

Exhibit 014-06: U.S. Patent Provisional Application No. 60/339,511 (“Geiwitz”)

U.S. Patent Provisional Application No. 60/339,511 (“Geiwitz”) was filed on Oct. 22, 2001 and was incorporated by reference into International Publication No. WO 03/040839 filed on October 22, 2001 and published on May 15, 2003. Accordingly, Geiwitz constitutes prior art to U.S. Patent No. 7,571,014 (the “’014 patent”) under at least pre-AIA 35 U.S.C. § 102(a), (b), and (e).

Geiwitz, including any material incorporated by reference into Geiwitz, anticipates claims 25, 32, 35, 38, 42, 43 (“asserted claims”) of the ’014 patent under at least pre-AIA 35 U.S.C. §§ 102(a), (b), and (e).

To the extent any limitation is found not to be expressly or inherently disclosed in Geiwitz, such a limitation would have been obvious either based on Geiwitz alone, given the state of the art, or in combination with one or more of the references cited in Exhibits 014-01 through 014-06 or Exhibit 014-B, because the ’014 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 ’014 patent in the aforementioned Exhibits may be combined with the disclosures of Geiwitz 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.

Exhibit 014-06: U.S. Patent Provisional Application No. 60/339,511 (“Geiwitz”)

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.

Exemplary Disclosures

25[pre] An apparatus for controlling a plurality of players, the apparatus comprising:

Defendant does not concede that the preamble is limiting. To the extent it is limiting, Geiwitz discloses the preamble. *See, e.g.*, the following:

Geiwitz at 1:

The “System”

The core product is microprocessor based and is programmable both on-site and remotely. Driven by software and firmware, it is very flexible, but not a traditional PC. While the PC is often promoted as the logical host for building automation control, real-world experience has clearly demonstrated this is not the case. First, the PC is not designed to be “on” 24 hours a day, seven days a week. Second, the PC’s inherent lack of reliability and frequent “re-boots” severely cripple its credibility as a security and building automation controller. Third, with heavier usage (primarily internet related) and the number of increasingly complex application programs being run in the home and office, performance of the PC becomes a real challenge. Therefore, we have developed a purpose-built controller designed to be highly efficient and reliable operating 24x7. It is an open system conforming to industry standards for interoperability and has a “Windows” software interface for those who wish to access it via a traditional PC or Palm Pilot.

Geiwitz at 2:

II.

“Touch Screens & User Interface Devices”

We have developed a touch screen based visual user interface that uses familiar icon-based menus that have extensive functionality, is very logical in its layout, and therefore is extremely simple to use. We have also created other “user interface” devices that extend the systems functionality:

- Key Reader Unit
- Phone/Modem/Voice Module
- Web Interface Module
- Personal Data Assistant (Palm Pilot) Interface Module
- Infrared & RF Interface Module

Geiwitz at 13:

Exemplary Disclosures

Audio/Video Control & scene programming

- Select components controlled
- Select up to 24 zones/rooms of distributed audio
- Select sources like CD, DSS, Tuner, DVD, etc.
- Adjust volume levels in individual or all zones
- Program selections for scenes and triggers
- Mute when phone rings
- Mute when doorbell rings
- One-touch scenes incorporating any source of audio along with any combination of the other 11 system applications

Example: Audio sources such as CD’s, Radio Stations, DSS, etc. are only played in rooms that are occupied via motion detection. Or – One touch of a user defined icon such as “Party” or “Relax” automatically adjusts the lights, turns on the gas fireplace, adjusts the temperature, and starts appropriate music, as defined by the end user, playing in select areas of the building.

Alternatively, it would have been obvious to modify Geiwitz to include an apparatus for controlling a plurality of players, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 25 [pre].

To the extent that Geiwitz is found not to disclose the preamble, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

25[a] a screen; a screen driver commanding the screen; an input interface:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz at 1:

Exemplary Disclosures

The “System”

The core product is microprocessor based and is programmable both on-site and remotely. Driven by software and firmware, it is very flexible, but not a traditional PC. While the PC is often promoted as the logical host for building automation control, real-world experience has clearly demonstrated this is not the case. First, the PC is not designed to be “on” 24 hours a day, seven days a week. Second, the PC’s inherent lack of reliability and frequent “re-boots” severely cripple its credibility as a security and building automation controller. Third, with heavier usage (primarily internet related) and the number of increasingly complex application programs being run in the home and office, performance of the PC becomes a real challenge. Therefore, we have developed a purpose-built controller designed to be highly efficient and reliable operating 24x7. It is an open system conforming to industry standards for interoperability and has a “Windows” software interface for those who wish to access it via a traditional PC or Palm Pilot.

Geiwitz at 2:

II.

“Touch Screens & User Interface Devices”

We have developed a touch screen based visual user interface that uses familiar icon-based menus that have extensive functionality, is very logical in its layout, and therefore is extremely simple to use. We have also created other “user interface” devices that extend the systems functionality:

- Key Reader Unit
- Phone/Modem/Voice Module
- Web Interface Module
- Personal Data Assistant (Palm Pilot) Interface Module
- Infrared & RF Interface Module

A person of ordinary skill in the art would have found it obvious to use Geiwitz to further an apparatus with a screen; a screen driver commanding the screen; and an input interface the player group disclosed in Bose. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to further configure an apparatus with a screen; a screen driver commanding the screen; and an input interface the player group.

Exemplary Disclosures

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

25[b] a network interface:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz at 1:

The System conforms to RS232, RS485, Firewire, Bluetooth X-10 PLC (PLC, Power Line Carrier) control protocol and extended PLC code currently considered “de-facto” standards for building automation applications. As new control protocols (e.g., CEBus, SCP and Echelon) gain acceptance, we are positioned to efficiently work with them all via the expansion ports located on the system platform.

Geiwitz at 11:

Function

The touch screen functions as the primary user interface for the system allowing the user to set and change parameters of the system, up/download information from the IR & RF receiver/transmitter located behind the smoked window. The touch screen also acquires, and represents system data regarding system features such as:

Geiwitz at 16:

IR & RF Remote Control & scene programming

- Select system features controlled by handheld remote control
- Specify local (room) or global (whole building) control at each touch screen
- Set triggers and/or reactions based on the reception of any RF or IR signal
- Program IR or RF signals or groups of signals are transmitted from touch screen
- Program IR or RF signals or groups of signals are received by each touch screen
- Program combinations of IR/RF signals to be transmitted when a single signal is received.
- Program signals to be processed at touch screen or passed through to other components.
- One-touch scenes incorporating IR/RF remote control features along with any combination of the other 11 system applications

Alternatively, it would have been obvious to modify Geiwitz to provide a network interface, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 25[b].

Exemplary Disclosures

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

25[c] a memory for storing code for an application module a processor coupled to the memory, the input interface, the screen driver and the network interface, the processor executing the code in the memory to cause the application module and the screen driver to perform operations of:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz at 1:

The “System”

The core product is microprocessor based and is programmable both on-site and remotely. Driven by software and firmware, it is very flexible, but not a traditional PC. While the PC is often promoted as the logical host for building automation control, real-world experience has clearly demonstrated this is not the case. First, the PC is not designed to be “on” 24 hours a day, seven days a week. Second, the PC’s inherent lack of reliability and frequent “re-boots” severely cripple its credibility as a security and building automation controller. Third, with heavier usage (primarily internet related) and the number of increasingly complex application programs being run in the home and office, performance of the PC becomes a real challenge. Therefore, we have developed a purpose-built controller designed to be highly efficient and reliable operating 24x7. It is an open system conforming to industry standards for interoperability and has a “Windows” software interface for those who wish to access it via a traditional PC or Palm Pilot.

Geiwitz at 17:

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Scene & Macro programming linking all system features

One-touch scenes incorporating: Lighting & Outlet Control Applications, Security & Safety Applications, Heating Ventilation & Air Conditioning Applications, Access Control & Information Logging Applications, Audio Control Applications, Energy Management Applications, Internet Interface Applications, Telephone Interface Applications, Computer Interface Applications, Palm Pilot & PDA Interface Applications, Time & Task Management Applications, and IR & RF Handheld Remote Control Applications based on user-selected parameters.

Example: When “Goodnight” icon is pressed on the touch screen – Then: Close opened garage doors, lock front and back door, arm security system, adjust temperature to 72 degrees, close all window coverings, fad all lights from 90% to 0% over the next 90 minutes, turn off outlet controlling landscape lights, Check PDA schedule to determine when to run “wakeup” scene but only on weekdays, download weather and traffic information 60 minutes before running “wakeup” scene and adjust if necessary based on user parameters, turn off the master bedroom TV 60 minutes after “goodnight” is pressed, turn off hot water heater outlet unless motion is sensed in master bedroom, route doorbell and phone calls directly to massage machine until “wakeup” is active, and set temperature to 74 degrees 30 minutes before invoking “wakeup” scene.

Alternatively, it would have been obvious to modify Geiwitz to provide a memory for storing code for an application module a processor coupled to the memory, the input interface, the screen driver and the network interface, the processor executing the code in the memory to cause the application module and the screen driver to perform operations of, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 25[c].

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

25[d] displaying on a screen a first list showing at least available players:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz at 56:

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Figure 86

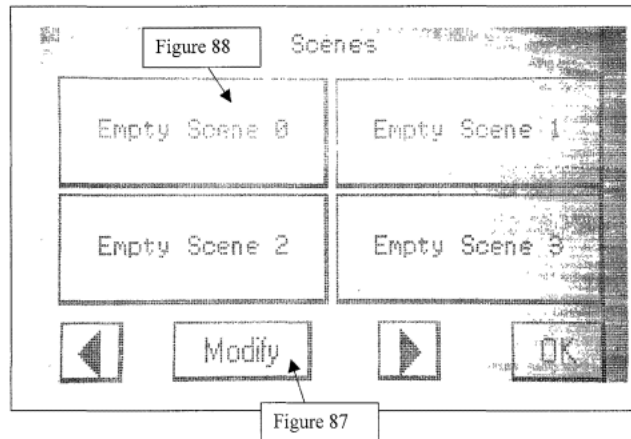


Figure 86 is the navigation menu for general scene macros, including security, outlet, lighting and HVAC control. Scenes can be triggered normally through the touchscreen or through triggers. To create or alter a scene the user must first select Figure 87 – ‘Modify’ and choose a desired scene to program, which in the example above is Figure 88.

