

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of Conley:

U.S. Pat. No. 7,818,490

Issued: October 19, 2010

Title: PARTIAL BLOCK DATA
PROGRAMMING AND READING
OPERATIONS IN A NON-VOLATILE
MEMORY

Petition for *Inter Partes* Review

Attorney Docket No.:
337722-70.490c

Customer No.: 26379

Petitioner: Apple Inc.
Real Party-in-Interest: Apple Inc.

PETITION FOR *INTER PARTES* REVIEW

Mail Stop Patent Board
Patent Trial and Appeal Board
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the provisions of 35 U.S.C. §§ 311-319, Apple Inc. (hereinafter “Petitioner”) hereby petitions the Patent Trial and Appeal Board to institute an *inter partes* review of claims 73-92 of United States Patent No. 7,818,490 (“the ‘490 patent”)

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EXHIBITS

- Ex. 1201 U.S. Patent No. 7,818,490 to Conley (“the ’490 patent”)
- Ex. 1202 Prosecution File History for U.S. Patent No. 7,818,490
- Ex. 1203 Declaration of Dr. Vivek Subramanian
- Ex. 1204 CV for Dr. Vivek Subramanian
- Ex. 1205 U.S. Patent No. 5,822,781 to Wells (“Wells”)
- Ex. 1206 U.S. Patent No. 5,457,658 to Nijima (“Nijima”)
- Ex. 1208 Flash Memories, edited by Cappelletti, et al (1999)
 (“Cappelletti”)
- Ex. 1209 PC Card Standard, Volumes 1 and 3 (1999) (“PC Card
 Standard”)
- Ex. 1210 PCT WO 99/35650 (“Hazen”)
- Ex. 1211 Designing With Flash Memory, Brian Dipert and Markus
 Levy (1994) (“Dipert”)

I. Mandatory Notices

A. Real Party-in-Interest

Pursuant to 37 C.F.R. § 42.8(b)(1), the real party-in-interest is Apple Inc.

B. Related Matters

Petitioner states that Longitude Flash Memory Systems S.A.R.L. (“Patent Owner”) is asserting the ’490 patent against the real party-in-interest in a suit filed September 23, 2014, *Longitude Licensing Ltd. v. Apple Inc.*, Case No. 3:14-cv-4275, pending in the USDC for N.D. Cal. (“Related Litigation”). Petitioner has filed, or soon will file, IPR petitions for U.S. Patent Nos. 6,510,488; 6,763,424 (the “’424 patent”); 6,831,865; 6,968,421; 7,012,835; 7,120,729; 7,224,607; 7,181,611; 7,657,702 (the “’702 patent”); 7,970,987; 8,050,095; and 8,316,177. Petitioner also is concurrently filing two other petitions for the ’490 patent for claims other than the ones at issue in this petition.

The ’424 patent, which is the parent of the ’490 patent, was the subject of previous litigation and the following opinions in which one or more claim terms found in both patents were construed: (1) *SanDisk Corp. v. Kingston Tech. Co.*, 695 F.3d 1348 (Fed. Cir. 2012); (2) *In the Matter of Certain Flash Memory Controllers*, USITC, Inv. No. 337-TA-619, Order No. 33, July 15, 2008 (Bullock, ALJ); and (3) *In the Matter of Certain Flash Memory Controllers*, USITC, Inv. No. 337-TA-619, Commission Opinion, November 24, 2009. The ’702 patent,

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