

Filed on behalf of Apple Inc.

By: Lori A. Gordon
Sterne, Kessler, Goldstein & Fox PLLC
1100 New York Avenue, NW
Washington, D.C.
Tel: (202) 371-2600
Fax: (202) 371-2540

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 6,470,399**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

TABLE OF CONTENTS

I. Mandatory notices (37 C.F.R. § 42.8(a)(1)).....2

II. Grounds for standing (37 C.F.R. § 42.104(a)).3

III. Identification of challenge (37 C.F.R. § 42.104(b)).....4

 A. Citation of prior art.....4

 B. Statutory grounds for the challenge.5

IV. The '399 patent.5

 A. Overview of the '399 patent.....5

 B. Level of ordinary skill in the art.....8

 C. Claim construction.9

V. Ground 1: The combination of Kawaguchi and Schmidt renders claims 1, 3, 5, 11, and 14 obvious.....12

 A. Overview of Kawaguchi and Schmidt.12

 B. The combination of Kawaguchi and Schmidt renders claims 1, 11, and 14 obvious.17

 1. The combination discloses the preamble of independent claims 1, 11, and 14.17

 a) The combination discloses an interface device and a method “*for communication between a host device, ... and a data transmit/receive device*” [1P.1]/[11P.1].18

 b) The combination discloses the host device limitations of the preamble.....20

 c) The combination discloses the data transmit/receive device limitations of the preamble.22

 2. The combination discloses the architectural elements of the interface device.....22

 a) The combination discloses that the interface devices comprise “*a processor*” and “*a memory.*”24

 b) The combination discloses the “*first connecting device*” limitations.....24

 c) The combination teaches or suggests the “*second connecting device*” limitations.....26

*Petition for Inter Partes Review of
U.S. Patent No. 6,470,399*

3.	The combination discloses the recognition limitations of the independent claims.	29
a)	The combination discloses the inquiry and response elements of the recognition limitations.....	31
b)	The combination teaches or suggests “ <i>whereupon the host device communicates with the interface device by means of the [driver].</i> ”	37
4.	The combination discloses the transfer limitations of the independent claims.	38
a)	Data Request Command.	39
b)	Second Command Interpreter.	41
C.	The combination renders claim 3 obvious.	45
D.	The combination renders claim 5 obvious.	46
VI.	Ground 2: The combination of Murata and Schmidt renders claims 1, 3, 5, 11, and 14 obvious.....	48
A.	Overview of Murata.	48
B.	The combination of Murata and Schmidt renders claim 1, 11, and 14 obvious.	50
1.	The combination discloses the preamble of independent claims 1, 11, and 14.	50
a)	The combination discloses an interface device and a method “ <i>for communication between a host device, ... and a data transmit/receive device.</i> ”	50
b)	The combination discloses the host device limitations of the preamble.....	52
c)	The combination discloses the data transmit/receive device limitations of the preamble.	53
2.	The combination discloses the architectural elements of the interface device.....	54
a)	The combination discloses that the interface devices comprises “ <i>a processor</i> ” and “ <i>a memory.</i> ”	54
b)	The combination discloses the “ <i>first connecting device</i> ” limitations.....	54

*Petition for Inter Partes Review of
U.S. Patent No. 6,470,399*

c)	The combination teaches or suggests the “ <i>second connecting device</i> ” limitations.....	56
3.	The combination discloses the recognition limitations of the independent claims.	58
a)	The combination discloses the inquiry and response elements of the recognition limitations.....	58
b)	The combination teaches or suggests “ <i>whereupon the host device communicates with the interface device by means of the [driver].</i> ”	63
4.	The combination discloses the transfer limitations of the independent claims.	64
a)	Data Request Command.	65
b)	Second Command Interpreter.	68
C.	The combination renders claim 3 obvious.	69
D.	The combination renders claim 5 obvious.	70
VII.	The proposed grounds are not redundant.	72
VIII.	Conclusion.	72

TABLE OF AUTHORITIES

Cases:

In re Cuozzo Speed Techs., LLC,
778 F.3d 1271 (Fed. Cir. 2015).....9

In re Papst Licensing Digital Camera Patent Litigation,
778 F.3d 1255 (Fed. Cir. 2015).....9

In re Translogic Tech., Inc.,
504 F.3d 1249 (Fed. Cir. 2007).....9

Phillips v. AWH Corp.,
415 F.3d 1303 (Fed. Cir. 2005).....9, 12

York Prod. Inc. v. Central Tractor Farm & Family Center,
99 F.3d 1568 (Fed. Cir. 1996).....45

Statutes:

35 U.S.C. § 102(a)4
35 U.S.C. § 102(b)4
35 U.S.C. § 102(e)4
35 U.S.C. § 112.....9, 45

Regulations:

37 C.F.R. § 42.82, 3
37 C.F.R. § 42.1009
37 C.F.R. § 42.104.....3, 4

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.