UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
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APPLE INC.
Petitioner,

v.

CELLULAR COMMUNICATIONS EQUIPMENT LLC,

Patent Owner

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IPR2016-01493
Patent 8,457,676 B2

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PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE

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I.   INTRODUCTION

Patent Owner's Response is predicated upon the premise that the challenged claims of the '676 Patent are applicable only to the LTE standard. This premise is false, as established by the claim language and the specification, and confirmed by Patent Owner's expert during cross-examination. The Response is also permeated by an incorrect understanding of obviousness—one that requires the motivation to combine elements to be the same motivation as the asserted patent. The Federal Circuit has held that that there is no such requirement.

Additionally, when addressing individual claim elements, Patent Owner attacks the prior art references individually and ignores their combined teachings and explicit disclosures. For example, Patent Owner alleges that Fong's teachings are limited to one particular wireless standard and could not be combined with other references directed to different standards, while ignoring Fong's explicit disclosure that its teachings are applicable to other wireless communication standards and protocols.

The arguments raised by Patent Owner are without merit, and the challenged claims should be found unpatentable.

II.   CLAIM CONSTRUCTION

There is no material dispute on claim construction.

Petitioner agrees with the Board in the Decision to Institute that no further construction of the "processor" terms is necessary.

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