

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

CONTENTGUARD HOLDINGS, INC.,
Patent Owner

Patent No. 7,774,280

Issued: August 10, 2010

Filed: October 4, 2004

Inventors: Nguyen, *et al.*

Title: System and Method for Managing Transfer of Rights Using Shared State
Variables

Inter Partes Review No. IPR2015-00352

PETITION FOR INTER PARTES REVIEW

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Attachment A. Proof of Service of the Petition

Attachment B. List of Evidence and Exhibits Relied Upon in Petition

I. Compliance with Requirements of an *Inter Partes* Review Petition

A. Certification the '280 Patent May Be Contested by Petitioner

Petitioner certifies that U.S. Patent No. 7,774,280 (Ex. 1001) (the '280 patent) is available for *inter partes* review. Petitioner also certifies it is not barred or estopped from requesting *inter partes* review of the claims of the '280 patent. Neither Petitioner, nor any party in privity with Petitioner, has filed a civil action challenging the validity of any claim of the '280 patent. The '280 patent has not been the subject of a prior *inter partes* review by Petitioner or a privy of Petitioner.

Petitioner certifies this petition for *inter partes* review is timely filed. Specifically, this petition is filed within one year of December 23, 2013, which is the date Apple was served with a complaint for patent infringement of the '280 patent in civil action No. 2:2013cv01112. That action is now pending in the Eastern District of Texas. Because the date of this petition is less than one year from December 23, 2013, this petition complies with 35 U.S.C. § 315(b).

B. Fee for *Inter Partes* Review (§ 42.15(a))

The Director is authorized to charge the fee specified by 37 CFR § 42.15(a) to Deposit Account No. 50-1597.

C. Mandatory Notices (37 CFR § 42.8(b))

1. Real Party in Interest (§ 42.8(b)(1))

The real party of interest of this petition pursuant to § 42.8(b)(1) is Apple Inc. ("Apple") located at One Infinite Loop, Cupertino, CA 95014.

2. Other Proceedings (§ 42.8(b)(2))

In addition to the action pending in the Eastern District of Texas, the '280 patent is the subject of three other petitions for *inter partes* review filed by Petitioner; namely, IPR2015-00351, 353, 354. A related patent (U.S. 8,001,053) is subject to four petitions for *inter partes* review filed by Petitioner; namely, IPR2015-00355, 356, 357, and 358.

3. Lead and Backup Lead Counsel (§ 42.8(b)(3))

<u>Lead Counsel</u>	<u>Backup Lead Counsel</u>
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4. Service Information (§ 42.8(b)(4))

Service on Petitioner may be made by e-mail (iprnotices@sidley.com), mail or hand delivery to: Sidley Austin LLP, 1501 K Street, N.W., Washington, D.C. 20005. The fax number for lead and backup lead counsel is (202) 736-8711.

D. Proof of Service (§§ 42.6(e) and 42.105(a))

Proof of service of this petition is provided in **Attachment A**.

II. Identification of Claims Being Challenged (§ 42.104(b))

Claims 1-5, 8, 11-16, 19, 22, 24-28, 31 and 34 of the '280 patent are unpatentable for at least the reason that they are obvious under 35 U.S.C. § 103

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