Exhibit F

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,
Petitioner,

v.

DSS TECHNOLOGY MANAGEMENT, INC.,
Patent Owner.

_____

Case IPR2015-00369
Patent 6,128,290

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Before JAMESON LEE, MATTHEW R. CLEMENTS, and
CHARLES J. BOUDREAU, *Administrative Patent Judges*.

BOUDREAU, *Administrative Patent Judge*.

FINAL WRITTEN DECISION
35 U.S.C. § 318(a) and 37 C.F.R. § 42.73

IPR2015-00369
Patent 6,128,290

I. INTRODUCTION

A. Background

Petitioner Apple Inc. ("Apple") filed a Petition (Paper 1, "Pet.") to institute *inter partes* review of claims 1–4 of U.S. Patent No. 6,128,290 to Carvey (Ex. 1001, "the '290 patent"). Patent Owner DSS Technology Management, Inc. ("DSS") filed a Preliminary Response (Paper 8, "Prelim. Resp."). On June 25, 2015, we instituted an *inter partes* review of claims 1–4 on one of two grounds of unpatentability presented in the Petition (Paper 9, "Dec.").

After institution of trial, DSS filed a Patent Owner Response (Paper 17, "PO Resp."), and Apple filed a Reply thereto (Paper 24, "Reply"). An oral hearing was held on March 15, 2016, and a transcript of the hearing is included in the record (Paper 39, "Tr.").

We have jurisdiction under 35 U.S.C. § 6(c). This Final Written Decision is issued pursuant to 35 U.S.C. § 318(a) and 37 C.F.R. § 42.73.

Based on the record before us, and for the reasons that follow, we determine that Apple has demonstrated, by a preponderance of the evidence, that each of claims 1–4 of the '290 patent is unpatentable.

B. Related Matters

The '290 patent has been the subject of two district court actions: *DSS Technology Management, Inc. v. Apple, Inc.*, No. 5:14-cv-05330-LHK (N.D. Cal.), and *DSS Technology Management, Inc. v. Lenovo (United States), Inc.*, No. 6:14-cv-00525-JDL (E.D. Tex.). Pet. 3–4; Paper 4, 2. IPR2015-00373 also involves claims of the '290 patent and was argued together with this proceeding at the March 15, 2016, oral argument.

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C. The Instituted Ground

We instituted a trial as to claims 1–4 of the '290 patent under
35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,241,542 to
Natarajan et al. (Ex. 1003, "Natarajan") and U.S. Patent No. 4,887,266 to
Neve et al. (Ex. 1004, "Neve"). Dec. 13–21.

II. ANALYSIS

A. The '290 Patent

The '290 patent, titled "Personal Data Network," issued October 3,
2000, from U.S. Patent Application No. 08/949,999 (Ex. 1005, 22–62,
"the '999 application"). The '999 application was filed October 14, 1997, as
a continuation-in-part of U.S. Patent Application No. 08/611,695 (Ex. 1006,
21–61, "the '695 application"), filed March 6, 1996, which matured into
U.S. Patent No. 5,699,357 (Ex. 2001, "the '357 patent"). *See* Ex. 1001, 1:6–
8.

The '290 patent relates to a data network for bidirectional wireless
data communications between a host or server microcomputer unit and a
plurality of peripheral units referred to as personal electronic accessories
(PEAs). Ex. 1001, 1:11–14, 2:15–18. Among the objects of the invention is
the provision of a data network that requires extremely low power
consumption, "particularly for the peripheral units," avoids interference
from nearby similar systems, and is relatively simple and inexpensive to
construct. *Id.* at 1:33–34, 1:39–45. Figure 1 of the '290 patent, reproduced
below, is illustrative of the described wireless data network system.

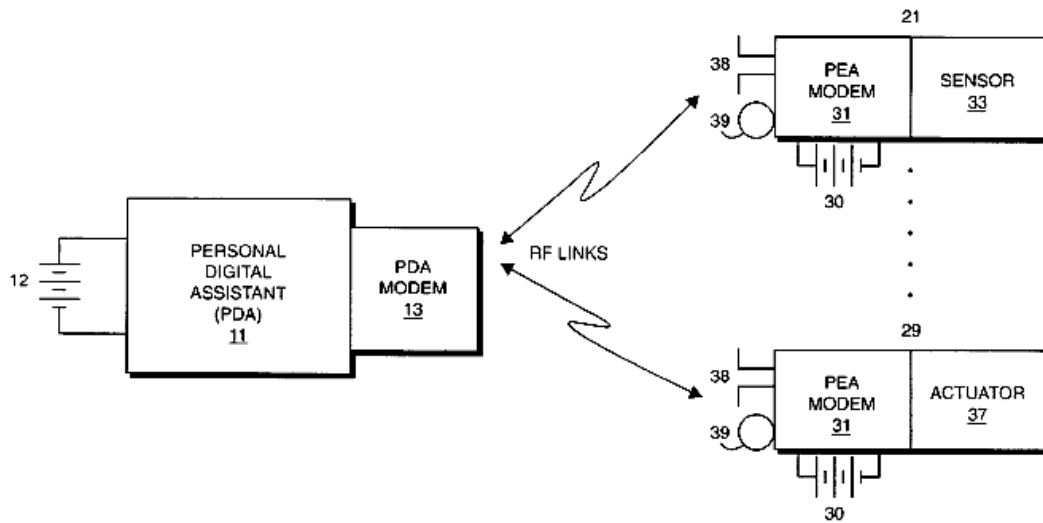IPR2015-00369
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FIG. 1

Figure 1 is a block diagram of a wireless data network system linking a server microcomputer, referred to as personal digital assistant (PDA) 11, with a plurality of peripheral units, or PEAs, 21–29. *Id.* at 2:42–44, 2:66–3:15.

According to the '290 patent, "the server microcomputer unit and the several peripheral units which are to be linked are all in close physical proximity, e.g., within twenty meters, to establish, with very high accuracy, a common time base or synchronization." *Id.* at 1:50–54. "Using the common time base, code sequences are generated which control the operation of the several transmitters in a low duty cycle pulsed mode of operation." *Id.* at 1:57–59. "The server and peripheral unit transmitters are energized in low duty cycle pulses at intervals which are determined by a code sequence which is timed in relation to the synchronizing information initially transmitted from the server microcomputer." *Id.* at 2:35–39. "The low duty cycle pulsed operation both substantially reduces power consumption and facilitates the rejection of interfering signals." *Id.* at 1:59–

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