

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner

v.

DYNAMIC MESH NETWORKS, INC.
D/B/A MESH DYNAMICS,
Patent Owner

Inter Partes Review No. IPR2026-00127
U.S. Patent No. 8,477,762

PATENT OWNER'S PRELIMINARY RESPONSE

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PATENT OWNER’S EXHIBIT LIST

Exhibit No.	Description
2001	[Reserved]
2002	Cisco’s Answer to Dynamic Mesh Networks, Inc.’s Complaint for Patent Infringement, <i>Dynamic Mesh Networks, Inc. et al. v. Cisco Systems, Inc.</i> , No. 2:25-cv-00781 (EDTX), Dkt. 29 (September 18, 2025)
2003	Declaration of Mr. Francis daCosta in Support of Patent Owner’s Request for Discretionary Denial
2004	June 22, 2022 Letter to Chief Executive Officer of Cisco Systems, Inc., Charles H. Robbins, from Mr. Francis daCosta, founder of MeshDynamics
2005	August 2009 Presentation entitled “High Level Overview” provided to Cisco Systems, Inc.
2006	[Reserved]
2007	MeshDynamics’ Notice of Readiness, <i>Dynamic Mesh Networks, Inc. et al. v. Cisco Systems, Inc.</i> , No. 2:25-cv-00781 (EDTX), Dkt. 32 (September 19, 2025)
2008	[Reserved]
2009	[Reserved]
2010	[Reserved]
2011	[Reserved]
2012	[Reserved]
2013	MeshDynamics’ Local Rule 3-1 and 3-2 Initial Disclosures, <i>Dynamic Mesh Networks, Inc. et al. v. Cisco Systems, Inc.</i> , No. 2:25-cv-00781 (EDTX) (November 10, 2025)
2014	MeshDynamics’ Local Rule 3-1 and 3-2 Initial Disclosures, <i>Dynamic Mesh Networks, Inc. et al. v. Cisco Systems, Inc.</i> , No.

	2:25-cv-00783 (EDTX) (November 10, 2025)
2015	[Reserved]
2016	Docket Control Order, <i>Dynamic Mesh Networks, Inc. et al. v. Cisco Systems, Inc.</i> , No. 2:25-cv-00781, (EDTX) Dkt. 40 (December 11, 2025)
2017	Email chain between Michael Rhodes, counsel for Cisco, and Elizabeth Bernard, counsel for MeshDynamics, confirming dismissal with prejudice of U.S. Patent No. 11,368,537
2018	Disclaimer of U.S. Patent No. 11,368,537
2019	Stipulation of Voluntary Dismissal as to U.S. Patent No. 11,368,537, <i>Dynamic Mesh Networks, Inc. et al. v. Cisco Systems, Inc.</i> , No. 2:25-cv-00781, (EDTX) Dkt. 45 (December 18, 2025)
2020	Docket, <i>Zophonos Inc. v. Samsung Electronics America, Inc. et al.</i> , Case No. 2-25-cv-00752 (EDTX July 30, 2025)
2021	Docket, <i>Mingoe Consulting LLC v. ASUSTeK Computer, Inc.</i> , Case No. 2-25-cv-00770 (EDTX Aug. 6, 2025)
2022	Order Granting Motion to Dismiss and Terminating Motion to Consider Whether Another Party's Material Should Be Sealed, <i>Cisco Systems, Inc. v. Dynamic Mesh Networks, Inc. d/b/a MeshDynamics et al.</i> , No. 5-25-cv-06441 (NDCA), Dkt. 67 (Jan. 8, 2026)
2023	Director's Discretionary Denial of IPR2025-01304 and IPR2025 01523
2024	Cover Pleading for Cisco's January 5, 2026 Invalidity Contentions in <i>Dynamic Mesh Networks, Inc. et al. v. Cisco Systems, Inc.</i> , No. 2:25-cv-00781
2025	Director's Discretionary Denial of IPR2025-01569
2026	Director's Discretionary Denial of IPR2026-00008

