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PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

COMARCO WIRELESS TECHNOLOGIES, INC.,
Patent Owner.

Case No. IPR2015-01879
U.S. Patent No. 8,492,933

**PRELIMINARY RESPONSE OF PATENT OWNER,
COMARCO WIRELESS TECHNOLOGIES, INC.**

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INTRODUCTION

For many years, patentee Comarco Wireless Technologies, Inc. ("Comarco") designed and commissioned the manufacture of power supplies and related components. It sold these products directly to consumers under its own Charge Source brand as well as to retailers of consumer electronic products under their private label brands (e.g., Lenovo, Targus, Best Buy, Dell). Comarco pioneered the development of power supplies, cables, and connector adapters. It has obtained 48 patents covering inventions in the field, including the patent in issue, U.S. Patent No. 8,492,933 (the "'933 patent").

Obviousness, like anticipation, requires a showing "that all claimed limitations are disclosed in the prior art." *Par Pharm., Inc. v. TWI Pharms., Inc.*, 773 F.3d 1186, 1194 (Fed. Cir. 2014). That settled principal frames Comarco's opposition to Petitioner's request for *inter partes* review of claims 1 and 2 of the '933 patent.

Claim limitation 1E of the '933 patent requires an output connector for a cable that transfers DC power from an AC/DC or DC/DC power adapter to an electronic device with:

circuitry to receive a data request from the electronic device and in response transmit a data output to the electronic device to identify the power supply equipment to the electronic device.

None of the combinations of references on which Petitioner relies render the requirements of limitation 1E obvious, as we demonstrate below. The Petition should be denied, accordingly.

I. The Claims Are Not Obvious in View of Allen and the Knowledge of a Person of Ordinary Skill in the Art

The core of Petitioner's argument that Allen in combination with the knowledge of a person with ordinary skill foreshadows limitation 1E is that the power state machine 60 in Allen's electronic device sends a data request by "ping[ing]" a power identification signal in the adapter 12 and receives a response by "polling the identification chip of the adapter 12." Petitioner's Brief ("PB") at 21; Apple 1003 at 5:60-6:3. That interpretation of Allen is utterly wrong.

In fact, as shown below, Allen discloses that the power state machine merely receives and senses the presence of a power identification signal that was transmitted by either an AC or DC identification circuit within Allen's adapter *to* the power state machine in the electronic device. The power state machine does not send a data request to the adapter and the adapter does not contain circuitry that responds to a data request.

As depicted in Figure 4 of Allen, the adapter 12 contains a power detection circuit 74, an AC identification circuit 77, and a DC identification circuit 78.

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