Geiwitz at 64:

Figure 104

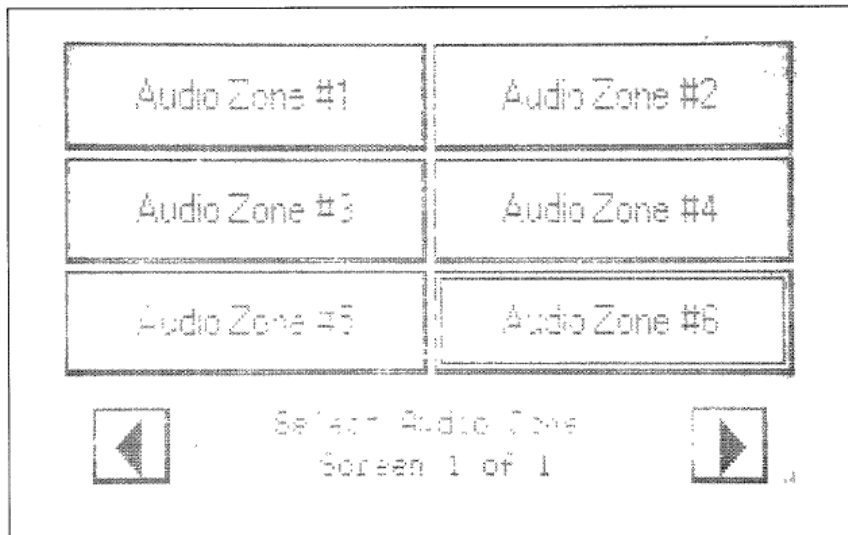


Figure 104 allows the user to select a specific zone for audio control. Audio zones are added in groups of six, with a maximum of 24. When more zones are present the system will represent the number of additional screens and allow the user to cycle between them with the navigational arrows at the bottom of Figure 104. When the zones are labeled during configuration the zone names will appear instead of the default zone names as shown in Figure 104.

Geiwitz at 66:

Exemplary Disclosures

Figure 106

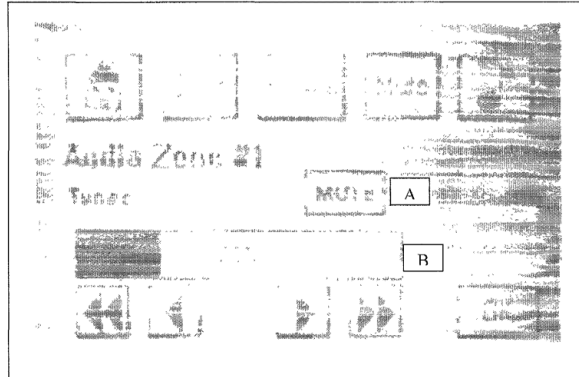


Figure 106 shows that Audio Zone #1 has been muted. Pressing Figure 101 will display the Mute icon labeled 'A' within Figure 106. Pressing Figure 101 while the Mute icon is displayed will remove the icon and restore the volume indicated in the volume bar labeled 'B'.

Alternatively, it would have been obvious to modify Geiwitz to display on a screen a first list showing at least available players, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 25[d].

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

25[e] displaying a zone group including players from the available players when at least two of the available players are selected to form the zone group, wherein any one of the players in the group serves as a zone group head:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz at 56:

Exemplary Disclosures

Figure 86

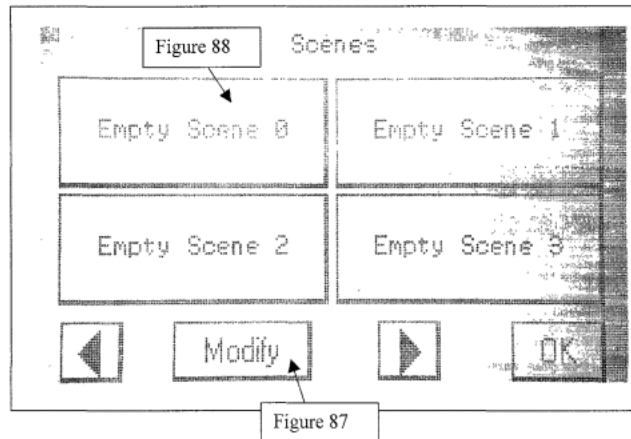


Figure 86 is the navigation menu for general scene macros, including security, outlet, lighting and HVAC control. Scenes can be triggered normally through the touchscreen or through triggers. To create or alter a scene the user must first select Figure 87 – ‘Modify’ and choose a desired scene to program, which in the example above is Figure 88.

Geiwitz at 57:

Selecting Figure 88, Empty Scene 0, takes the user to Figure 89, a standard scene programming screen for the system.

Figure 89

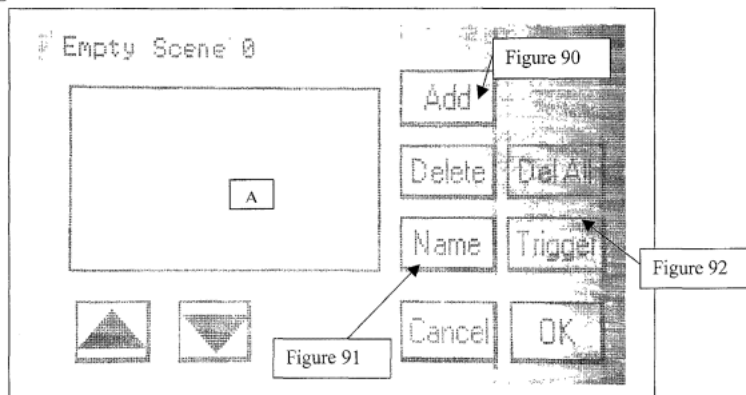


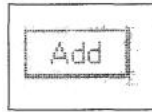
Figure 89 is an empty scene. Commands are listed within the box labeled ‘A’ in Figure 89; presently there are no commands programmed.

- Figure 90 – ‘Add’ places the user in record mode and takes the user to Figure 93 to add commands.

Geiwitz at 58:

Exemplary Disclosures

Figure 90



Selecting Figure 90 – ‘Add’ places the user in record mode and takes the user to Figure 93 to add commands to the selected scene.

Figure 93

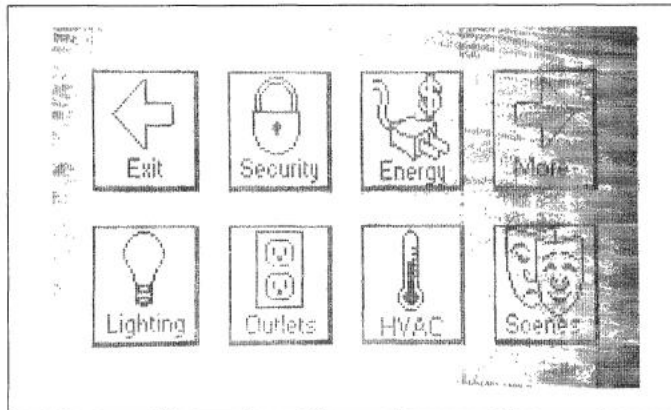


Figure 93 is the main navigational menu in record mode. From this menu the user selects which features to add to the empty scene in Figure 89. Selecting the ‘Lighting’ icon will display the controlled lighting icons as normal and allow the user to select which lights to add to the scene and the status to which they are set. For example, the user may choose a hall light that is controlled by the system to turn off (0%) as part of the scene. They may also select the ‘HVAC’ icon to setback a particular zone for heating or cooling. The user may also select the Security icon to arm the system as part of the scene. When finished, the user selects the ‘Scenes’ icon to return to Figure 89 and view the commands entered into the scene.

Geiwitz at 61:

Figure 96

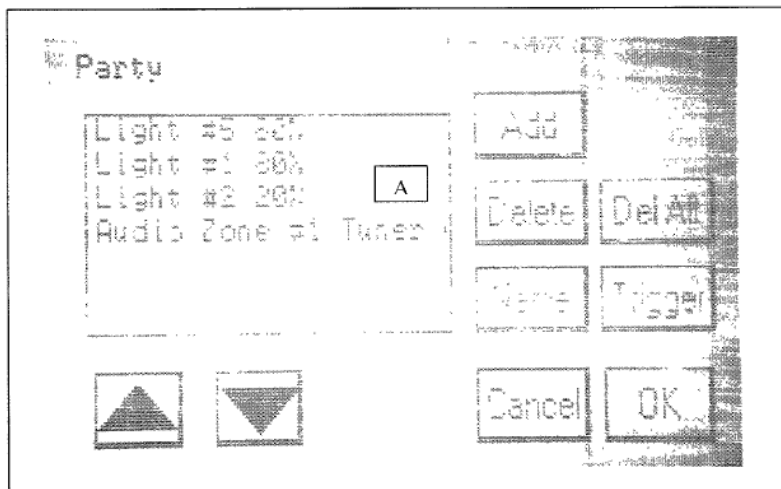


Figure 96 is a sample screen where Figure 89 has been modified to include the commands located in the box labeled ‘A’. Figure 96 also includes a custom scene name – ‘Party’.

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Geiwitz at 63:

Figure 98



Figure 98 – ‘House’ allows the user to select All Zones for immediate control. Selecting Figure 98 takes the user to Figure 103.

Figure 103

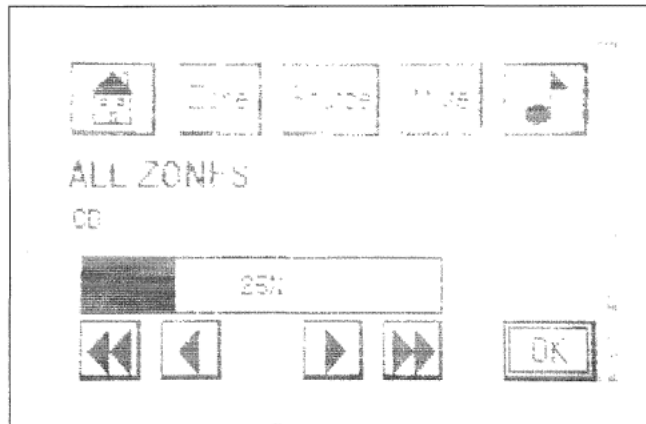


Figure 103 shows that all zones are being controlled, the source is the CD player and the volume is 25%. Any changes made in this configuration will change each zone connected to the system simultaneously.

Geiwitz at 583:

And/Or

“Dinner Party” scene is activated, the CD changer plays light jazz and classical section, the volume level is adjusted automatically depending on the ambient noise level in select rooms, the art lights turn on to 90%, the gas fireplace in the dinning room turns on, and the rest of the lights in the house adjust to 60%.

And/Or

“Goodnight” scene is activated, all speakers throughout the house fade to 0%, the master TV turns on to user selected channel or input, the TV audio volume fades from 40% to 10% over the following 90 minuets, the open garage doors close, the front and back doors lock, the security system arms, all “on” lights throughout the house, except landscape lights, fade from 90% to 0% over the following 20 minuets, the master bedroom TV turns off after 90 minutes.

Alternatively, it would have been obvious to modify Geiwitz to displaying a zone group including players from the available players when at least two of the available players are selected to form the zone group, wherein any one of the players in the group serves as a zone group head, based on the knowledge of a

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person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 25[e].