Pursuant to 35 U.S.C. § 314(a) and 37 C.F.R. § 42.107, Dynamic Mesh Networks, Inc. d/b/a MeshDynamics (“MeshDynamics” or “PO”) files this preliminary response setting forth merits and non-discretionary reasons why institution of the Petition for *inter partes* review (“IPR”) of claims 1-10 and 12-21 (the “challenged claims”) of U.S. Patent No. 8,477,762 (“the ’762 patent”), as requested by Petitioner Cisco Systems, Inc. (“Cisco”), should be denied.¹

I. INTRODUCTION

The Petition fails to establish a reasonable likelihood that any of the challenged claims are unpatentable. The Petition alleges that two or three references combined (Saridakis and Wu for claim 1 and Saridakis, Wu and Bauer for claims 1, 10 and 15) render the independent claims obvious. But despite using multiple references, the Petition still fails to demonstrate a reasonable likelihood that the challenged claims are unpatentable.

First, the Petition’s combination of Saridakis and Wu is pure hindsight. Petitioner suggests splitting the SIP functionality of Saridakis’ mobile phones into two devices. Not only does this render Saridakis’ system inoperable for its intended purpose and add a superfluous access point to the system, but it also adds no

¹ Since the discretionary denial brief in this IPR (Paper 8) was filed, another related IPR (IPR2026-00008) was discretionarily denied on February 3, 2026. Ex. 2026.

advantages over the functionality already disclosed in Saridakis.

Second, neither Saridakis or Wu teaches or suggests an isolated cluster of VoIP nodes as required by the independent claims. Both references disclose ad hoc networks that are connected to external cellular networks. While Petitioners add a third reference (Bauer) to address this deficiency, Bauer does not disclose the claimed isolated cluster of VoIP nodes, including the local SIP registry, and that the nodes that are initially isolated as required by at least claims 10 and 15.

Accordingly, Petitioner cannot demonstrate a reasonable likelihood of success that any challenged claim is unpatentable. Thus, this IPR may not be instituted.

II. THE '762 PATENT

A. Self-Forming VoIP Networks

The '762 Patent “relates to Voice communications over data networks and wireless data networks, also known as VoIP (Voice over Internet Protocol) communications.” Ex. 1001, 1:19-21. It relates specifically to “particular architectures that promote continuity of voice communication links when network connections to a central server conventionally required for VoIP communications (a Session Initiation Protocol or ‘SIP’ server) are unexpectedly terminated or not yet established.” *Id.*, 1:21-26.

The '762 Patent explains that in systems of the time, “the SIP registry is located on a centralized server attached to the same network as any VoIP devices.”

Ex. 1001, 1:56-57. If the path to this centralized server is broken, “then the VoIP call is not possible with prior art network architectures.” *Id.*, 1:58-62.

Embodiments of the '762 Patent “eliminate[] the need for a central control apparatus” and “facilitate[] communication in circumstances where a central server is consistently absent.” Ex. 1001, 2:18-19, 2:28-30. This is accomplished because “each node within the cluster of nodes builds its own local SIP registry, thus self-forming a VoIP capable network where only a data network existed previously.” *Id.*, 3:53-56.

Figure 3 (below) illustrates this embodiment.

