Filed: June 16, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC.
Petitioner

v.

BLACKBERRY LTD.
Patent Owner

Case No. IPR2017-01620
Patent No. 8,489,868

PETITION FOR INTER PARTES REVIEW OF U.S. PATENT NO. 8,489,868



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Cuozzo Speed Techs., LLC v. Lee, 136 S. Ct. 2131 (2016)	9
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In re Man Mach. Interface Techs. LLC, 822 F.3d 1282 (Fed. Cir. 2016)	13
Poly-America, L.P. v. API Indus., Inc., 839 F.3d 1131 (Fed. Cir. 2016)	8
Randall Mfg. v. Rea, 733 F.3d 1355 (Fed. Cir. 2013)	3
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#### LIST OF EXHIBITS

- Ex. 1001 U.S. Patent No. 8,489,868
- Ex. 1002 Declaration of Patrick D. McDaniel, Ph.D.
- Ex. 1003 Curriculum Vitae of Patrick D. McDaniel, Ph.D.
- Ex. 1004 Prosecution History of U.S. Patent No. 8,489,868
- Ex. 1005 U.S. Provisional Application No. 60/270,663
- Ex. 1006 U.S. Provisional Application No. 60/235,354
- Ex. 1007 U.S. Provisional Application No. 60/234,152
- Ex. 1008 The Authoritative Dictionary of IEEE Standards Terms, IEEE Std. 100-2000 (7th ed. 2000)
- Ex. 1009 Bruce Schneier, "Applied Cryptography" (2nd ed. 1996)
- Ex. 1010 BlackBerry's First Amended Complaint, *BlackBerry LTD. v. Blu Products, Inc.*, Case No. 1:16-cv-23535 (S.D. Fla.)
- Ex. 1011 U.S. Patent No. 6,766,353 ("Lin")
- Ex. 1012 U.S. Patent No. 6,188,995 ("Garst")
- Ex. 1013 U.S. Patent No. 5,844,986 ("Davis")
- Ex. 1014 U.S. Patent No. 5,724,425 ("Chang")
- Ex. 1015 U.S. Patent No. 7,243,236 ("Sibert")
- Ex. 1016 Li Gong, "Inside Java 2 Platform Security Architecture: Cryptography, APIs, and Implementation" (1999) ("Gong")
- Ex. 1017 U.S. Patent No. 6,131,166 ("Wong-Insley")
- Ex. 1018 U.S. Patent No. 5,657,378 ("Haddock")
- Ex. 1019 U.S. Provisional Patent Application No. 60/146,426



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