IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: James J. Fallon, et al.
U.S. Patent No.:   8,880,862   Attorney Docket No.: 39521-0025IP3
Issue Date: November 4, 2014
Appl. Serial No.:   13/118,122
Filing Date: May 27, 2011
Title: SYSTEMS AND METHODS FOR ACCELERATED LOADING OF OPERATING SYSTEMS AND APPLICATION PROGRAMS

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PETITION FOR _INTER PARTES_ REVIEW OF UNITED STATES PATENT NO. 8,880,862 PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42

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APPLE-1003	Declaration of Dr. Charlie Neuhauser ("Dec.")
APPLE-1004	Curriculum Vitae of Dr. Charlie Neuhauser
APPLE-1005	(RESERVED)
APPLE-1006	U.S. Patent No. 6,374,353 ("Settsu")
APPLE-1007	Burrows et al., "On-line Data Compression in a Log-structured File System" (1992) ("Burrows")
APPLE-1008	U.S. Patent No. 6,145,069 ("Dye")
APPLE-1009	U.S. Patent No. 7,190,284 ("Dye '284")
APPLE-1010	U.S. Patent No. 6,317,818 ("Zwiegincew")
APPLE-1011	Jeff Prosise, DOS 6 – The Ultimate Software Bundle?, PC MAGAZINE, Apr. 13, 1993 ("Prosise")
APPLE-1012	Excerpts from John L. Hennessey & David A. Patterson, Computer Architecture a Quantitative Approach (1st ed. 1990) ("Hennessey")
APPLE-1013	U.S. Patent No. 6,158,000 ("Collins")
APPLE-1014	File, Microsoft Press Computer Dictionary (3d ed. 1997)
APPLE-1015	Excerpts from Tom Shanley & Don Anderson, PCI System Architecture (4th ed. 1999) ("Shanley")

APPLE-1016   Jacob Ziv & Abraham Lempel, <u>A Universal Algorithm for Sequential Data Compression</u>, IT-23 No. 3 IEEE TRANSACTIONS ON INFORMATION THEORY 337 (1977)("Ziv")

APPLE-1017   James A. Storer & Thomas G. Szymanski, <u>Data Compression via Textual Substitution</u>, 19 No. 4 JOURNAL OF THE ASSOCIATION FOR COMPUTING MACHINERY (1982)("Storer")

APPLE-1018   <u>Program File</u>, <u>Microsoft Press Computer Dictionary</u> (3d ed. 1997)

APPLE-1019   <u>Direct Memory Access</u>, <u>Microsoft Press Computer Dictionary</u> (3d ed. 1997)

APPLE-1020   <u>RAM</u> and <u>RAM Cache</u>, <u>Microsoft Press Computer Dictionary</u> (3d ed. 1997)

APPLE-1021   <u>Decoder</u>, <u>Microsoft Press Computer Dictionary</u> (3d ed. 1997)

APPLE-1022   (RESERVED)

APPLE-1023   Excerpts from Kyle Loudon, <u>Mastering Algorithms with C</u> (1999) ("Loudon")

APPLE-1024   Excerpts from Michael Barr, <u>Programming Embedded Systems in C and C++</u> (1999)("Barr")

APPLE-1025   Excerpts from Eric Pearce, <u>Windows NT in a Nutshell</u> (1999)("Pearce")

APPLE-1026   Excerpts from Tim O'Reilly, Troy Mott, and Walter Glenn, <u>Windows 98 in a Nutshell</u> (1999)("O'Reilly")

APPLE-1027   (RESERVED)

Apple Inc. petitions for *inter partes* review ("IPR") of claims 5, 35-46, 97, 98, and 112 ("the Challenged Claims") of U.S. 8,880,862 ("'862 Patent"). IPR should be instituted, as a reasonable likelihood exists that Apple will prevail in proving the Challenged Claims unpatentable.

I. MANDATORY NOTICES UNDER 37 C.F.R § 42.8

A. Real Party-In-Interest

Apple Inc. is the real party-in-interest.

B. Related Matters

Apple is not aware of any disclaimers, certificates, or petitions for IPR for the '862 Patent. The '862 Patent has been the subject of two civil actions in the Eastern District of Texas, captioned as Civil Action Nos. 4-14-cv-00827 and 6:15-cv-0085, and one civil action in the Northern District of California, captioned as Civil Action No. 3-16-cv-02595 (currently pending). Apple previously filed two petitions for IPR of related patents in IPR control nos. IPR2016-01365 and IPR2016-01366. Apple is concurrently filing two additional petitions against the '862 Patent, each challenging different claims than challenged in this petition.

C. Lead And Back-Up Counsel

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