to cause a playback device to perform functions comprising:	
	Defendant does not concede that the preamble is limiting. To the extent it is limiting, Cheshire discloses the preamble. For example, <i>see supra</i> Claim 1[pre], 1[c], 1[d].
14[a] detecting a triggering event that causes the playback device to enter a setup mode in which the playback device transmits at least a first message indicating that the playback device is available for setup;	
	Cheshire discloses this feature. For example, <i>see supra</i> Claim 1[e].
14[b] while in the setup mode, receiving a response to the first message that facilitates establishing an initial communication path with a computing device that is installed with an application for controlling the playback device, wherein the computing device is operating on a secure wireless local area network (WLAN) that is defined by an access point, wherein the initial communication path with the computing device does not traverse the access point;	
	Cheshire discloses this feature. For example, <i>see supra</i> Claim 1[f].
14[c] receiving, from the computing device via the initial communication path, at least a second message containing network configuration parameters for the secure WLAN, wherein the network configuration parameters comprise an identifier of the secure WLAN and a security key for the secure WLAN;	
	Cheshire discloses this feature. For example, <i>see supra</i> Claim 1[g].
14[d] using the network configuration parameters to connect to the secure WLAN that is defined by the access point; and	
	Cheshire discloses this feature. For example, <i>see supra</i> Claim 1[h].
14[e] transitioning from communicating with the computing device via the initial communication path to communicating with the computing device via the secure WLAN that is defined by the access point.	
	Cheshire discloses this feature. For example, <i>see supra</i> Claim 1[i].
15. The non-transitory, computer-readable storage medium of claim 14, wherein the triggering event comprises one of (a) powering on the playback device or (b) receiving user input via a physical interface of the playback device.	

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Cheshire discloses this feature. For example, <i>see supra</i> Claim 2.
16. The non-transitory, computer-readable storage medium of claim 14, wherein the non-transitory computer-readable medium is also provisioned with program instructions that are executable to cause the playback device to perform functions comprising: after receiving the second message, providing an indication that the playback device has successfully received the network configuration parameters for the secure WLAN.
Cheshire discloses this feature. For example, <i>see supra</i> Claim 4.
17. The non-transitory, computer-readable storage medium of claim 16, wherein providing the indication comprises transmitting, to the computing device via the initial communication path, at least a third message indicating that the playback device has successfully received the network configuration parameters.
Cheshire discloses this feature. For example, <i>see supra</i> Claim 5.
19. The non-transitory, computer-readable storage medium of claim 14, wherein communicating with the computing device via the secure WLAN comprises receiving a command to retrieve audio content for playback from an audio source that is accessible via a communication path that includes the secure WLAN, and wherein the non-transitory computer-readable medium is also provisioned with program instructions that are executable to cause the playback device to perform functions comprising: in response to receiving the command, retrieving the audio content from the audio source via the communication path that includes the secure WLAN.
Cheshire discloses this feature. For example, <i>see supra</i> Claim 10.