Geiwitz in combination with U.S. Patent Appl. No. 2002/0124097 (“Isely”) renders this limitation obvious. Isely discloses wherein any one of the players in the group serves as a zone group head. *See* Isely at [0056] (“In other words, for example, the ***volume of the track 1 waterfall could be maintained at a loud level in its designated reference location at the room 1 audio equipment 450 with a proportionally reduced volume in each of the remaining rooms 2-4 based upon their distance within the residence from room 1.*** Other of the tracks 460 could be associated with different rooms. So, for example, a babbling brook (track 4) could be loud in room 3 and quieter in room 1, while the waterfall of track 1 would be louder in room 1 and quieter in room 3.”).

A person of ordinary skill in the art would have found it obvious to use Geiwitz to implement displaying a zone group including players from the available players when at least two of the available players are selected to form the zone group, wherein any one of the players in the group serves as a zone group head in Isely. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to implement displaying a zone group including players from the available players when at least two of the available players are selected to form the zone group, wherein any one of the players in the group serves as a zone group head.

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

25[f] synchronizing all players in the zone group in accordance with the zone group head:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz at 57:

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Selecting Figure 88, Empty Scene 0, takes the user to Figure 89, a standard scene programming screen for the system.

Figure 89

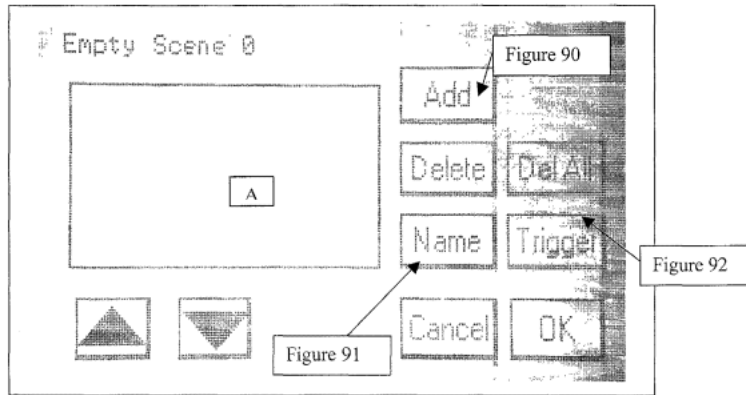
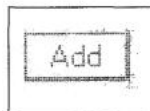


Figure 89 is an empty scene. Commands are listed within the box labeled 'A' in Figure 89; presently there are no commands programmed.

- Figure 90 – ‘Add’ places the user in record mode and takes the user to Figure 93 to add commands.

Geiwitz at 58:

Figure 90



Selecting Figure 90 – ‘Add’ places the user in record mode and takes the user to Figure 93 to add commands to the selected scene.

Figure 93

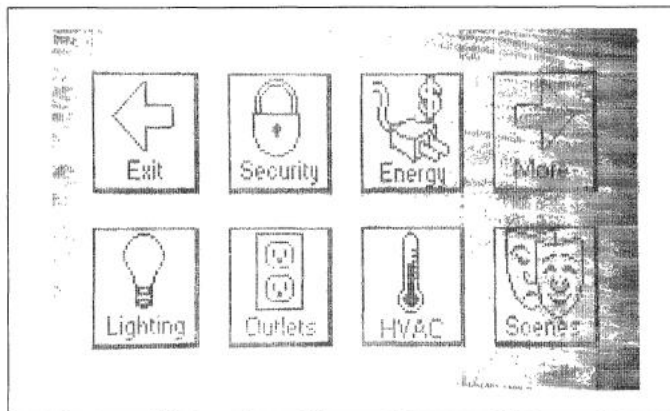


Figure 93 is the main navigational menu in record mode. From this menu the user selects which features to add to the empty scene in Figure 89. Selecting the ‘Lighting’ icon will display the controlled lighting icons as normal and allow the user to select which lights to add to the scene and the status to which they are set. For example, the user may choose a hall light that is controlled by the system to turn off (0%) as part of the scene. They may also select the ‘HVAC’ icon to setback a particular zone for heating or cooling. The user may also select the Security icon to arm the system as part of the scene. When finished, the user selects the ‘Scenes’ icon to return to Figure 89 and view the commands entered into the scene.

Exemplary Disclosures

Geiwitz at 61:

Figure 96

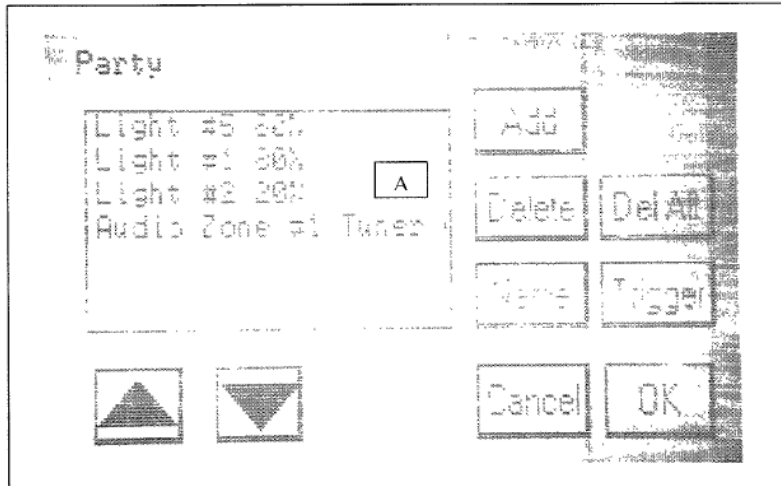


Figure 96 is a sample screen where Figure 89 has been modified to include the commands located in the box labeled 'A'. Figure 96 also includes a custom scene name – ‘Party’.

Geiwitz 62:

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Figure 97

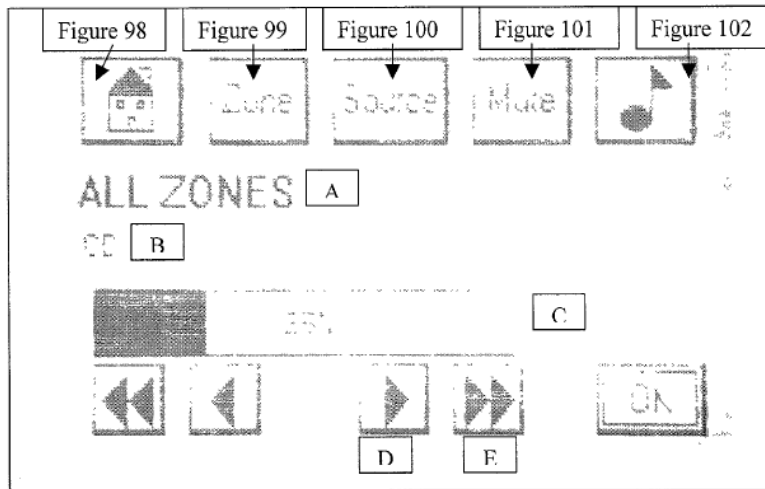


Figure 97 is the main navigational menu for the audio control portion of the system. Figure 97 includes these additional figures:

- Figure 98 – ‘House’ allows the user to select All Zones for immediate control.
- Figure 99 – ‘Zone’ allows the user to select individual zones for control.
- Figure 100 – ‘Source’ allows the user to toggle between the sources connected to the system.
- Figure 101 – ‘Mute’ allows the user to mute the zone or zones being controlled.
- Figure 102 – ‘Music Note’ functions as an On/Off switch for the zone or zones being controlled.

Functional Description:

- A.) ‘All Zones’ – References that the touchscreen is controlling all the audio zones in the same fashion and that any command performed will change all zones simultaneously.
- B.) ‘CD’ – The current source for all zones.
- C.) ‘Volume’ – The current volume for all zones is 25%.
- D.) ‘Single Arrow’ – Adjusts the volume in increments of 1%.
- E.) ‘Double Arrow’ – Adjusts the volume in increments of 5%.

Geiwitz at 63:

Exemplary Disclosures

Figure 98

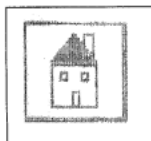


Figure 98 – ‘House’ allows the user to select All Zones for immediate control. Selecting Figure 98 takes the user to Figure 103.

Figure 103

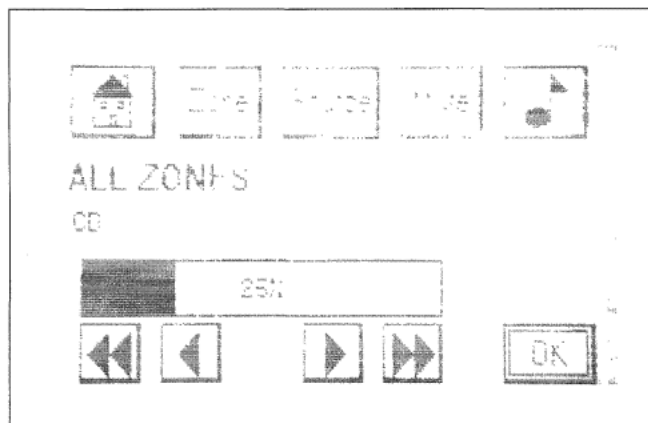


Figure 103 shows that all zones are being controlled, the source is the CD player and the volume is 25%. Any changes made in this configuration will change each zone connected to the system simultaneously.

Alternatively, it would have been obvious to modify Geiwitz to synchroniz[e] all players in the zone group in accordance with the zone group head, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 25[f].

Geiwitz in combination with U.S. Patent Appl. No. 2002/0124097 (“Isely”) renders this limitation obvious. Isely discloses synchronizing all players in the zone group in accordance with the zone group head. *See* Isely at [0056] (“In other words, for example, the **volume of the track 1 waterfall could be maintained at a loud level in its designated reference location at the room 1 audio equipment 450 with a proportionally reduced volume in each of the remaining rooms 2-4 based upon their distance within the residence from room 1.** Other of the tracks 460 could be associated with different rooms. So, for example, a babbling brook (track 4) could be loud in room 3 and quieter in room 1, while the waterfall of track 1 would be louder in room 1 and quieter in room 3.”); [0063] (“The audio signal is distributed to **a plurality of the audio devices 305, 405 based on the defined relationships and the control input associated with the characteristic(s) on which the defined relationship is based (block 630).** An update to the control input specifying the characteristic(s) may be periodically received from a user (block 640). Where such an update is received (block 640), the relationship may be redefined if Such a change is specified in the control input or may be simply

Exemplary Disclosures

applied to respective Streams for different ones of the audio devices 305, 405 based on the existing relationships for distribution to the devices at block 630.”). A person of ordinary skill in the art would have found it obvious to use Geiwitz to implement synchronizing all players in the zone group in accordance with the zone group head disclosed in Isely. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to allow synchronizing all players in the zone group in accordance with the zone group head.

