

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: David Champlin, et al.
U.S. Patent No.: 7,844,037 Attorney Docket No.: 39521-0050IP1
Issue Date: November 30, 2010
Appl. Serial No.: 11/200,511
Filing Date: August 8, 2005
Title: METHOD AND DEVICE FOR ENABLING MESSAGE
RESPONSES TO INCOMING PHONE CALLS

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**PETITION FOR *INTER PARTES* REVIEW OF UNITED STATES PATENT
NO. 7,844,037 PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42**

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EXHIBITS

APPLE-1001	U.S. Patent No. 7,844,037 to Champlin, et al. (“the ’037 patent”)
APPLE-1002	Excerpts from the Prosecution History of the ’037 patent (“the Prosecution History”)
APPLE-1003	Declaration of Dr. Narayan Mandayam
APPLE-1004	U.S. Patent No. 6,301,338 to Mäkelä (“Mäkelä”)
APPLE-1005	U.S. Pub. No. 20040203794 to Brown (“Brown”)
APPLE-1006	U.S. Pub. No. 20030104827 to Moran (“Moran”)
APPLE-1007	U.S. Pub. No. 20040203956 to Tsampalis (“Tsampalis”)
APPLE-1008	U.S. Patent No. 6,456,696 to Fargano (“Fargano”)
APPLE-1009	U.S. Patent No. 6,996,217 to Goldman (“Goldman”)
APPLE-1010	U.S. Pub. No. 20020065065 to Lunsford (“Lunsford”)
APPLE-1011	U.S. Patent No. 7,468,934 to Janik (“Janik”)
APPLE-1012	U.S. Patent No. 6,868,272 to Berkowitz (“Berkowitz”)
APPLE-1013	U.S. Pub. No. 20070133775 to Winkler (“Winkler”)
APPLE-1014	U.S. Patent No. 6,483,899 to Agraharam (“Agraharam”)

Apple Inc. (“Petitioner” or “Apple”) petitions for *Inter Partes* Review (“IPR”) under 35 U.S.C. §§ 311–319 and 37 C.F.R. § 42 of claims 1-14, and 16-25 (“the Challenged Claims”) of U.S. Patent No. 7,844,037 (“the ’037 patent”). As explained in this petition, there exists a reasonable likelihood that Apple will prevail with respect to at least one of the Challenged Claims.

The Challenged Claims are unpatentable based on teachings set forth in at least the references presented in this petition. Apple respectfully submits that an IPR should be instituted, and that the Challenged Claims should be canceled as unpatentable.

I. SUMMARY OF THE ’037 PATENT

A. Brief Description

Generally, the ’037 patent purportedly provides a method for enabling message responses to incoming phone calls. APPLE-1001, Abstract. In particular, the patent describes that “[i]n response to receiving [an] incoming call, [a] computing device” (e.g., a mobile phone) “may identify or determine a message identifier of the other computing device” that is attempting to initiate the call. *Id.* This “message identifier is determined based at least in part on data provided with the incoming communication.” *Id.* The ’037 patent describes that the “computing device may programmatically address a message to the other computing device using the message identifier determined from the incoming communication.” *Id.*

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