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. 7,055,169 CHALLENGING CLAIMS 1–2, 12, AND 22–23 UNDER 35 U.S.C. § 312, 37 C.F.R. § 42.104

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LIST OF EXHIBITS

Exhibit No.	Description
1101	U.S. Patent No. 7,055,169
1102	Prosecution File History of U.S. Patent No. 7,055,169
1103	U.S. Provisional Application No. 60/373,883
1104	Declaration of Dr. Stephen Melvin
1105	Curriculum Vitae of Dr. Stephen Melvin
1106	U.S. Patent No. 6,141,018 ("Beri")
1107	U.S. Patent No. 7,120,871 ("Harrington")
1108	Tom Armstrong, Designing and Using ActiveX Controls (1st ed. 1997) ("Armstrong") [Part 1]
1109	Tom Armstrong, Designing and Using ActiveX Controls (1st ed. 1997) ("Armstrong") [Part 2]
1110	Table of disputed claim constructions from *OpenTV, Inc. v. Apple, Inc.*, No. 15-2008 (C.D. Cal. Feb. 12, 2016), Dkt. 74-1.
1111	*American Heritage College Dictionary* (3d ed. 1993)
1112	*New Shorter Oxford English Dictionary* (1993)
1113	Joint Claim Construction and Prehearing Statement from *OpenTV, Inc. v. Apple, Inc.*, No. 15-2008 (C.D. Cal. Feb. 12, 2016), Dkt. 74
1114	Plaintiffs' Opening Claim Construction Brief from *OpenTV, Inc. v. Apple, Inc.*, No. 15-2008 (C.D. Cal. Mar. 29, 2016), Dkt. 81
1115	*Random House Webster's College Dictionary* 1305 (2000)
1116	Library of Congress catalog entry for Armstrong

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I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.100, *et seq*., Apple Inc. ("Petitioner") hereby petitions the United States Patent and Trademark Office (the "Office") to institute an *inter partes* review of Claims 1–2, 12, and 22–23 (the "Challenged Claims") of U.S. Patent No. 7,055,169 ("the '169 Patent"). The '169 Patent is assigned to OpenTV, Inc. ("Patent Owner"). The '169 Patent claims methods and systems for administrating interactive television services. *See* Ex. 1101 at Claims 1, 22, & 23. The Challenged Claims of the '169 Patent are rendered obvious by the prior art. For each Challenged Claim, this Petition presents two non-cumulative grounds of invalidity based on references that were not considered by the Office during prosecution of the application that issued as the '169 Patent. Petitioner asserts that both grounds of invalidity for each claim are each reasonably likely to prevail, and this Petition should be granted on all grounds.

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

Grounds for Standing: Petitioner certifies that the '169 Patent is available for *inter partes* review and that Petitioner is not barred or estopped from requesting an *inter partes* review challenging the Claims on the grounds identified in this Petition.

Real Party-In-Interest: Apple, Inc.

Notice of Related Matters: Patent Owner has asserted the '169 Patent against

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