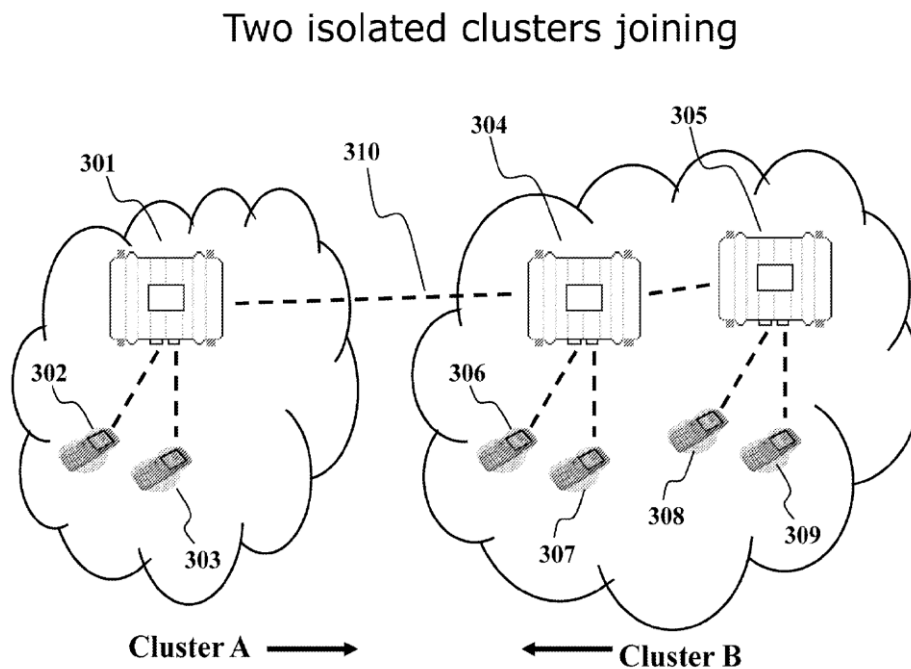


Figure 3

Figure 3 discloses two isolated clusters A and B. Ex. 1001, 8:64-67. “Cluster A contains network node 301 and two VoIP clients 302 and 303 in communication

with the Cluster A node 301.” *Id.*, 8:67-9:2. Node 301 has a “local SIP registry [that] contains information regarding Cluster A node 301 clients 302 and 303.” *Id.*, 9:4-6. Likewise, Cluster B contains nodes 304 and 305 in communication with VoIP clients 306, 307, 308 and 309 and each with its own local SIP registry. *Id.*, 9:7-19. The ’762 Patent explains as follows:

Following the initiation of the Cluster A node 301 local SIP registry, Cluster A node 301 detects a neighboring Cluster B node 304 and establishes a new network connection 310 between Cluster A node 301 and Cluster B node 304. At a time prior to the formation of a new network connection 310, the local SIP registry within node at 301 does not reflect any information regarding the Cluster B VoIP clients, and the local SIP registries in Cluster B nodes 304 and 305 contain no information regarding VoIP clients of Cluster A. However, following the establishment of the new network connection 310 the local SIP registries of Cluster A and Cluster B nodes are updated to reflect the information of all client devices in contact with nodes comprising Cluster A and Cluster B thereby facilitating communications between any of the clients 302, 303, 306, 307, 308, and 309 present in the system.

Id., 9:20-34. Because of this relationship “the integral SIP servers do not operate as proxies of one another” but instead “cooperate with one another as peers, with each peer SIP server containing all necessary functionality.” *Id.*, 9:48-55.

B. The Claims of the '762 Patent

The '762 Patent contains three independent claims (1, 10 and 15). Ex. 1001. Claims 1 and 15 are directed to a VoIP-capable network. Claim 10 is directed to a method of maintaining VoIP capabilities within a network. Claims 2-9 depend from claim 1, claims 11-14 depend from claim 10, and claims 16-22 depend from claim 15. The Petition challenges claims 1-10 and 12-21. Pet., 4. Claims 11 and 22 are not challenged.

Claim 1 is reproduced below:

[1Pre]	A VoIP-capable network comprising:
[1A]	one or more VoIP client devices;
[1B]	two or more VoIP nodes forming an isolated cluster wherein the two or more VoIP nodes in the isolated cluster are in communication with one another;
[1C]	wherein each of the VoIP client devices communicates with at least one VoIP node;
[1D]	wherein each of the VoIP nodes further comprises a local SIP registry built by exchanging SIP information with the remaining VoIP nodes in the isolated cluster; and
[1E]	wherein a first VoIP client device in communication with a first VoIP node establishes a communication with a second VoIP device in communication with a second VoIP node using the local SIP

	registries of the first VoIP node and the second VoIP node.
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Ex. 1001, cl. 1. Claims 10 and 15 are similar, but claim 10 requires updating a local SIP registry to send and receive VoIP packets from a sender isolated node to one or more recipient isolated nodes and claim 15 requires a first isolated node that broadcasts its SIP registry information to other nodes in communication with the first node.

