

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent of: Robert J. Davies  
U.S. Patent No.: 6,993,049 Attorney Docket No.: 39521-0056IP1  
Issue Date: January 31, 2006  
Appl. Serial No.: 09/876,514  
Filing Date: June 7, 2001  
Title: COMMUNICATION SYSTEM

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**PETITION FOR *INTER PARTES* REVIEW OF UNITED STATES PATENT  
NO. 6,993,049 PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42**

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**EXHIBITS**

APPLE-1001	U.S. Patent No. 6,993,049 to Davies (“’049 Patent”)
APPLE-1002	Prosecution History of the ’049 Patent (“the Prosecution History”)
APPLE-1003	Declaration of Dr. Charles Knutson
APPLE-1004	Curriculum Vitae of Dr. Charles Knutson
APPLE-1005	U.S. Patent No. 6,704,293 (“Larsson”)
APPLE-1006	IrDA Object Exchange Protocol (“IrOBEX”)
APPLE-1007	Prosecution History of the 7,587,207 Patent (“207 Prosecution History”)
APPLE-1008	Second Declaration of Dr. Charles Knutson
APPLE-1009	U.S. Patent No. 7,587,207 (“Davies” or the “’207 Patent”)
APPLE-1010	U.S. Patent No. 6,570,857 (“Haartsen”)
APPLE-1011	U.S. Patent No. 6,480,505 (“Johansson”)
APPLE-1012	Specification of the Bluetooth System: Wireless connections made easy, Profiles, Vol. 2, Bluetooth, Dec. 1, 1999 (“BT Profiles”)
APPLE-1013	The New Shorter Oxford English Dictionary on Historical Principles, Vol. 1, Clarendon Press, 1993 (“Oxford Dictionary”)
APPLE-1014	Specification of the Bluetooth System: Wireless connections made easy, Core, Vol. 1, Bluetooth, Dec. 1, 1999 (“BT Core”)

- APPLE-1015 U.S. Patent No. 6,683,886 (“Tuijn”)
- APPLE-1016 Internet Archive Capture of <http://www.bluetooth.com:80/developer/specification/specification.asp> from March 1, 2000
- APPLE-1017 Internet Archive Capture of <http://www.bluetooth.com:80/developer/specification/core.asp> from March 1, 2000
- APPLE-1018 Internet Archive Capture of <http://www.bluetooth.com:80/developer/specification/order.asp> from March 1, 2000
- APPLE-1019 Internet Archive Capture of <http://www.bluetooth.com:80/news/archive/archive.asp> from March 4, 2000

Apple Inc. (“**Petitioner**”) petitions for *Inter Partes* Review (“**IPR**”) of claims 11 and 12 (“the Challenged Claims”) of U.S. Patent No. 6,993,049 (“**’049 Patent**”). As explained in this petition, there exists a reasonable likelihood that Petitioner 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. REQUIREMENTS FOR IPR UNDER 37 C.F.R. § 42.104**

**A. Grounds for Standing Under 37 C.F.R. § 42.104(a)**

Petitioner certifies that the ’049 Patent is available for IPR, and that Petitioner is not barred or estopped from requesting IPR of the Challenged Claims on the grounds identified in this petition. Petitioner was first served with a complaint of infringement of the ’049 patent less than one year prior to the filing of this Petition.

**B. Challenge Under 37 C.F.R. § 42.104(b) and Relief Requested**

Petitioner requests IPR of the Challenged Claims based on the following grounds:

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