UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC. Petitioner

v.

IXI IP, LLC Patent Owner

Case IPR2019-00124 Patent 7,039,033 B2

PATENT OWNER IXI IP, LLC'S PRELIMINARY RESPONSE TO APPLE, INC.'S PETITION FOR *INTER PARTES* REVIEW OF UNITED STATES PATENT NO. 7,039,033 PURSUANT TO 35 U.S.C. § 313, 37 C.F.R. § 42.107



TABLE OF CONTENTS

		<u>Page</u>				
I.	INTI	INTRODUCTION				
II.	THE PETITION IS TIME BARRED UNDER 35 U.S.C. § 315(b)7					
	A.	The Office Lacks Jurisdiction Because The Petition Was Filed Over Three Years After The § 315(b) Bar Expired				
	B.	Issuance Of A Reexamination Certificate Does Not Nullify The One Year Filing Limitation Under 35 U.S.C. § 315(b)9				
		1. The Federal Circuit Has Held that New Claims In Reexamination Do Not Create A New Patent Under § 315(b).10				
		2. The Director Agrees That Reexamination Does Not Reset §315(b)				
		3. The Board Also Agrees That Reexamination Does Not Reset §315(b)				
	C.	Apple's Arguments That The New Claims Are "Substantively Different" Contradicts Its Prior Statements That They Are Not15				
	D.	Subsection 315(b) Would Preclude Institution Even Under <i>Chevron</i>				
	E.	The Law Governing Reissued Patents And Infringement Damages Does Not Govern Reexamined Patents Under § 315(b)20				
	F.	Apple's Joinder Request Cannot Nullify The § 315(b) Time Bar23				
III.	BEC	PETITION SHOULD ALSO BE DENIED UNDER § 325(d) AUSE SUBSTANTIALLY SIMILAR ARGUMENTS AND RENCES WERE JUST CONSIDERED BY THE OFFICE				
	A.	The Central Reexamination Unit Recently Analyzed Substantially The Same Arguments And Subject Matter				
	В.	The § 325(d) Factors Collectively Support Denial Of Institution30				



	1.	Factors 1-3: (1) the similarity of the asserted art and the prior art involved during the examination; (2) the extent to which the asserted art was considered during examination, including whether the prior art was the basis for rejection; & (3) the cumulative nature of the asserted art and the prior art considered during examination
	2.	Factor 4: the extent to which the arguments made during examination and the manner in which Petitioner relies on the prior art or the applicant's arguments during examination overlap
	3.	Factor 5: whether Petitioner has pointed out sufficiently how the Examiner erred in its consideration of the asserted prior art
	4.	Factor 6: the extent to which additional evidence and facts presented in the Petition warrant reconsideration of the asserted prior art
	5.	Additional Factor: the burden on the patent owner
IV.	CONCLUS	ION45



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	Page(s)
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Abbott Labs. v. United States, 573 F.3d 1327 (Fed. Cir. 2009)	14
Aspex Eyewear, Inc. v. Marchon Eyewear, Inc., 672 F.3d 1335 (Fed. Cir. 2012)	10, 15, 21, 22
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Chevron, U.S.A., Inc. v. NRDC, Inc., 467 U.S. 837 (1984)	3, 18
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Senju Pharm. Co. v. Apotex Inc., 746 F.3d 1344 (Fed. Cir. 2014)	10, 15, 19, 20
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VirnetX Inc. v. Mangrove Partners, No. 17-1383 (Fed. Cir.)	25
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35 U.S.C. § 252	22
35 U.S.C. § 302	41
35 U.S.C. § 305	41
35 U.S.C. § 307	41
35 U.S.C. § 307(b)	22
35 U.S.C. § 315(b)	passim
35 U.S.C. § 325(d)	passim



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Becton, Dickinson & Co. v. B. Braun Melsungen AG, IPR2017- 01586, Paper 8 (PTAB Dec. 15, 2017)32
Biodelivery SI v. MonoSol Rx, IPR2013-00315, Paper 31 (PTAB Nov. 13, 2013)14
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Proppant Express Investments, LLC v. Oren Techs., LLC, IPR2018-00914, Paper 21 (PTAB Nov. 8, 2018)25
Proppant Express Investments, LLC v. Oren Techs., LLC, IPR2018-00914, Paper 24 (PTAB POP Dec. 3, 2018) (per curiam)



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