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

25[g] adjusting a volume meter represented by an averaged value of audio volumes of the players in the group, wherein said adjusting of the volume meter includes changing a volume of each of the group of players synchronously in accordance with an adjustment made by a user:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz 62:

Exemplary Disclosures

Figure 97

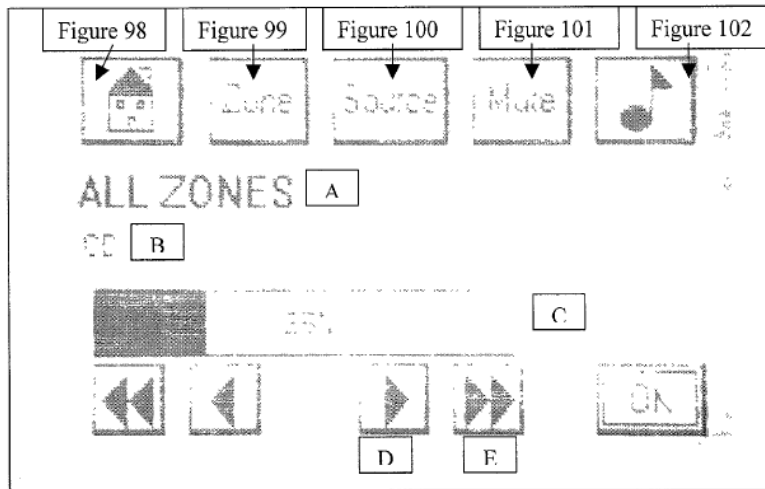


Figure 97 is the main navigational menu for the audio control portion of the system. Figure 97 includes these additional figures:

- Figure 98 – ‘House’ allows the user to select All Zones for immediate control.
- Figure 99 – ‘Zone’ allows the user to select individual zones for control.
- Figure 100 – ‘Source’ allows the user to toggle between the sources connected to the system.
- Figure 101 – ‘Mute’ allows the user to mute the zone or zones being controlled.
- Figure 102 – ‘Music Note’ functions as an On/Off switch for the zone or zones being controlled.

Functional Description:

- A.) ‘All Zones’ – References that the touchscreen is controlling all the audio zones in the same fashion and that any command performed will change all zones simultaneously.
- B.) ‘CD’ – The current source for all zones.
- C.) ‘Volume’ – The current volume for all zones is 25%.
- D.) ‘Single Arrow’ – Adjusts the volume in increments of 1%.
- E.) ‘Double Arrow’ – Adjusts the volume in increments of 5%.

Alternatively, it would have been obvious to modify Geiwitz to include adjusting a volume meter represented by an averaged value of audio volumes of the players in the group, wherein said adjusting of the volume meter includes changing a volume of each of the group of players synchronously in accordance with an adjustment made by a user, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 25[g].

Geiwitz in combination with Yamaha Personal Receiver RP U-200 system (“Yamaha”) renders this limitation obvious. Yamaha discloses an adjustable group volume meter of the players in the group. *See Yamaha Manual at E-22* (disclosing an adjustable group volume meter).

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3 Volume control

You can adjust the volume by dragging the indicator or by clicking the up (▲) and down (▼) arrows.

You can also alternately turn on and off the speakers by clicking the speaker icon below.

A person of ordinary skill in the art would have found it obvious to use Geiwitz to implement an adjustable volume meter represented by a value of audio volumes of the players in the group, wherein said adjusting of the volume meter includes changing a volume of each of the group of players synchronously in accordance with an adjustment made by a user in view of Yamaha. Further, it would have been obvious to use an average audio volumes of the players in the group for adjustable volume meter. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to implement an adjustable volume meter represented by a averaged value of audio volumes of the players in the group wherein said adjusting of the volume meter includes changing a volume of each of the group of players synchronously in accordance with an adjustment made by a user.

Geiwitz in combination with C-Media Xear renders this limitation obvious. Yamaha discloses an adjustable group volume meter of the players in the group. See C-Media Xear 3d Sound Solution User Manual, Rev. 2.1, May 21, 2002 (“2.1

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Manual”) (GOOG-SONOSITC-PA-00013726) (disclosing an adjustable group volume meter).



Volume: This is the master control over all outputs. The power of an outputRe signal is determined by both of the volume slider and the slider for the individual output. To modify all the outputs, adjust the volume slider. To change individual output(s), adjust its(their) slider(s).

CD: Regulates the CD drive audio input level.

A person of ordinary skill in the art would have found it obvious to use Geiwitz to implement an adjustable volume meter represented by a value of audio volumes of the players in the group, wherein said adjusting of the volume meter includes changing a volume of each of the group of players synchronously in accordance with an adjustment made by a user in view of C-Media Xear. Further, it would have been obvious to use an average audio volumes of the players in the group for adjustable volume meter. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to implement an adjustable volume meter represented by a averaged value of audio volumes of the players in the group wherein said adjusting of the volume meter includes changing a volume of each of the group of players synchronously in accordance with an adjustment made by a user.

Geiwitz in combination with KR 100265712 (“Moon”) renders this limitation obvious. Moon discloses the group-level input to adjust the volume associated with the player group further causes the controller to send an instruction to one of the players in the player group, the instruction indicating that the volumes of each of the players in the player group should be adjusted in scale. *See Moon at Abstract (“Audiovisual reproduction system comprising a central unit managing a sound control circuit, and a telecommunications modem connected to a distribution network controlled by a host server, through a multitask operating system created around a tools and services library, characterized in that the operating system comprises a function that adjusts the sound control circuit to couple volumes in the various areas in which the loudspeakers in the audiovisual reproduction system are used, this function being accessible through a management mode of the multitask operating system, the coupling maintaining the ratios between the various volumes in each area when the volume in one area is modified.”)*. A person of ordinary skill in the art would have found it

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obvious to use Geiwitz to implement an adjustable volume meter represented by a value of audio volumes of the players in the group, wherein said adjusting of the volume meter includes changing a volume of each of the group of players synchronously in accordance with an adjustment made by a user disclosed in Moon. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to implement an adjustable volume meter represented by a value of audio volumes of the players in the group, wherein said adjusting of the volume meter includes changing a volume of each of the group of players synchronously in accordance with an adjustment made by a user.

Geiwitz in combination with U.S. Patent No. 7,424,117 (“Herberger”) renders this limitation obvious. Herberger discloses the group-level input to adjust the volume associated with the player group further causes the controller to send an instruction to one of the players in the player group, the instruction indicating that the volumes of each of the players in the player group should be adjusted in scale. *See, e.g.*, Herberger at 8:56-9:21 (“In still another preferred embodiment, there is provided a method substantially as described above, but wherein a graphical representation of the spatial distribution of the sound image of the current song(s) is continuously displayed on an attached computer screen. As is generally illustrated in FIG. 9, in a preferred arrangement a computer display device 910 will exhibit icons 920 (or any other indicia which could represent the speakers) which are preferably positioned on the screen in an arrangement which reflects the physical placement of the speakers 14-24 within the room. Drawn on computer display device 910 are preferably rays 940 and 950 which correspond to the audio programs that are beginning and ending, respectively. That is, ray 940 indicates the spatial location of the beginning audio program, and ray 950 indicates the spatial location of the ending audio program. In the preferred embodiment, when one of the rays is pointed directly at one of the speaker icons 920 that will represent the case where the associated audio program is being heard almost exclusively through the corresponding speaker. That being said, it should be noted that in some embodiments the widths of the rays 940 and 950 will be varied to represent the case where each sound source is heard through multiple speakers in the room, with the width of the ray preferably being chosen so that it includes all speakers which, at that instant, are playing sound from the corresponding audio program. In still other arrangements, the width of the ray might correspond to the average volume level of the audio program with, for example, wider rays corresponding to a higher volume level, thereby making it easy to tell which audio program is increasing in volume and which is fading. Finally, those of ordinary skill in the art will recognize that the color, length, etc., of the ray can be made to vary depending on any parameter that would be of interest to the user.”). A person of ordinary skill in the art would have found it

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obvious to use Geiwitz to implement the group-level input to adjust the volume associated with the player group further causes the controller to send an instruction to one of the players in the player group, the instruction indicating that the volumes of each of the players in the player group should be adjusted in scale disclosed in Herberger. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to implement the group-level input to adjust the volume associated with the player group further causes the controller to send an instruction to one of the players in the player group, the instruction indicating that the volumes of each of the players in the player group should be adjusted in scale.

Geiwitz in combination with U.S. Patent Application Publication No. 2005/0031129 (“Devantier”) renders this limitation obvious. Devantier discloses the group-level input to adjust the volume associated with the player group further causes the controller to send an instruction to one of the players in the player group, the instruction indicating that the volumes of each of the players in the player group should be adjusted in scale. *See, e.g.*, Devantier at [0151] (“In a multiple listening position audio system, the statistical analyses may be based on any mathematical tool that evaluates the predicted transfer functions, such as taking the average, standard deviation, spatial standard deviation, spatial envelope, or spatial maximum average across the seats. For example, the spatial average at 20 Hz is -15.94 dB, which is calculated by averaging the amplitude readings at 20 Hz for seats 1 to 5. The spatial variance at 20 Hz is -4.72 dB, which is calculated by taking the variance of the amplitude readings at 20 Hz for seats 1 to 5. The spatial standard deviation is 2.17 dB for 20 Hz and may be computed as the square root of the spatial variance. The spatial envelope may be the difference between the highest and lowest readings. At 20 Hz, the highest and lowest readings are -12.99 dB and -18.13 dB, so that the spatial envelope is 5.14 dB. The spatial maximum minus average may be computed by selecting the maximum value and subtracting the average. For 20 Hz, the maximum value is -12.99 dB and the average is 15.94 dB, so that the spatial max-average is 2.96.”). A person of ordinary skill in the art would have found it obvious to use Geiwitz to implement the group-level input to adjust the volume associated with the player group further causes the controller to send an instruction to one of the players in the player group, the instruction indicating that the volumes of each of the players in the player group should be adjusted in scale disclosed in Devantier. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to implement the group-level input to adjust the volume associated with the player group further causes the controller

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<p>to send an instruction to one of the players in the player group, the instruction indicating that the volumes of each of the players in the player group should be adjusted in scale.</p> <p>To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.</p>
32[pre] The apparatus of claim 25, wherein said synchronizing all players in the Zone group comprises:
<i>See claim 25[f].</i>
32[a] causing all players in the zone group to play an identical audio source; and:
<i>See claim 25[f].</i>
32[b] presenting the zone group in a manner that indicates a grouping:
<i>See claim 25[e].</i>
35[pre] The apparatus of claim 25, wherein the processor executing the code in the memory to cause the application module and the screen driver to perform operations of:
<i>See claim 25[c].</i>
35[a] selecting the zone group to be de-grouped from the first list:
<p>Geiwitz discloses this feature. <i>See, e.g.</i>, the following:</p> <p>Geiwitz at 56:</p>

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Figure 86

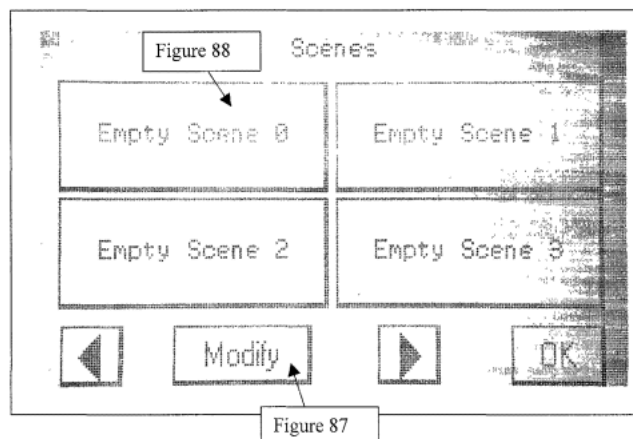


Figure 86 is the navigation menu for general scene macros, including security, outlet, lighting and HVAC control. Scenes can be triggered normally through the touchscreen or through triggers. To create or alter a scene the user must first select Figure 87 – ‘Modify’ and choose a desired scene to program, which in the example above is Figure 88.