III. EFFECTIVE PRIORITY DATE

Petitioner alleges that the effective priority date of the '762 Patent is the actual filing date, January 12, 2009. Pet., 6. The arguments in this preliminary response do not depend on an earlier filing date as no reference Petitioner relies on, alone or in combination, teaches or suggests the patented invention; thus, for purposes of this preliminary response, Patent Owner does not believe the Director needs to determine an effective priority date other than January 12, 2009. For purposes of this preliminary response, Patent Owner does not dispute Petitioner's "effective priority date" and reserves the right to assert that the patent claims are entitled to an earlier priority date.

IV. LEVEL OF ORDINARY SKILL

Petitioner alleges the following level of ordinary skill:

A Person of Ordinary Skill in the Art ("POSITA"), as of the priority date of January 12, 2009, would have had: (1) a bachelor's degree in

computer science, computer engineering, electrical engineering, or equivalent training, (2) approximately two years of experience working in the field of communications network, and (3) knowledge of Voice over Internet Protocol (VoIP) standards such as RFC 3261 (Session Initiation Protocol (SIP)). EX1002, ¶26.

Pet., 7. For purposes of this preliminary response, Patent Owner does not dispute Petitioner's level of ordinary skill.

V. CLAIM CONSTRUCTION

Petitioner alleges that the terms “means of connecting the isolated cluster to an external network” (Claim 7), “VoIP optimized services” (Claim 9) and “communications means” (Claim 15) require construction. Pet., 7-9. The arguments in this preliminary response do not involve the terms Petitioner alleges require construction; thus, for purposes of this preliminary response, Patent Owner does not believe the Director needs to construe any of these terms for purposes of the Decision on Institution. Patent Owner reserves the right to propose claim terms for construction should this IPR be instituted.

VI. PETITIONER FAILS TO DEMONSTRATE A REASONABLE LIKELIHOOD THAT THE CHALLENGED CLAIMS ARE UNPATENTABLE

The Petition presents three grounds. Ground 1 alleges that claims 1-4 and 8-9 are unpatentable over Saridakis (Ex. 1003) and Wu (Ex. 1004). Ground 2 alleges claims 1-4, 7-10, 12-13, and 15-17 are unpatentable over Saridakis, Wu and Bauer

(Ex. 1005). Ground 3 alleges claims 5, 6, 9, 14, and 18-21 are unpatentable over Saridakis, Wu, Bauer and Kelly (Ex. 1006).

The merits of Petitioner's unpatentability challenge are weak. Each of Petitioner's invalidity grounds require two or three reference obviousness combinations for the challenged independent claims, a tacit admission that none of the prior art discloses all the limitations of any challenged claim. *See* Pet., 4. Further, the proposed combinations are pure hindsight. The grounds of the Petition rely on Petitioner's proposed modification of primary reference Saridakis' system by "replacing [Saridakis' mobile phone] with two components as taught by Wu" to arrive at a hypothetical system that Petitioner argues resembles the system claimed in the '762 Patent. Pet., 16. Saridakis' mobile phone performed all the functionality allegedly performed in the "two components" of Petitioners' hypothetical modified system *Id.* The proposed modification would make the system of Saridakis more complicated, more expensive, and less efficient because it adds an unnecessary device (a separate access point) to perform functionality already performed by Saridakis' mobile phone.

Moreover, Saridakis and Wu do not disclose the central claimed concept of "forming an isolated cluster." Pet., 24-28. Nothing in either reference suggests that they form nodes isolated from the Internet or a central SIP server. While Petitioner tries to remedy this deficiency by adding a third reference (Bauer) in Ground 2,

Bauer does not disclose this concept, including a network that is “initially isolated” as required by independent claims 10 and 15. Pet., 59-61. For those limitations, Petitioner resorts to relying on impermissible general knowledge of a POSITA. *Id.*, 61 (“it would have been obvious to configure the [hypothetical] ad hoc network initially as an isolated cluster...”). *See* www.uspto.gov/sites/default/files/documents/aapa_memo_final_signed.pdf

(“applicant admitted prior art (AAPA), expert testimony, common sense, and other evidence that is not ‘prior art consisting of patents or printed publications’ (collectively, ‘general knowledge’) may not be used to supply a missing claim limitation.”).

At least for these reasons, Petitioner has failed to demonstrate a reasonable likelihood that any of the Asserted Grounds renders the challenged claims obvious.

