

Apple Inc.
v.
Uniloc 2017 LLC

IPR2019-00251 (Patent 6,993,049)

Patent Owner's Demonstrative Exhibits

**Before SALLY C. MEDLEY, JEFFREY S. SMITH, and
GARTH D. BAER, *Administrative Patent Judges***

April 23, 2020

Overview

- **BT Core is not shown to be prior art**
- **IrOBEX is not shown to be prior art**
- **Petitioner's belated evidence should be given no weight**
- **Claim construction: "additional data field," "broadcasting," "inquiry message[s]"**
- **Claim 11: "adding to an inquiry message prior to transmission an additional data field for polling at least one secondary station"**
- **IrOBEX is not shown to disclose "the method comprising the primary station broadcasting a series of inquiry messages"**

BT Core is not shown to be prior art

- Nothing in the Petition itself, its attached declarations, or in the unexplained citations, establishes that BT Core was publicly accessible before June 26, 2000.
- All Petitioner is left with is asserting the date appearing on the face of the BT Core document for the truth of the matter asserted—i.e., inadmissible hearsay.

BT Core is not shown to be prior art

- First, Petitioner here “relies on ‘Wayback Machine’ screenshots to show what may have been posted in [March of 2000], but the screenshots do not show the [BT Core document], but only a hyperlink.” IPR2015-01835, Paper 56 at 20; *see also* Exs. 1016–1019.
- Second, “[i]f a user attempts to access the hyperlink” allegedly linking to BT Core itself, “the Wayback Machine displays an error message” only. *Id.* This “makes it impossible to test the veracity of [Petitioner’s] assertion that the [BT Core document] marked as Ex. 1014 actually appeared at this link.” *Id.*
- Third, the Petition fails to establish that BT Core was obtained through any hyperlink of Exhibits 1016-1019.
- Finally, the Petition also fails to provide the actual source for BT Core (Ex. 1014).

DEMONSTRATIVE – NOT EVIDENCE

IrOBEX is not shown to be prior art

- The Petition offers the conclusory statement that “the IrOBEX protocol was published on a website, www.irda.org, maintained by the Infrared Data Association and available to the general public through the website.” Pet. 2.
- As alleged support, Petitioner cites, without explanation, to Dr. Knutson’s declaration. *Id.* (citing Ex. 1008 at ¶¶ 2–11, 14–20).

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