

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner

v.

COREPHOTONICS, LTD.,
Patent Owner

Case IPR2019-00030
Patent 9,857,568

**PATENT OWNER'S PRELIMINARY RESPONSE
TO PETITION FOR *INTER PARTES* REVIEW**

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Patent Owner's Exhibit List for IPR2019-00030

Pursuant to 37 C.F.R. § 42.63(e), Patent Owner Corephotonics Ltd., hereby submits its exhibit list associated with the above-captioned *inter partes* review of U.S. Patent No. 9,857,568.

Exhibit No.	Description
2001	U.S. Patent Publication No. 2011/0249346 A1 "Tang"
2002	U.S. Patent Publication No. 2011/0279910 A1 "Tang"
2003	U.S. Patent Publication No. 2011/0261470 A1 "Chen"

I. Introduction

At this stage of the proceedings, the Petition fails on at least one threshold issue: The Petition fails to demonstrate that Ogino alone discloses the “total track length” (“TTL”) limitations of Claim 1 of the ’568 patent. And, the second ground combining Ogino with Beich does not further address these limitations. The Petition as a whole, therefore, fails to demonstrate a reasonable likelihood of prevailing. Institution should be denied.

The Petition’s central defect is its incorrect construction of the claim term “total track length (TTL).” The Petition defines TTL in reference to the distance from the first lens element to the “image plane.” This directly contradicts the ’568 patent’s definition of TTL. The correct construction is found in the plain text of the specification: “the total track length on an optical axis between the object-side surface of the first lens element and **the electronic sensor** is marked ‘TTL.’” Ex. 1001 at 2:2-4 (emphasis added).

Applying this correct construction of “TTL,” the Petition fails to explain how Ogino discloses either that the “TTL is less than 6.5 mm” or that the “ratio of TTL/EFL is less than 1.0.” Instead, the Petition misleadingly cites to Ogino’s disclosures about “total lens length (TL)” — a different term for which Ogino provides an express definition that differs from “TTL.” The Petition, in turn, relies on disclosures in Ogino that say nothing about the distance between the first lens

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