A. The Saridakis/Wu Combination Is Hindsight

The Petitioner modifies primary reference Saridakis’ system by “replacing a peer device [i.e. a mobile phone] in Saridakis with two components as taught by Wu – i.e., AP and user terminal” to arrive at a hypothetical system that Petitioner argues resembles the system claimed in the ’762 Patent. Pet., 16. However, rather than “replacing a peer device,” Petitioner removes the SIP user agents (UAs 211, 221, 231) present in Saridakis’ mobile phones (210, 220, 230) and places the SIP UAs in newly created Access Points, creating a system that is not disclosed alone or in

combination by either reference. In the resulting hypothetical system, Saridakis' mobile phones are split into two separate devices—user terminals (UTs, or mobile phones) and access points (APs) that collectively perform the same functionality as Saridakis' mobile phones 210, 220 and 230.

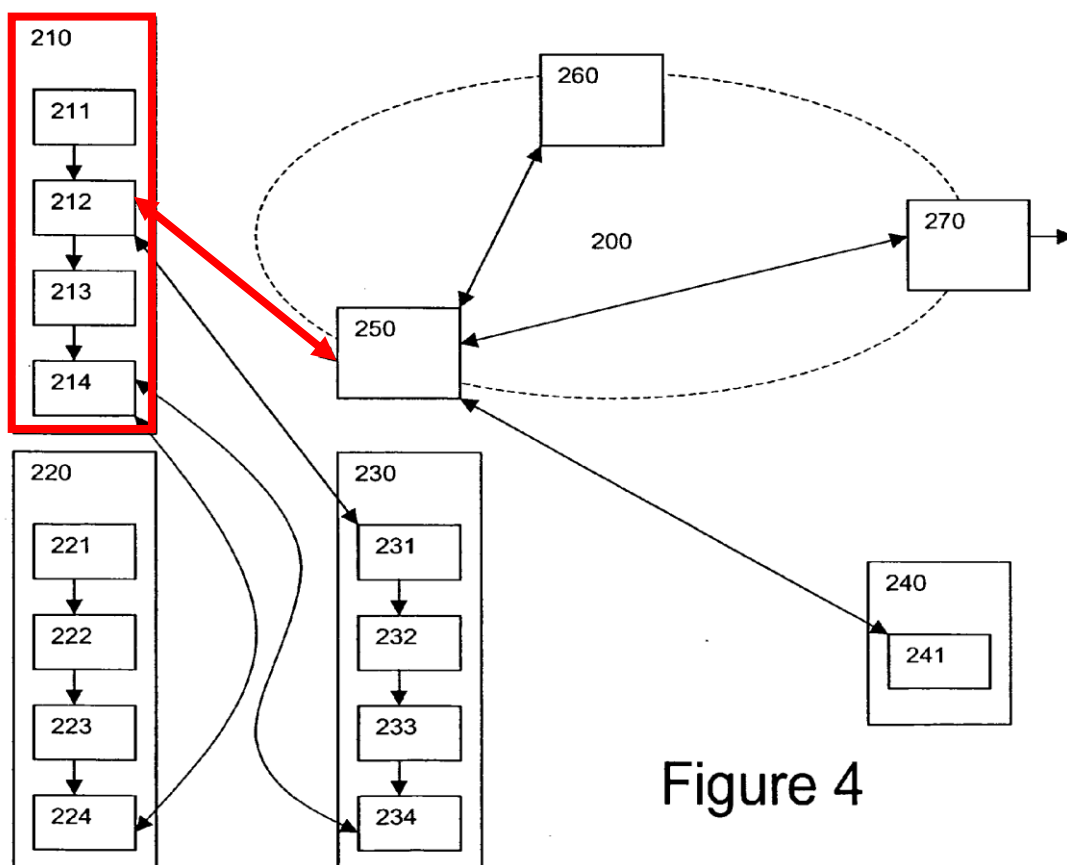
To explain, Saridakis Figure 4 discloses a system where SIP entities (SIP User Agents (UAs), SIP Proxies, local SIP Registrars and SIP distributed user location services (DULS)) are located on each mobile phone. Ex. 1003, [0078] (“Each of the mobile phones 210, 220, and 230 follows the deployment of the SIP entities suggested in this invention. Each has a SIP UA (211, 221, and 231 respectively), a local SIP Proxy (212, 222, and 232 respectively), a local SIP Registrar (213, 223, and 233 respectively) and a DULS instance (214, 224, and 234 respectively).”). There is no need for separate access points (APs) in Saridakis because the mobile phones already act as their own access points.