Geiwitz at 61 (allowing de-grouping by the use of “Delete” or “Del All” button):

Figure 96

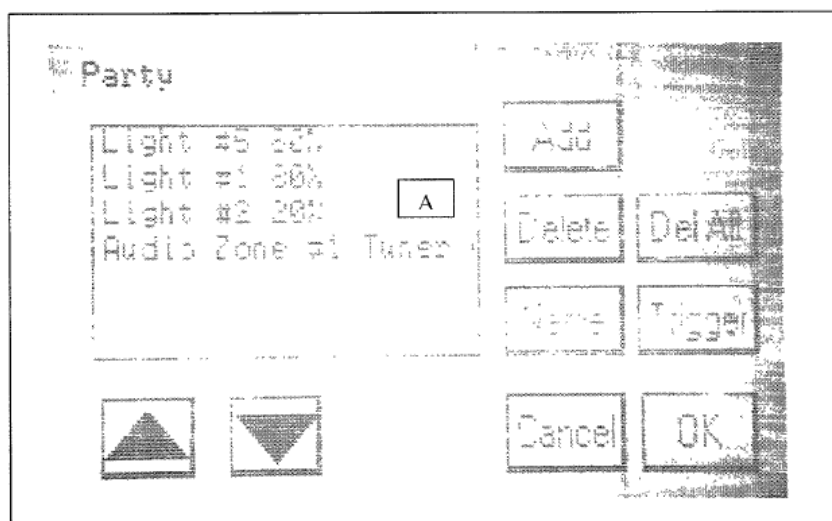


Figure 96 is a sample screen where Figure 89 has been modified to include the commands located in the box labeled ‘A’. Figure 96 also includes a custom scene name – ‘Party’.

Alternatively, it would have been obvious to modify Geiwitz to selecting the Zone group to be de-grouped from the first list, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 35[a].

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Geiwitz in combination with appendixes to U.S. Patent Appl. Pub. No. 2004/0176141 (“Christensen”) renders this limitation obvious. Christensen discloses selecting the zone group to be de-grouped from the first list. *See* Christensen at 33.

Removing a Zone

- **Select a Zone** in the **Zones in this Project** text box.
- Click **Remov** below the **Zones in this Project** text box.

A person of ordinary skill in the art would have found it obvious to use Geiwitz to implement a capability to select the zone group to be de-grouped from the first list disclosed in Christensen. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to implement a capability to select the zone group to be de-grouped from the first list.

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

35[b] displaying on the screen an another list showing all the players within the zone group to be de-grouped:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz at 56:

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Figure 86

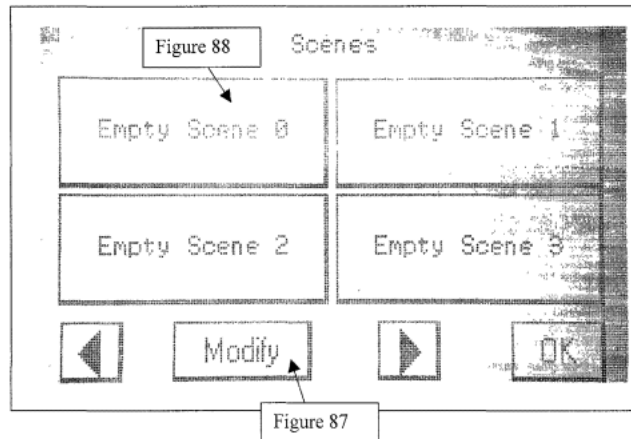


Figure 86 is the navigation menu for general scene macros, including security, outlet, lighting and HVAC control. Scenes can be triggered normally through the touchscreen or through triggers. To create or alter a scene the user must first select Figure 87 – ‘Modify’ and choose a desired scene to program, which in the example above is Figure 88.

Geiwitz at 61 (allowing de-grouping by the use of “Delete” or “Del All” button):

Figure 96

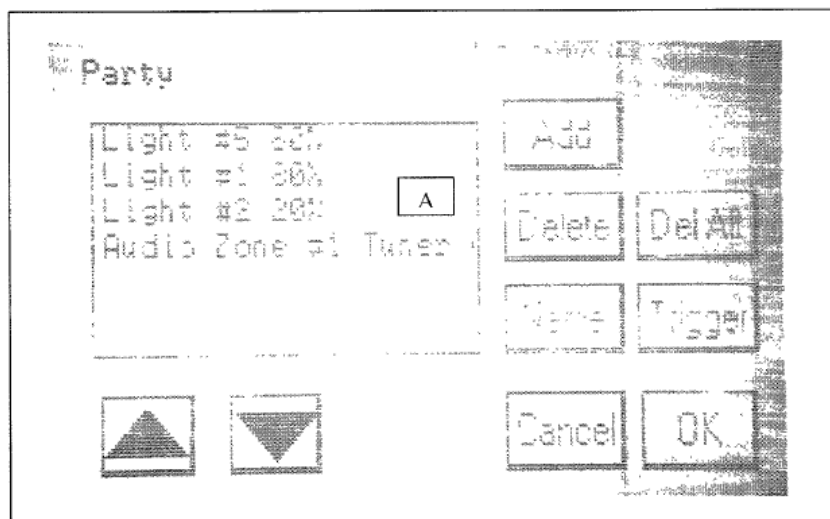


Figure 96 is a sample screen where Figure 89 has been modified to include the commands located in the box labeled ‘A’. Figure 96 also includes a custom scene name – ‘Party’.

Alternatively, it would have been obvious to modify Geiwitz to display[] on the screen an another list showing all the players within the zone group to be de-grouped, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 35[b].

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Geiwitz in combination with appendixes to U.S. Patent Appl. Pub. No. 2004/0176141 (“Christensen”) renders this limitation obvious. Christensen discloses displaying on the screen an another list showing all the players within the zone group to be de-grouped. *See* Christensen at 33-34 (displaying another list on a confirmation dialog box to show all players within the zone group to be de-grouped).

Removing a Zone

- Select a **Zone** in the **Zones in this Project** text box.
- Click **Remov** below the **Zones in this Project** text box.
- **Click OK at the conformation dialog box.**
- **The Zone has been removed.**

A person of ordinary skill in the art would have found it obvious to use Geiwitz to implement a capability to displaying on the screen an another list showing all the players within the zone group to be de-grouped disclosed in Christensen. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to display on the screen an another list showing all the players within the zone group to be de-grouped.

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

35[c] selecting one or more players from the another list:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz at 61:

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Figure 96

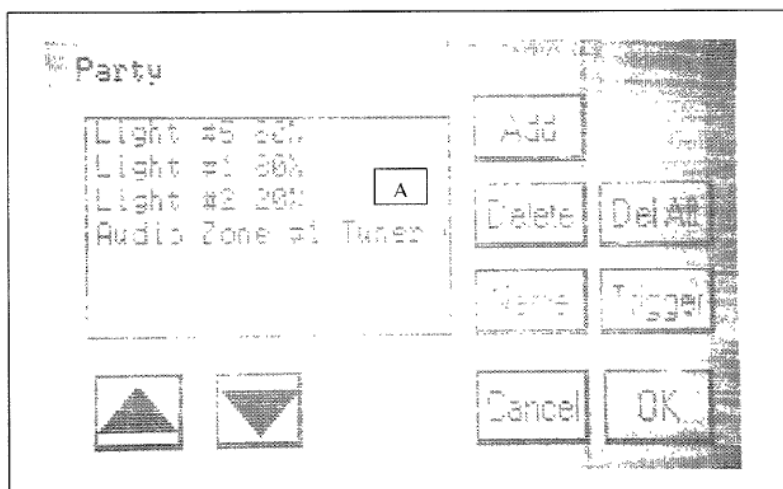


Figure 96 is a sample screen where Figure 89 has been modified to include the commands located in the box labeled ‘A’. Figure 96 also includes a custom scene name – ‘Party’.

Alternatively, it would have been obvious to modify Geiwitz to selecting one or more players from the another list, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 35[c].

A person of ordinary skill in the art would have found it obvious to use Geiwitz to implement capability to select one or more players from a list in Geiwitz Prov. as capability to select one or more players from the another list. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to implement capability to select one or more players from the another list.

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

35[d] disassociating the selected players from the zone group:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz at 61 (allowing de-grouping by the use of “Delete” or “Del All” button):

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Figure 96

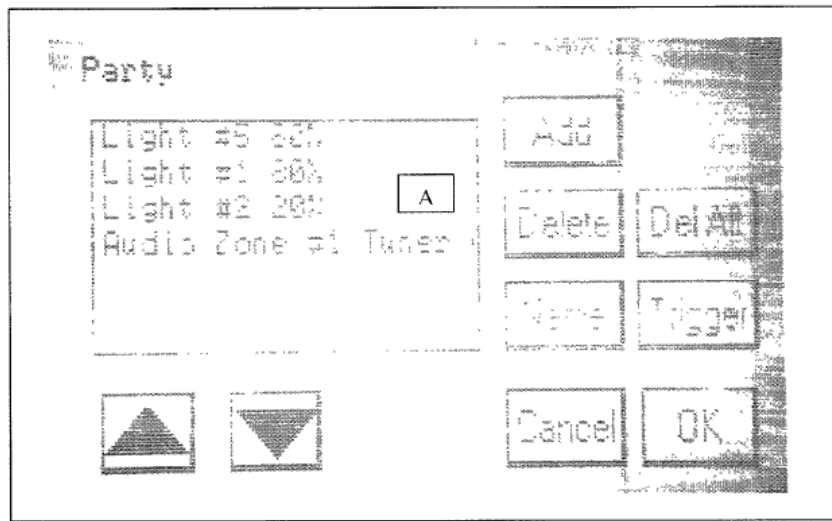


Figure 96 is a sample screen where Figure 89 has been modified to include the commands located in the box labeled ‘A’. Figure 96 also includes a custom scene name – ‘Party’.

