Paper No. 1

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. IPR2015-00354

PETITION FOR INTER PARTES REVIEW

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

A. Certification that the Patent May Be Contested via *Inter Partes* Review by the 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. 2:13-cv-01112. 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 in this petition pursuant to § 42.8(b)(1) is Apple

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