UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC.

Petitioner

v.

UNILOC 2017 LLC

Patent Owner

IPR2019-00753

PATENT 7,587,207

PATENT OWNER PRELIMINARY RESPONSE TO PETITION

PURSUANT TO 37 C.F.R. §42.107(a)

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I. INTRODUCTION

UNILOC 2017 LLC (the "Uniloc" or "Patent Owner") submits this Preliminary Response to Petition IPR2019-00753 for *Inter Partes* Review ("Pet." or "Petition") of United States Patent No. 7,587,207 ("the '207 Patent" or "EX1001") filed by Apple, Inc. ("Petitioner"). The instant Petition is procedurally and substantively defective for at least the reasons set forth herein.

II. THE '207 PATENT

The '207 patent is titled "Data delivery through beacons." The '207 patent issued September 8, 2009, from U.S. Patent Application No. 09/876,515 filed June 7, 2001, which claims priority to United Kingdom Patent Application No. GB0015454 filed June 26, 2000 and United Kingdom Patent Application No. GB0020073 filed August 15, 2000. The inventors of the '207 patent observed that at the time of the invention, as a result of the increased use and prevalence of mobile phones there was greater utility to Context Aware ("CA") mobile phones and applications. Such "Context Aware" mobile phones and applications were used with low power, short range base stations in places like shopping malls to provide, for example, location-specific information. An important requirement of "Context Aware" devices was that they quickly and efficiently gather data from beacons such that the user is not required to undertake actions such as staying close to a beacon whilst contact is established between portable device and beacon, nor having to specifically initiate interaction. A further requirement is that the portable device

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should able to be kept relatively simple insofar as the data gathering from beacons is concerned. It is therefore advantageous to have a system for the delivery of data via beacons whereby the amount of dedicated circuitry and operating procedure are kept to a minimum. EX1001, 1:9-2:13.

According to the invention of the ’207 Patent, there is provided a communications system and method comprising at least one beacon device capable of wireless message transmission and at least one portable device capable of receiving such a message transmission, wherein the beacon is arranged to broadcast a series of inquiry messages each in the form of a plurality of predetermined data fields arranged according to a first communications protocol, wherein the beacon is further arranged to add to each inquiry message prior to transmission an additional data field, and wherein the at least one portable device is arranged to receive the transmitted inquiry messages and read data from said additional data field, the additional data field including location information. By adding the additional field (suitably at the end of a respective inquiry message), data broadcast may be carried on top of an existing inquiry process, such that the usual delays while such a process is carried out prior to data transfer are avoided. Furthermore, by placing the additional field at the end of those sent according to the communications protocol (preferably but not essentially Bluetooth), those protocol-compatible devices not intended for reception of beacon signals can simply ignore the additional data

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