Geiwitz at 57:

Figure 89

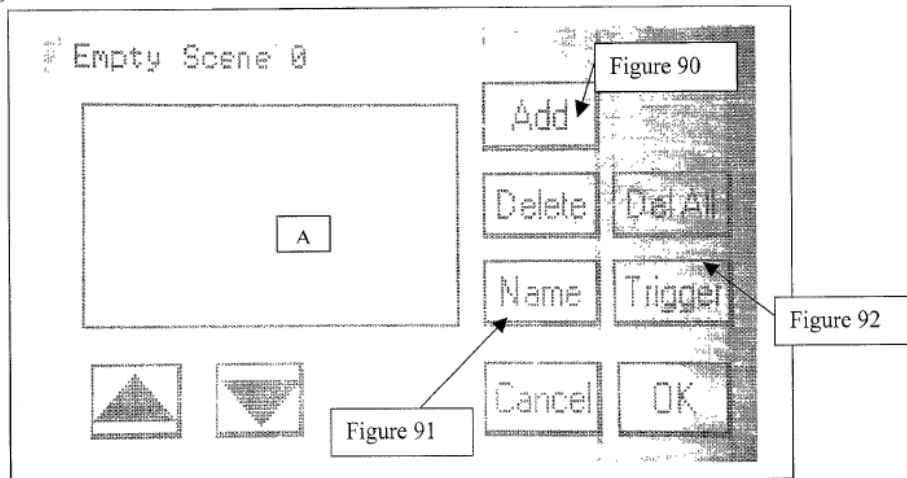


Figure 89 is an empty scene. Commands are listed within the box labeled ‘A’ in Figure 89; presently there are no commands programmed.

- Figure 90 – ‘Add’ places the user in record mode and takes the user to Figure 93 to add commands.
- Figure 91 – ‘Name’ takes the user to the screen where a custom designation can be typed in for this scene.
- Figure 92 – ‘Trigger’ takes the user to the standard scene trigger screen where they can select the methods through which the scene is initiated.

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<p>Alternatively, it would have been obvious to modify Geiwitz to disassociat[e] the selected players from the Zone group, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 35[d].</p> <p>To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.</p>
38[pre] An apparatus for manipulating a plurality of players, the apparatus comprising:
<i>See claim 25[pre].</i>
38[a] a screen; a screen driver commanding the screen; an input interface:
<i>See claim 25[a].</i>
38[b] a network interface:
<i>See claim 25[b].</i>
38[c] a memory for storing code for an application module a processor coupled to the memory, the input interface, the screen driver and the network interface, the processor executing the code in the memory to cause the application module and the screen driver to perform operations of:
<i>See claim 25[c].</i>
38[d] displaying on a screen a list showing a plurality of volume meters, at least one of the volume meters representing an audio volume of one of the players:
<p>Geiwitz discloses this feature. <i>See, e.g.</i>, the following:</p> <p>Geiwitz at 66:</p>

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Figure 106

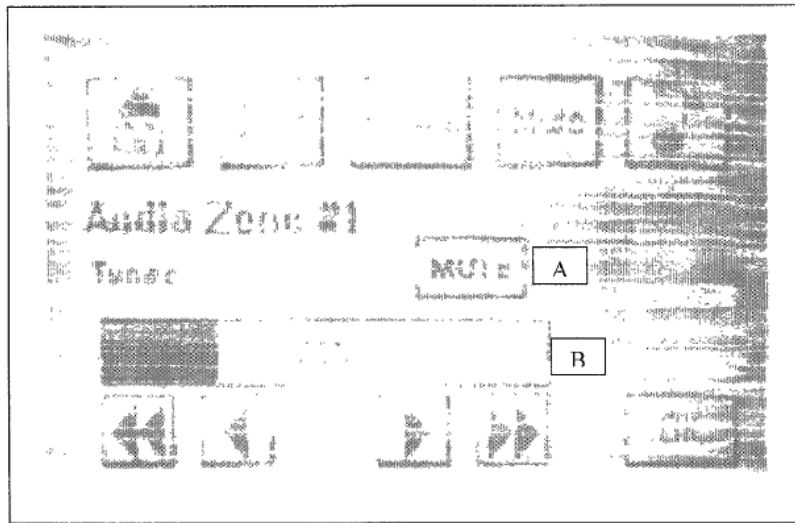
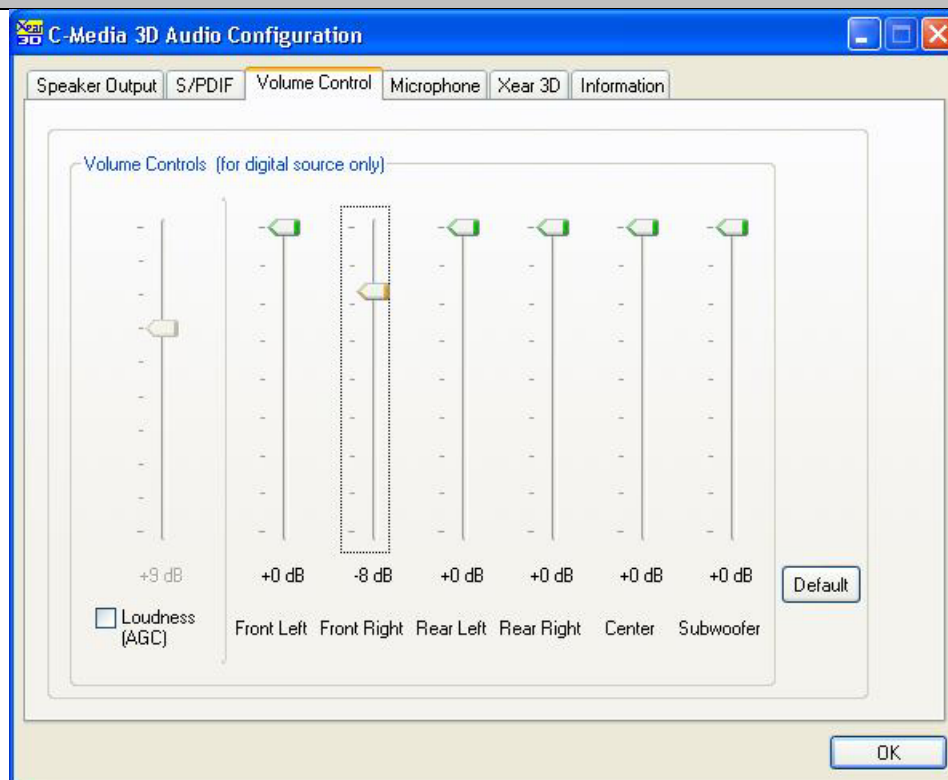


Figure 106 shows that Audio Zone #1 has been muted. Pressing Figure 101 will display the Mute icon labeled 'A' within Figure 106. Pressing Figure 101 while the Mute icon is displayed will remove the icon and restore the volume indicated in the volume bar labeled 'B'.

Alternatively, it would have been obvious to modify Geiwitz to include displaying on a screen a list showing a plurality of volume meters, at least one of the volume meters representing an audio volume of one of the players, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 38[d].

Geiwitz in combination with C-Media Xear renders this limitation obvious. C-Media Xear discloses displaying on a screen a list showing a plurality of volume meters, at least one of the volume meters representing an audio volume of one of the players. See C-Media Xear 3D Manual at 23.

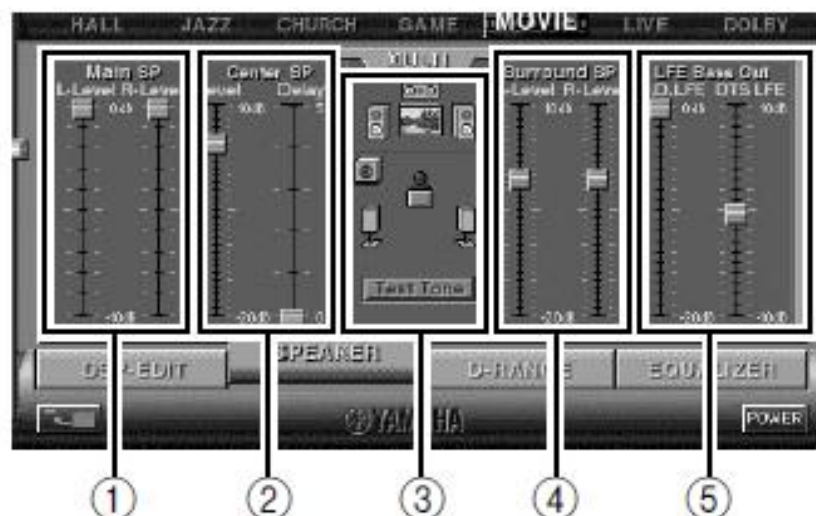
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A person of ordinary skill in the art would have found it obvious to use Geiwitz to implement displaying on a screen a list showing a plurality of volume meters, at least one of the volume meters representing an audio volume of one of the players disclosed in C-Media Xear. Further, it would have been obvious to display on a screen a list showing a plurality of volume meters, at least one of the volume meters representing an audio volume of one of the players. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to implement displaying on a screen a list showing a plurality of volume meters, at least one of the volume meters representing an audio volume of one of the players .

Geiwitz in combination with Yamaha Personal Receiver RP U-200 system (“Yamaha”) renders this limitation obvious. Yamaha discloses displaying on a screen a list showing a plurality of volume meters, at least one of the volume meters representing an audio volume of one of the players. *See* Yamaha Manual at E-24.

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A person of ordinary skill in the art would have found it obvious to use Geiwitz to implement displaying on a screen a list showing a plurality of volume meters, at least one of the volume meters representing an audio volume of one of the players disclosed in Yamaha. Further, it would have been obvious to display on a screen a list showing a plurality of volume meters, at least one of the volume meters representing an audio volume of one of the players. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to implement displaying on a screen a list showing a plurality of volume meters, at least one of the volume meters representing an audio volume of one of the players.

