UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.

Petitioner

v.

UNILOC 2017 LLC

Patent Owner

IPR2019-00702

PATENT 7,969,925

PATENT OWNER RESPONSE TO PETITION

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2. Petitioner fails to explain why the Board should find there is no claimed relationship between the timing of any of the steps in these independent claims vis-à-vis any step recited in a respective dependent claim 9

B. Petitioner's assertion of RFC793 relies upon an incorrect claim construction and fails to cure conceded deficiencies of the primary references for the limitations directed to "opening a listening software port . . ." (Grounds 1–6, all challenged claims) 11

1. Petitioner expressly relies solely an alleged "opening" that is not specific to a "target mobile device" 12

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I. INTRODUCTION

Uniloc 2017 LLC ("Uniloc" or "Patent Owner") submits this Response to Petition IPR2019-00702 for *Inter Partes* Review ("Pet." or "Petition") of United States Patent No. 7,969,925 ("the '925 patent" or "EX1001") filed by Apple, Inc. ("Petitioner"). The instant Petition is procedurally and substantively defective.

II. THE '925 PATENT

The '925 patent is titled "Peer-to-peer mobile data transfer method and device." The '925 patent issued June 28, 2011, from U.S. Patent Application No. 12/832,576 filed January July 8, 2010.

The inventors of the '925 patent observed that, at the time, multimedia technologies for mobile devices depended upon a server that receives and prepares multimedia content to be retrieved by the recipient of the multimedia content. For example, at the time, the Multimedia Messaging Service ("MMS") protocol utilized a server known as a Multi-Media Service Center ("MMSC") to store multimedia content in preparation for a retrieval process initiated by the recipient. Specifically, under MMS, the initiating device initiated a data connection over TCP/IP and performed an HTTP POST of an MMS Encapsulation Format encoded multimedia message to the MMSC. The MMSC stored the multimedia message and made it available as a dynamically generated URL link. The MMSC then generated a notification message containing the dynamically generated URL and sent the notification message to the recipient through WAP Push over the Short Message Service ("SMS") protocol. When the recipient received the MMS notification

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message, it initiated a data connection over TCP/IP and performed an HTTP request to retrieve the MMS message containing multimedia content from the MMSC through the dynamically generated URL. '925 patent (Ex. 1001), 1:23–42.

According to one example embodiment, a method and system is provided for establishing a direct data transfer session between mobile devices over a digital mobile network system that supports data packet-based communications. No separate data server need be used to provide a known location from which a recipient retrieves data such as multimedia content. A mobile device initiating a data transfer opens a listening software port, which is configured for use with an underlying data packet-based network protocol and for enabling a direct data transfer with a specific target mobile device. The initiating mobile device sends an invitation message containing the network address, including the listening port, of the initiating device to the target mobile device through a page-mode messaging service (*e.g.*, text-based service) supported by the digital mobile network system. The initiating mobile device may further utilize and incorporates a unique identification number (*e.g.*, telephone number, PIN number, etc.) associated with the target mobile device into the invitation message to locate and contact the target mobile device within the wireless mobile network. Once the initiating mobile device receives a response from the target mobile device at the listening software port, the two mobile devices may establish a reliable virtual connection through the underlying data packet-based network protocol in order to transfer data directly between the two mobile devices. *Id*. at 1:61–2:17.

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