The Petition's claim mapping illustrates the hindsight nature of the modification. For claim 1's limitation “wherein each of the VoIP client devices [i.e., mobile phones] communicates with at least one VoIP node [i.e., an access point],” Petitioner splits the SIP functionality present in Saridakis' mobile phone between two devices (a mobile phone and a hypothetical access point) and alleges that Saridakis' modified mobile phone (VoIP client devices) would communicate with the hypothetical access point (VoIP nodes) as required by the claim. Pet., 28-29. But

in Saridakis, all the alleged communications are performed on a single device—Saridakis’ mobile phone. The only reason for adding the hypothetical access point to Saridakis is to satisfy the claim by adding a VoIP node for Saridakis’ mobile phone to communicate with.

Petitioner’s rationales for combining further demonstrate the hindsight in the proposed combination. Petitioner argues that “the modification would have enabled an ordinary mobile device with a standard SIP UA—without DULS instance or local registrar—to take advantage of Saridakis’ SIP functionality that operates without a central SIP server.” Pet., 17. But this would not work because “ordinary mobile devices” lacking Saridakis’ distributed SIP entities are not compatible with Saridakis’ ad hoc network. Saridakis discusses that mobile phones that lack the SIP entities of Saridakis’ mobile phones 210, 220 and 230 “cannot be resolved to a network address of the ad hoc network because the mobile phone [] does not have the SIP entities that are prescribed by this invention.” Ex. 1003, [0080]. Moving the SIP functionality from Saridakis’ mobile phones 210, 220 and 230 to a separate access point does not resolve this issue because ordinary mobile phones would still lack the SIP entities necessary to participate in the modified ad hoc network. And the Petition’s hypothetical modified mobile phones would also lack the necessary SIP entities to participate in the ad hoc network, thus rendering the proposed combination unworkable.

Petitioner also alleges “the modification would have allowed multiple mobile devices to share a single AP, thereby reducing the cost and complexity of deploying the ad hoc network.” Pet., 17. But this is no advantage over Saridakis’ system—in Saridakis Fig. 4, mobile phone 210 already acts as a single access point to the central SIP proxy 250:



Mobile phones 220 and 230 both already use mobile phone 210 to access the external network. That is, mobile phone 210 is already acting as “a single AP” for the other mobile phones. Petitioner’s hindsight modification would not only render Saridakis inoperable, but it would also add additional unnecessary hardware to the

network in the form of a duplicative access point. Thus, a POSITA would not combine Saridakis and Wu as Petitioner suggests, and each of the Grounds in the Petition fail to render the challenged claims unpatentable.

B. Saridakis and Wu Do Not Teach Or Suggest “Two Or More VoIP Nodes Forming An Isolated Cluster” (claim 1B)

Independent claim 1 requires “two or more VoIP nodes forming an isolated cluster wherein the two or more VoIP nodes in the isolated cluster are in communication with one another.” Ex. 1001, cl. 1. Ground 1 alleges Saridakis and Wu teach this limitation. Pet., 24-28. This is incorrect. Nothing in either reference suggests that they form clusters of nodes isolated from an external network.

The Petition argues as follows:

Second, Saridakis-Wu teaches that the APs “*form[] an isolated cluster.*” Saridakis-Wu teaches a networked system that includes: (1) a “cellular network 200” with centralized SIP entities 250, 260; and (2) an ad hoc network formed by AP1, AP2, and AP3. EX1003, [0078], Figure 4. Saridakis teaches distributing, in the ad hoc network, the “repositories [which] facilitate[] the joining and leaving of terminals in the network *without the need to locate a central facility for user-location.*” EX1003, [0015]. *See also* EX1003, [0079]. Since the ad hoc network supports SIP operations isolated from the cellular network 200 that provides a central facility, the ad hoc network forms an “*isolated cluster.*” EX1002, ¶84.