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

38[e] and another one of the volume meters representing an audio volume of a group of players, if there is such a group; and:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz at 63:

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Figure 103

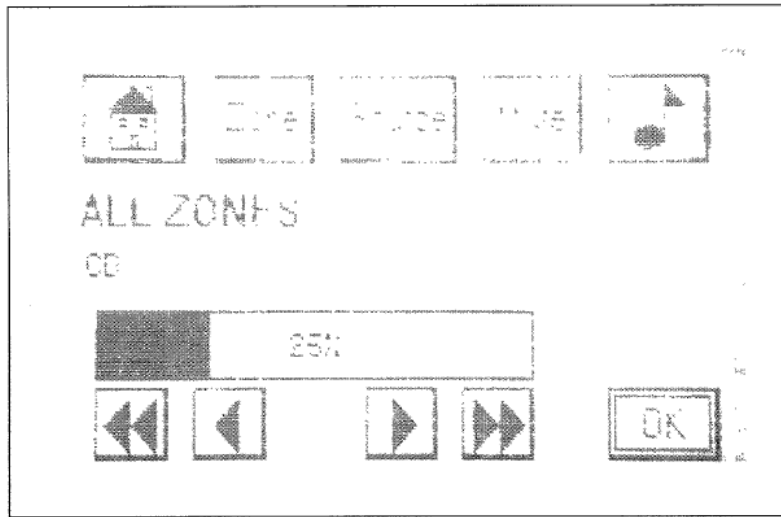
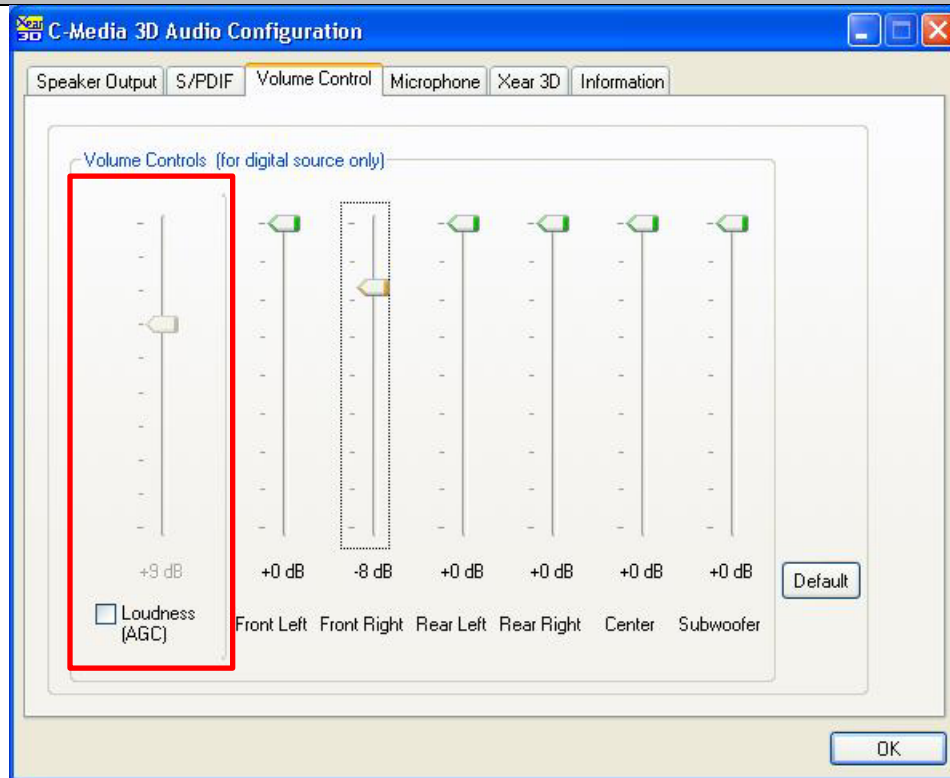


Figure 103 shows that all zones are being controlled, the source is the CD player and the volume is 25%. Any changes made in this configuration will change each zone connected to the system simultaneously.

Alternatively, it would have been obvious to modify Geiwitz to include displaying another one of the volume meters representing an audio volume of a group of players, if there is such a group, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 38[e].

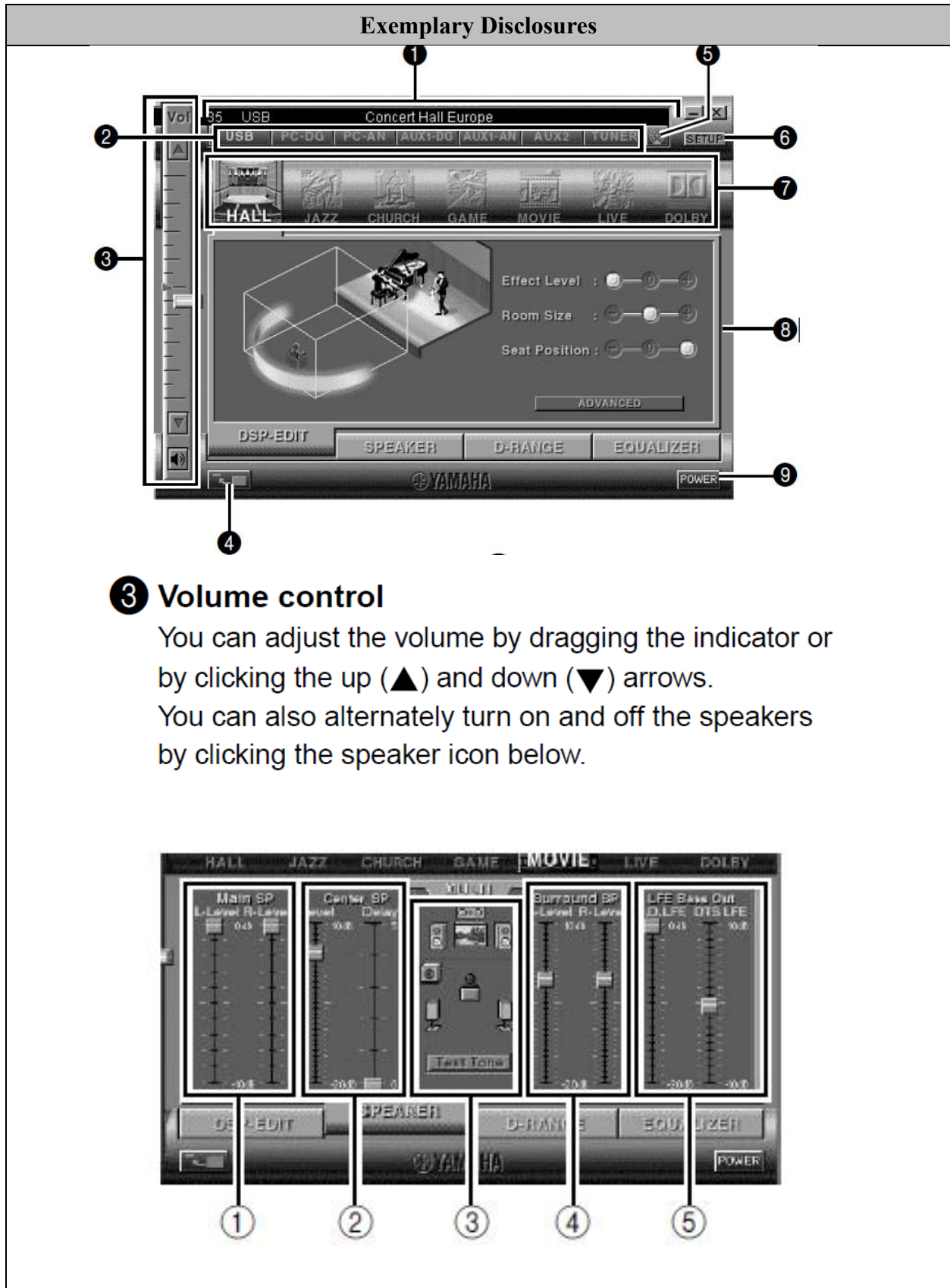
Geiwitz in combination with C-Media Xear renders this limitation obvious. C-Media Xear discloses displaying another one of the volume meters representing an audio volume of a group of players, if there is such a group. *See* C-Media Xear 3D Manual at 23.

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A person of ordinary skill in the art would have found it obvious to use Geiwitz to implement displaying another one of the volume meters representing an audio volume of a group of players, if there is such a group disclosed in C-Media Xear. Further, it would have been obvious to display another one of the volume meters representing an audio volume of a group of players, if there is such a group. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to implement displaying another one of the volume meters representing an audio volume of a group of players, if there is such a group.

Geiwitz in combination with Yamaha Personal Receiver RP U-200 system (“Yamaha”) renders this limitation obvious. Yamaha discloses displaying another one of the volume meters representing an audio volume of a group of players, if there is such a group. See Yamaha Manual at E-21, E-24.



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A person of ordinary skill in the art would have found it obvious to use Geiwitz to implement displaying another one of the volume meters representing an audio volume of a group of players, if there is such a group disclosed in Yamaha. Further, it would have been obvious to display another one of the volume meters representing an audio volume of a group of players, if there is such a group. The motivation for doing so would have been to provide users with an improved listening experience and flexibility, both of which are goals of the Geiwitz. A person of ordinary skill in the art would have had a reasonable expectation of success implementing the combination because it would require nothing more than basic programming logic and hardware to implement displaying another one of the volume meters representing an audio volume of a group of players, if there is such a group.

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

38[f] adjusting one of the volume meters as desired after one of the volume meters from the list is selected, wherein the one of the volume meters is for the group of players, represented by an averaged value of audio volumes of the players in the group, and said adjusting of the one of the volume meters includes changing a volume of each of the group of players synchronously in accordance with an adjustment made by a user:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz at 62:

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Figure 97

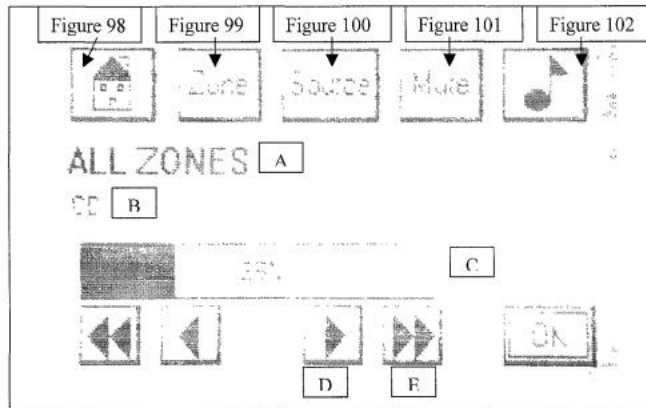


Figure 97 is the main navigational menu for the audio control portion of the system. Figure 97 includes these additional figures:

- Figure 98 – ‘House’ allows the user to select All Zones for immediate control.
- Figure 99 – ‘Zone’ allows the user to select individual zones for control.
- Figure 100 – ‘Source’ allows the user to toggle between the sources connected to the system.
- Figure 101 – ‘Mute’ allows the user to mute the zone or zones being controlled.
- Figure 102 – ‘Music Note’ functions as an On/Off switch for the zone or zones being controlled.

Functional Description:

A.) ‘All Zones’ – References that the touchscreen is controlling all the audio zones in the same fashion and that any command performed will change all zones simultaneously.

B.) ‘CD’ – The current source for all zones.

C.) ‘Volume’ – The current volume for all zones is 25%.

D.) ‘Single Arrow’ – Adjusts the volume in increments of 1%.

E.) ‘Double Arrow’ – Adjusts the volume in increments of 5%.

