

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Apple Inc.,
Petitioner

v.

OpenTV, Inc.,
Patent Owner.

Case No. _____

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 6,148,081 CHALLENGING CLAIMS 1-3, 23 AND 24
UNDER 35 U.S.C. § 312, 37 C.F.R. § 42.104**

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LIST OF EXHIBITS

Exhibit No.	Description
1001	U.S. Patent No. 6,148,081
1002	Prosecution File History of U.S. Patent No. 6,148,081
1003	Declaration of Richard Kramer
1004	Curriculum Vitae of Richard Kramer
1005	European Patent Application No. EP 0752786 (“Rohatgi ’786”)
1006	U.S. Patent No. 5,768,539 (“Metz ’539”)
1007	U.S. Patent No. 5,978,484 (“Apperson ’484”)
1008	U.S. Patent No. 5,625,693 (“Rohatgi ’693”)
1009	The American Heritage Dictionary (3d Ed. 1994) (excerpt)
1010	<i>OpenTV, Inc. v. Apple Inc.</i> , No. 5:15-CV-02008-EJD, Dkt. No. 72 (N.D. Cal. Jan. 28, 2016).

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.100, *et seq.*, Apple Inc. (“Petitioner” or “Apple”) hereby petitions the United States Patent and Trademark Office (the “Office”) to institute an *inter partes* review of claims 1-3 and 23-24 of U.S. Patent No. 6,148,081 (“the ’081 Patent”). The ’081 Patent, attached as Ex. 1001, is assigned to OpenTV, Inc. (“Patent Owner”). The ’081 Patent relates to a method and system “for restricting or controlling the access rights of interactive television applications and carousels.” Ex. 1001 at Abstract. As set forth below, claims 1-3 and 23-24 of the ’081 Patent are anticipated and rendered obvious by the prior art. This petition presents two non-cumulative grounds of invalidity. These grounds are each reasonably likely to prevail, and this petition, accordingly, should be granted on all grounds.

II. GROUNDS FOR STANDING, MANDATORY NOTICES, AND FEE AUTHORIZATION

A. Grounds for Standing and Real Party-in-Interest

Petitioner certifies that the real party-in-interest is Apple Inc., and that the ’081 Patent is available for *inter partes* review and that Petitioner is not barred or estopped from requesting an *inter partes* review challenging the patent claims on the grounds identified in this petition.

B. Related Matters

Patent Owner has asserted the ’081 Patent against Petitioner in *OpenTV*,

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