Pet., 26 (emphasis added by Petition). The Petition cites only to Saridakis (Ex.

1003) for this limitation, tacitly admitting that Wu does not teach “forming an isolated cluster.”

Saridakis also does not teach “two or more VoIP nodes forming an isolated cluster.” SIP entities 250 and 260 in Saridakis Fig. 4 do not form isolated clusters. Instead, Saridakis discloses they are *part of the cellular network 200*: “The entity 250 is the SIP Proxy on the cellular network that receives all SIP requests sent to mobile phone over the cellular network. The entity 260 is the SIP Registrar residing on the cellular network.” Ex. 1003, ¶ [0078]. Nothing in Saridakis suggests these SIP entities are ever disconnected from the cellular network. *Id.*, ¶¶ [0078], [0079].

Nor does anything in Saridakis indicate mobile phones 210, 220 or 230 in Saridakis Fig. 4 operate in clusters that are isolated from the cellular network. The Petition relies on Saridakis ¶ [0015] which states “the distribution of the repositories facilitates the joining and leaving of terminals in the network without the need to locate a central facility for user-location.” Ex. 1003, ¶ [0015]. This sentence doesn’t indicate nodes (e.g., entities 250, 260 and 270) are forming isolated clusters. Instead, it’s simply stating the fact that terminals (i.e., cell phones) “join[] and leav[e]” cellular networks as they pass through different locations.

Thus, neither Saridakis nor Wu teach or suggest “two or more VoIP nodes forming an isolated cluster” as required by claim 1.

C. Saridakis, Wu And Bauer Do Not Teach Or Suggest “Two Or More VoIP Nodes Forming An Isolated Cluster” (claim 1B) or “Forming A Cluster of Two Or More Initially Isolated Network Nodes” (claim 10A) / “A First Initially Isolated Network Node” (claim 15A)

As discussed *supra*, Petitioner’s lead combination of Saridakis-Wu is pure hindsight. The addition of Bauer, therefore, cannot render the patent claims unpatentable, and each of Petitioner’s Grounds fail. And Petitioner’s addition of Bauer is also pure hindsight. Pet., 50-54. Bauer does not teach or suggest mesh nodes isolated from a centralized SIP server or providing SIP registry information between two nodes. Bauer makes no mention of an “isolated cluster” where each of the nodes exchanges SIP information. There is thus no suggestion that Bauer’s mesh network would be suitable for Petitioner’s Saridakis-Wu combination, which itself does not teach or suggest operating isolated from the cellular network.

Moreover, independent claim 10 requires “forming a cluster of two or more initially isolated network nodes.” Ex. 1001, cl. 10. Independent claim 15 similarly requires “a first initially isolated network node in communication with at least two VoIP clients.” Ex. 1001, cl. 15. In both cases, the claims require the cluster or network node(s) are initially isolated—that is, VoIP network is formed isolated from any external network. *See id.*, Title (“Self-Forming VoIP Network”). None of Saridakis, Wu, and Bauer teach or suggest this limitation.

The Petition does not rely on Saridakis or Wu as teaching or suggesting network nodes that are “initially isolated.” Thus, Petitioner concedes these

references do not teach or suggest an “initially isolated” node. Pet., 60-61, 69-70. Instead, Petitioner adds Bauer in Ground 2 to address this limitation. *Id.*

Bauer also does not teach or suggest network nodes that are “initially isolated.” In support of its position otherwise, Petitioner relies on Bauer at [0005], which states “[n]odes in a mesh network are configured to ... provid[e] the IP services locally in the mesh network when the Internet infrastructure is not accessible.” Pet., 60 (quoting Ex. 1005, ¶[0005]). This passage does not indicate that the nodes are *initially* isolated from the Internet infrastructure. Nor does it indicate that Bauer’s nodes “form[] a cluster of two or more initially isolated network nodes” as required by claim 10. Instead, the passage indicates that IP services are available locally when the Internet infrastructure is unavailable.