Geiwitz at 63:

Figure 103

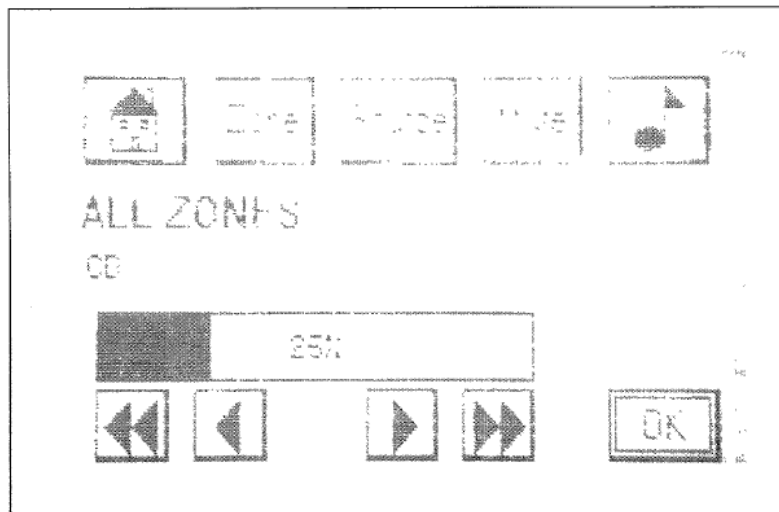


Figure 103 shows that all zones are being controlled, the source is the CD player and the volume is 25%. Any changes made in this configuration will change each zone connected to the system simultaneously.

Exemplary Disclosures

Alternatively, it would have been obvious to modify Geiwitz to include a capability where adjusting one of the volume meters as desired after one of the volume meters from the list is selected, wherein the one of the volume meters is for the group of players, represented by an averaged value of audio volumes of the players in the group, and said adjusting of the one of the volume meters includes changing a volume of each of the group of players synchronously in accordance with an adjustment made by a user, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 38[f].

Geiwitz in combination with C-Media Xear and/or Yamaha renders this this limitation obvious. C-Media Xear and Yamaha discloses an adjustable volume meters, wherein the one of the volume meters is for the group of players, represented by an averaged value of audio volumes of the players in the group. *See* C-Media Xear 3D Manual at 23; Yamaha Manual at E-21, E-24; *see also* claims 38[e] and 38[f].

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

42 The apparatus of claim 38, wherein the processor executing the code in the memory causes the application module and the screen driver to perform operations of maintaining relative volume loudness difference among each of the players in the group:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz at 62:

Exemplary Disclosures

Figure 97

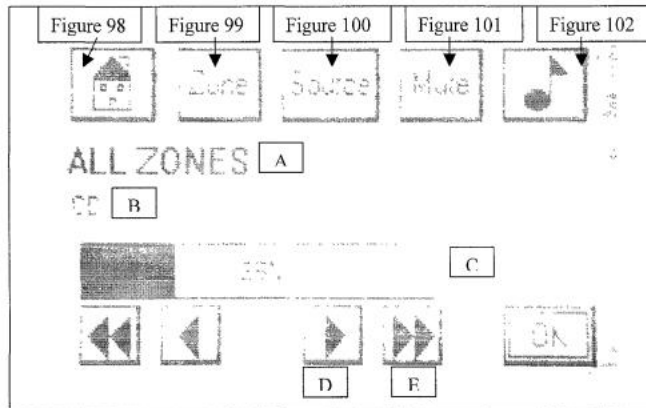


Figure 97 is the main navigational menu for the audio control portion of the system. Figure 97 includes these additional figures:

- Figure 98 – ‘House’ allows the user to select All Zones for immediate control.
- Figure 99 – ‘Zone’ allows the user to select individual zones for control.
- Figure 100 – ‘Source’ allows the user to toggle between the sources connected to the system.
- Figure 101 – ‘Mute’ allows the user to mute the zone or zones being controlled.
- Figure 102 – ‘Music Note’ functions as an On/Off switch for the zone or zones being controlled.

Functional Description:

A.) ‘All Zones’ – References that the touchscreen is controlling all the audio zones in the same fashion and that any command performed will change all zones simultaneously.

B.) ‘CD’ – The current source for all zones.

C.) ‘Volume’ – The current volume for all zones is 25%.

D.) ‘Single Arrow’ – Adjusts the volume in increments of 1%.

E.) ‘Double Arrow’ – Adjusts the volume in increments of 5%.

Geiwitz at 63:

Figure 103

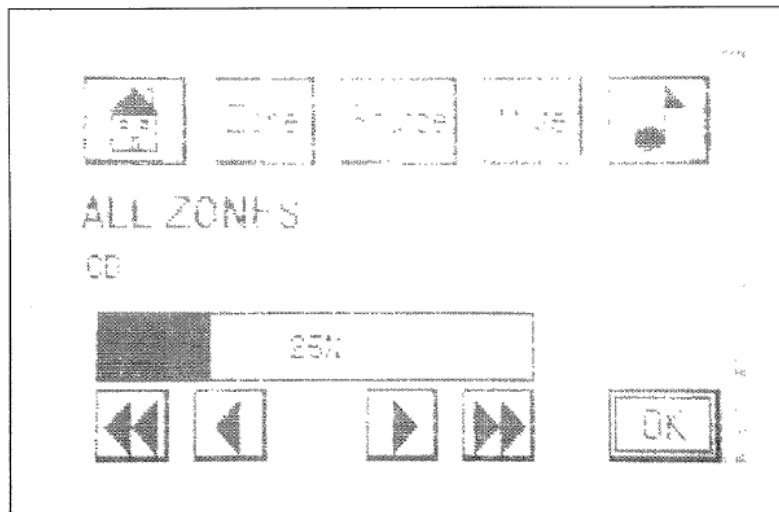


Figure 103 shows that all zones are being controlled, the source is the CD player and the volume is 25%. Any changes made in this configuration will change each zone connected to the system simultaneously.

Exemplary Disclosures

Alternatively, it would have been obvious to modify Geiwitz to include a capability to perform operations of maintaining relative volume loudness difference among each of the players in the group, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 42.

Geiwitz in combination with C-Media Xear and/or Yamaha renders this this limitation obvious. C-Media Xear and Yamaha discloses an adjustable volume meters, wherein the one of the volume meters is for the group of players, represented by an averaged value of audio volumes of the players in the group. *See* C-Media Xear 3D Manual at 23; Yamaha Manual at E-21, E-24; *see also* claims 38[e] and 38[f].

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.

43 The apparatus of claim 38, wherein the one of the volume meters from the list selected is for the group of players, and wherein said adjusting the one of the volume meters includes causing an equal change to a volume of each of the players in the group:

Geiwitz discloses this feature. *See, e.g.*, the following:

Geiwitz at 62:

Exemplary Disclosures

Figure 97

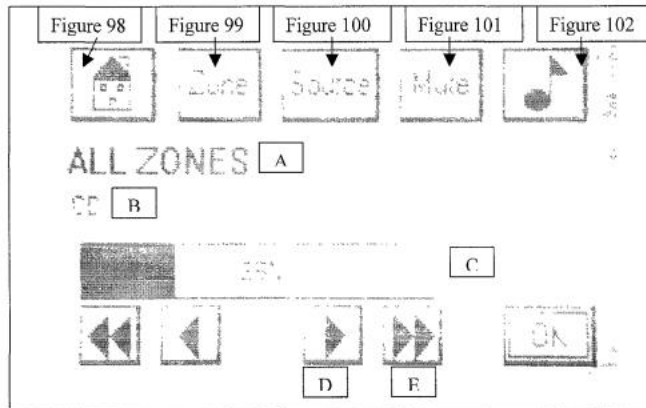


Figure 97 is the main navigational menu for the audio control portion of the system. Figure 97 includes these additional figures:

- Figure 98 – ‘House’ allows the user to select All Zones for immediate control.
- Figure 99 – ‘Zone’ allows the user to select individual zones for control.
- Figure 100 – ‘Source’ allows the user to toggle between the sources connected to the system.
- Figure 101 – ‘Mute’ allows the user to mute the zone or zones being controlled.
- Figure 102 – ‘Music Note’ functions as an On/Off switch for the zone or zones being controlled.

Functional Description:

A.) ‘All Zones’ – References that the touchscreen is controlling all the audio zones in the same fashion and that any command performed will change all zones simultaneously.

B.) ‘CD’ – The current source for all zones.

C.) ‘Volume’ – The current volume for all zones is 25%.

D.) ‘Single Arrow’ – Adjusts the volume in increments of 1%.

E.) ‘Double Arrow’ – Adjusts the volume in increments of 5%.

Geiwitz at 63:

Figure 103

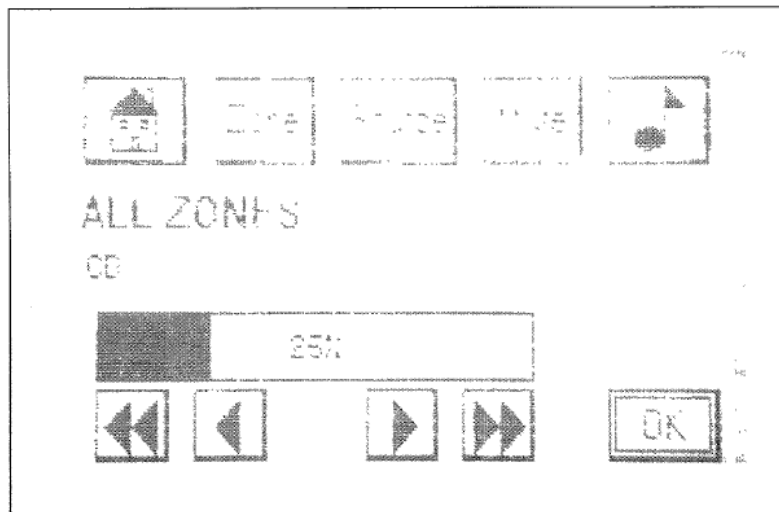


Figure 103 shows that all zones are being controlled, the source is the CD player and the volume is 25%. Any changes made in this configuration will change each zone connected to the system simultaneously.

Exemplary Disclosures

Alternatively, it would have been obvious to modify Geiwitz to include a capability where adjusting the one of the volume meters includes causing an equal change to a volume of each of the players in the group, based on the knowledge of a person of ordinary skill in the art and the teachings of the references disclosed in Exhibit B, claim 43.

Geiwitz in combination with C-Media Xear and/or Yamaha renders this this limitation obvious. C-Media Xear and Yamaha discloses an adjustable volume meters, wherein the one of the volume meters is for the group of players, represented by an averaged value of audio volumes of the players in the group. *See* C-Media Xear 3D Manual at 23; Yamaha Manual at E-21, E-24; *see also* claims 38[e] and 38[f].

To the extent that Geiwitz is found not to disclose this feature, it would have been obvious based on the disclosures of Geiwitz alone or in combination with the disclosures of one or more of the references cited for this limitation in Exhibits 014-01 through 014-06 or Exhibit 014-B for the reasons discussed herein and in Defendant’s cover pleading.