

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.

Petitioner

v.

PERSONAL WEB TECHNOLOGIES, LLC
and LEVEL 3 COMMUNICATIONS, LLC

Patent Owners

CASE IPR: Unassigned

PETITION FOR *INTER PARTES* REVIEW OF

U.S. PATENT NO. 7,802,310

UNDER 35 U.S.C. §§ 311-319 and 37 C.F.R. §§ 42.1-.80, 42.100-.123

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I. INTRODUCTION

Pursuant to Rules 42.22(a)(1) and 42.104(b)(1)-(2), APPLE INC. (“Apple”) seeks *Inter Partes* Review (“IPR”) and cancellation of claims 24, 32, 70, 81, 82 and 86 of U.S. Patent No. 7,802,310 to Farber *et al.* (“’310 patent”, APL 1001), which is believed to be owned by PersonalWeb Technologies, LLC and Level 3 Communications, LLC (“Patent Owners”).

II. OVERVIEW OF THE CHALLENGE

The challenged claims of the ’310 patent relate generally to the use of content-based identifiers, determined by applying a mathematical function to the contents of a data item, to selectively allow devices in a network to access the data item. But the concept of using a mathematical function to create an identifier for a data item based on its contents item predates the ’310 patent by decades. Indeed, many prior art references specifically disclose and use content-based identifiers to selectively allow access to data items exactly as described and claimed in the ’310 patent.

For the reasons discussed below, the challenged claims of the ’310 patent should never have issued because the prior art cited herein anticipates or rendered them obvious. Accordingly, because Apple is reasonably likely to prevail in showing unpatentability, the Petition should be granted and trial instituted.

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