The ’762 Patent, on the other hand, discloses embodiments where network clusters form with no connectivity to the Internet or centralized SIP servers. Ex. 1001, 5:19-43. *See also id.*, 2:28-30 (“The instant invention facilitates communication in circumstances where a central server is consistently absent.”). One example scenario where this embodiment is useful is for “a group of first responders arriving on a scene where no backhaul connection is available or has yet to be established.” Ex. 1001, 2:31-36. In such cases, network nodes can still form and allow first responders to communicate without any connectivity to an external network.

The other portions of Bauer Petitioner cites fail to teach or suggest this limitation. Petitioner states “Bauer also contemplates ‘dynamically *switch[ing] back* to using the [Internet entity] when the mesh network reestablishes communication with the Internet infrastructure.’ EX1005, Claim 8.” Pet., 61. This quote indicates that communication with the “Internet infrastructure” is initially established but at some point lost, requiring the mesh network to “reestablish[] communication with the Internet infrastructure.” It does not indicate that the nodes are initially isolated when the mesh network is formed.

Petitioner also cites Bauer [0027] and [0058]. Pet., 61 (citing Ex. 1005, ¶¶ [0005], [0027] and [0058]). Neither paragraph indicates the nodes are initially isolated. Instead, they discuss connecting and reconnecting to the Internet. *Id.* The use of “reconnected” at Bauer [0058] implies that the nodes are initially connected to the Internet and only later disconnected.

Recognizing that Saridakis, Wu and Bauer all fail to teach or suggest network nodes that are initially isolated as required by the claims, Petitioner attempts to rely on general knowledge of a POSITA to fill the limitations, stating:

At a minimum, it would have been obvious to configure the ad hoc network initially as an isolated cluster, and then “dynamically switch” between the modes of operation based on the availability of the external network. Such modification would have been a routine design choice since the initial state of the ad hoc network is immaterial to the

operation of the system in Saridakis-Wu-Bauer Combination. EX1002,
¶155.

Pet., 61. This rationale is not suggested by Bauer, let alone Saridakis or Wu.

Moreover, the paragraph cited from Petitioner’s expert declaration (Ex. 1002, ¶ 155) parrots the Petition without providing support for the Petition’s conclusory statements. *Id.* Such “[e]xpert testimony that does not disclose the underlying facts or data on which the opinion is based is entitled to little or no weight.” 37 C.F.R. § 42.65(a). *See also TikTok Inc. v. NTech Properties, Inc.*, IPR2024-01339, Paper 9 at 16 (PTAB Feb. 25, 2025) (according “little or no weight” to expert testimony that “repeats, almost verbatim, the language in the Petition without any further explanation or supporting reasoning or evidence.”). Thus, Petitioner’s rationale fails because it is unsupported attorney argument.

Further, reliance on this sort of general knowledge to satisfy claim limitations instead of patents or printed publications is prohibited under 37 C.F.R. § 42.104(b)(4) (“The petition must specify where each element of the claim is found in the prior art patents or printed publications relied upon.”). *See* www.uspto.gov/sites/default/files/documents/aapa_memo_final_signed.pdf. (“As a practical matter, enforcement of Rule 104(b)(4) means that applicant admitted prior art (AAPA), expert testimony, common sense, and other evidence that is not ‘prior art consisting of patents or printed publications’ (collectively, ‘general knowledge’)”)

may not be used to supply a missing claim limitation.”). Petitioner’s attempt to use general knowledge to supply the missing claim limitation fails.

Accordingly, Petitioner has not shown a reasonable likelihood that Saridakis, Wu and Bauer teach or suggest all limitations of claims 1, 10 and 15 (and the claims dependent therefrom).

VII. CONCLUSION

For at least the foregoing reasons, Petitioner has failed to demonstrate a reasonable likelihood that any challenged claims are unpatentable. Thus, institution of this *inter partes* review must be denied.

Dated: March 2, 2026

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

Pursuant to 37 C.F.R. § 42.24(d), Patent Owner certifies that this Patent Owner Preliminary Response has 3,970 words as counted by the word-processing system used to prepare this document. This word count complies with the 14,000-word limit under 37 C.F.R. § 42.24(b)(1).

Dated: March 2, 2026

Respectfully Submitted,

By: /s/ Elizabeth Bernard
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Patent Owner Preliminary Response was served electronically via email on March 2, 2026, on the following counsel of record for Petitioner:

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