

Zaxcom PTAB experience (OK bring it on)

Zaxcom is an inventor of wireless microphones and recording equipment for television and Motion picture production. We have won 3 Emmy awards from the Television Academy and 2 Motion Picture academy awards for our inventions and technology.

In 2016 our invention of the Digital Recording wireless microphone was infringed by our competitor Lectrosonics located in New Mexico. We filed suit to protect our inventions and our intellectual property.

Rather than License our technology Lectrosonics chose to use the PTAB to attempt to invalidate our patents so they could then use our technology for free. This is a case of a larger company using the PTAB in a perverted manner to effectively steal from its smaller rival Zaxcom. They thought we did not have the Money or resources to defend our patents. While it has not been easy to fund we are determined to do what it takes to win our case at the PTAB.

We in fact did end up beating the odds of 15% but only came away with a superficial victory as the PTAB amended all of our claims in 3 patents making it impossible to get fair and just compensation for the damage done to us.

I see the problems of the PTAB as numerous.

Our case should never have been allowed to proceed at the PTAB because the case was made up of garbage patents put together in a way that confused and befuddled the judges at the PTAB. The evidence consisted of unrelated art consisting of a patent known as "Strub" that never existed and was written by a patent troll (Interval Research Corp) for the purpose of profiting on possible future technology. Strub was portrayed as a backpack sized device and could not be used as a wireless mic due to its large size. Its inability to even be used in a common sense physical way should have been an instant rejection of the case at the PTAB. Strub also can not even perform the function of the Zaxcom recording wireless mic because it does not allow the key function of recording locally on a body while transmitting the same audio to a separate recorder.

The other case cited is called Wood. It is a system to recover lost audio on a television transmission system. This reference is not in the same field of invention, is not combinable with STRUB and can not ever be body wearable as it requires 1000s of pounds of television station equipment and is a completely different method of performing a completely different function. Wood also is a fantasy reference as it does not exist now and never has. It also is not a US patented invention.

Lastly Zaxcom won an EMMY award and a Motion picture academy award for the innovation of the Zaxcom Recording wireless. This is the Nobel prize of the entertainment industry. The EMMY reads "Presented to Zaxcom for Digital Recording Wireless". A member of the Emmy award committee directly testified in the PTAB proceeding that the award was directly related to the patented invention. Ignoring the obvious link to the invention, the product sold by Zaxcom, the first person witness testimony and the obvious link to the award descriptions the PTAB decided that the award was not relevant because they could not establish a nexus. There are no words I can use here to adequately describe how insane this conclusion is in light of evidence presented that is incontrovertible. My hope is that the appellate court will see the facts on appeal reversing all of the PTABs findings.

I found that the PTAB judges either did not understand the material presented on a technical level or simply wanted to deliver a verdict that gave something to everyone whether it was right or wrong. Effectively cutting the baby in half.

Well I can tell you it was wrong. I have spent a tremendous amount of money to protect my patent. In a proceeding that denied me the proper compensation for my loss and allowed my competitor to walk away almost free from any penalty. We are now appealing all 3 of our IPR cases because my awards have meaning and direct nexus to the patent cases presented at the PTAB and I still believe my patents have value. The PTAB should not be a place where large companies can steal patents from smaller companies that may not have the resources to fund the process. When we win our appeal at the appellate court it would be fair for someone to refund our cost involved with this process as the IPRs should never have been allowed to proceed.

We are the inventors and original owners of the patents granted to us . Companies wanting to steal them should never be allowed to cherry pick patents they do not own and combine them to take the patents from their inventors with the help of the same patent office that granted them. It is not supposed to work this way, is it?

Glenn Sanders
President Zaxcom Inc.