UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC. Petitioner,

v.

PAPST LICENSING GMBH & CO. KG Patent Owner

> Case IPR2016-01863 Patent 8,504,746

PETITIONER'S REPLY TO THE PATENT OWNER RESPONSE

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



TABLE OF CONTENTS

I.	Introduction			
II.	Claim Construction		2	
	A.	The <i>Phillips</i> claim construction standard applies	2	
	B.	"data transmit/receive device"	2	
III.	Response to Patent Owner's Arguments			
	A.	The applied combination teaches or suggests "the processed and digitized analog data is stored in a file system of the data storage memory as at least one file of digitized analog data."	3	
	В.	The applied combination teaches or suggests "automatically causes at least one parameter indicative of the class of devices" and "automatically sending at least one parameter to the multi-purpose interface of the host device, the at least one parameter identifying the analog data acquisition device."	10	
	C.	The applied combination teaches or suggest that "no requirement for any user-loaded file transfer enabling software" and "without requiring any user-loaded file transfer enabling software."	18	
IV.	Patent Owner does not raise arguments specific to the dependent claims2		23	
V.	Patent Owner's belief of unconstitutionality is not a request for relief23			
VI.	Conc	Conclusion2		



TABLE OF AUTHORITIES

Cases:

In re CBS-Sys. Int'l, 832 F.3d 1335 (Fed. Cir. 2016)	2
<i>In re Fulton</i> , 391 F.3d 1195 (Fed. Cir. 2004)	8
<i>In re Mouttet</i> , 686 F.3d 1322 (Fed. Cir. 2012)	5
Phillips v. AWH Corp., 415 F.3d 1303 (Fed. Cir. 2005)	2, 3
Vivid Techs., Inc. v. Am. Sci. & Eng'g, Inc., 200 F.3d 795 (Fed. Cir. 1999)	2-3



EXHIBIT LIST

Exhibit	Description
1001	U.S. Patent 8,504,746 to Tasler
1002	Excerpts of File History of U.S. Patent 8,504,746 to Tasler
1003	Declaration of Dr. Erez Zadok in Support of Petition for <i>Inter Partes</i>
	Review of U.S. Patent No. 8,504,746
1004	Curriculum Vitae of Dr. Erez Zadok
1005–1006	Intentionally Left Blank
1007	The SCSI Bus and IDE Interface Protocols, Applications and
	Programming, by Schmidt, First Edition, Addison-Wesley, 1995
1008	Intentionally Left Blank
1009	U.S. Patent No. 4,727,512 to Birkner
1010	U.S. Patent No. 4,792,896 to Maclean
1011	International Publication Number WO 92/21224 to Jorgensen
1012	Small Computer System Interface-2 (SCSI-2), ANSI X3.131-1994,
	American National Standard for Information Systems (ANSI).
1013	Operating System Concepts, by Silberschatz et al., Fourth Edition.
1014	Microsoft Computer Dictionary, Third Edition, Microsoft Press, 1997.
1015	Intentionally Left Blank
1015	In re Papst Licensing Digital Camera Patent Litigation, 778 F.3d
1010	1255 (Fed. Cir. 2015).
1017–1018	Intentionally Left Blank
1019	Webster's Encyclopedic Unabridged Dictionary of the English
	Language, Random House, 1996.
1020	Papst Licensing GmbH & Co., KG v. Apple Inc., Case No. 6-15-cv-
	01095 (E.D. Tex.), Complaint filed November 30, 2015
1021–1023	Intentionally Left Blank
1024	Declaration of Scott Bennett
1025–1030	Intentionally Left Blank
1031	Plug-and-Play SCSI Specification, Version 1.0, dated March 30,
	1994 ("PNP SCSI")
1032–1040	Intentionally Left Blank
1041	Pucci, M., "Configurable Data Manipulation in an Attached
	Multiprocessor," 1991



Exhibit	Description
1042	U.S. Patent No. 4,790,003 to Kepley et al., titled "Message Service
	System Network"
1043	Intentionally Left Blank
1044	U.S. Patent No. 5,353,374 to Wilson et al., titled "Low Bit Rate
	Voice Transmission for Use in a Noisy Environment"
1045	U.S. Patent No. 4,065,644 to Shinosky, Jr., titled "Electro-Optical
	and Electronic Switching Systems"
1046–1051	Intentionally Left Blank
1052	Declaration of Michele Nelson, USENIX
1053	Intentionally left blank
1054	Declaration of Dr. Erez Zadok in Support of Reply ("Zadok II")
1055	October 10, 2017 Deposition Transcript of Thomas Gafford
	("Gafford I")
1056	October 11, 2017 Deposition Transcript of Thomas Gafford
	("Gafford II")



DOCKET

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.

