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 IPR2017-00158 Patent 8,504,746

PATENT OWNER PAPST LICENSING GMBH & CO., KG'S PRELIMINARY RESPONSE UNDER 37 C.F.R. § 42.107

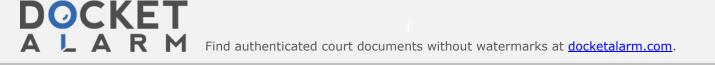


TABLE OF CONTENTS

I.	STATEMENT OF MATERIAL FACTS IN DISPUTE1		
II.	INTRODUCTION		
	А.	STATEMENT OF RELIEF REQUESTED1	
	B.	OVERVIEW OF THE '746 PATENT2	
	C.	LEVEL OF ORDINARY SKILL IN THE ART5	
	D.	CLAIM CONSTRUCTION	
	Е.	SUMMARY OF PATENT OWNER'S ARGUMENTS10	
III.	THE PETITION FAILS TO MEET THE REQUIREMENTS FOR INSTITUTING AN <i>INTER PARTES</i> REVIEW13		
	А.	THE BOARD SHOULD NOT INSTITUTE TRIAL BASED ON THE PETITION'S REDUNDANT GROUNDS	
	В.	THE BOARD SHOULD NOT INSTITUTE TRIAL BASED ON THE PETITION'S CONCLUSORY OBVIOUSNESS COMBINATIONS	
	C.	THE BOARD SHOULD NOT INSTITUTE TRIAL BECAUSE OUSLEY AND STEGER ARE NOT PRIOR ART	
IV.	. CONCLUSION		

EXHIBIT LIST

<u>Currently Filed – Patent Owner</u>

Ex. No.	Description
2001	Declaration of Dr. Kenneth Fernald
2002	Defendants' Responsive Claim Construction Brief in Papst
	Licensing GmbH & Co., KG v. Apple, Inc. (6:15-CV-01095-RWS)
2003	U.S. Application No. 11/928,283, filed October 30, 2007

<u>Previously Filed – Petitioner</u>

Ex. No.	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 Inter Partes
	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.
1014-1015	Intentionally Left Blank
1016	In re Papst Licensing Digital Camera Patent Litigation, 778 F.3d
	1255 (Fed. Cir. 2015).
1017-1018	Intentionally Left Blank
1019	Webster's Encyclopedic Unabridged Dictionary of the English

DOCKET ALARM Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

	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	Discrete-Time Signal Processing, by Oppenheim et al., First Edition,
	Prentice-Hall, 1989
1026-1030	Intentionally Left Blank
1031	Plug-and-Play SCSI Specification, Version 1.0, dated March 30, 1994
	("PNP SCSI")
1032-1057	Intentionally Left Blank
1058	U.S. Patent No. 7,184,922 to Ousley et al.
1059-1060	Intentionally Left Blank
1061	Abandoned U.S. Application No. 11/078,778, filed March 11, 2005
1062	Axelson, Jan, "USB Complete – Everything You Need to Develop
	Custom USB Peripherals," 2nd Edition, Madison, WI: Lakeview
	Research LLC, 2001.
1063	Universal Serial Bus Specification, Revision 2.0, April 27, 2000
1064	Intentionally Left Blank
1065	U.S. Patent No. 7,542,867 to Steger et al.
1066	U.S. Patent No. 6,377,617 to Nara
1067	U.S. Patent Application No. 11/928,283, filed October 30, 2007
1068	Preliminary Amendment filed in U.S. Pat. Appl. No. 11/928,283,
	February 9, 2009
1069	U.S. Provisional Patent Application No. 60/312,254, filed August 14,
	2001
1070	U.S. Patent No. 7,149,093 to Conway
1071	Microsoft Computer Dictionary, Third Edition, Microsoft Press, 1997.
1072	McGraw-Hill Dictionary of Scientific and Technical Terms, Fifth
	Edition, McGraw-Hill, 1994

I. STATEMENT OF MATERIAL FACTS IN DISPUTE

Petitioner Apple, Inc. ("Petitioner") did not submit a statement of material facts in its Petition for *inter partes* review. Paper 2 (Petition). Accordingly, no response to a statement of material facts is due pursuant to 37 C.F.R. § 42.23(a), and no facts are admitted.

II. INTRODUCTION

Patent Owner Papst Licensing GMBH & Co., KG ("Patent Owner") respectfully submits this Patent Owner Preliminary Response under 35 U.S.C. § 313 and 37 C.F.R. § 42.107(a). It is being timely filed on or before February 10, 2017 pursuant to 37 C.F.R. § 42.107(b).

"The Director may not authorize an inter partes review to be instituted unless the Director determines that the information presented in the petition filed under section 311 and any response filed under section 313 shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition." 35 U.S.C. § 314(a). Here, institution should be denied because Petitioner has failed to establish that there is a reasonable likelihood that it will prevail on its propositions of unpatentability.

A. STATEMENT OF RELIEF REQUESTED

Pursuant to 35 U.S.C. § 314(a), Patent Owner respectfully requests that the Board deny institution of a trial with respect to all claims of the '746 Patent.

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