

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

MPH TECHNOLOGIES OY,
Patent Owner.

Case IPR2019-00820
Patent 7,937,581

PATENT OWNER'S RESPONSE PURSUANT TO 37 C.F.R. § 42.120

TABLE OF CONTENTS

	Page
I. INTRODUCTION	1
II. OVERVIEW OF THE '581 PATENT AND THE STATE OF THE ART	4
A. Technical Background	4
B. The Mobility Problem Addressed by the '581 Patent	5
C. The '581 Patent's Solution to the Mobility Problem	7
III. CLAIM CONSTRUCTION	10
A. Claim Language.....	11
B. Specification	12
C. Prosecution History	14
D. Disclosure of Security Gateway in Documents from the Prosecution History or Relied Upon by Petitioner	15
1. Murakawa.....	17
2. Ahonen	18
3. Frankel	19
4. RFC 1122	22
5. RFC 2401	23
IV. GROUND 1: CLAIMS 1-2, 4, 6-7 AND 9 ARE PATENTABLE OVER THE COMBINATION OF ISHIYAMA AND MURAKAWA.....	24
A. Claim 1 is Patentable Over the Combination of Ishiyama and Murakawa	27

1. The Petition Fails to Establish that the Prior Art Teaches the “Security Gateway” in “At Least One Mobile Terminal and Another Terminal and a Security Gateway Therebetween” and Other Limitations	27
(a) Multiple Publications from the Relevant Timeframe Confirm that a Correspondent Host as in Ishiyama is Not a Security Gateway as Claimed	31
(b) Ishiyama’s Correspondent Host is Demonstrably Not a Security Gateway Because it is the Final Destination for the Packets It Receives.....	34
(c) Ishiyama’s Description of IPSec Processing Using the Security Databases Proves that the Correspondent Host is Not a Security Gateway	35
(d) Petitioner’s Theory that the Correspondent Host Must be a Security Gateway Because IPSec Tunnel Mode is Used is Incorrect	37
1. The Use of Tunnel Mode Does Not Mean that a Security Gateway is Present	37
2. The Use of Tunnel Mode Does not “Suggest” that a Correspondent Host is Actually a Security Gateway.....	42
(e) Petitioner’s Argument in this Proceeding that the Correspondent Host is a Security Gateway is Contradicted by the Position Taken in IPR2019-00821	44
2. The Petition Also Fails to Establish that the Prior Art Discloses the “Other Terminal” in “At Least One Mobile Terminal and Another Terminal and a Security Gateway Therebetween” and Other Limitations	45
3. The Petition Also Fails to Establish that the Prior Art Teaches “While at the Second Address, the Mobile	

	Terminal Sending a Request Message to the Gateway Address of the Security Gateway to Request the Security Gateway to Change the Secure Connection to Be Defined Between the Second Address and the Gateway Address of the Security Gateway”	54
4.	The Petition Also Fails to Establish that the Prior Art Teaches the “Mobile Terminal Sending a Secure Message . . . From the Second Address of the Mobile Terminal to the Other Terminal via the Security Gateway”	56
B.	Claim 4 is Patentable Over the Combination of Ishiyama and Murakawa Because the Petition Fails to Establish that the Prior Art Teaches the “Request Message And/Or a Reply Message is Encrypted And/Or Authenticated”	61
C.	Claims 6-7 are Patentable Over the Combination of Ishiyama and Murakawa	63
D.	Claim 9 is Patentable Over the Combination of Ishiyama and Murakawa	65
V.	GROUND 2: CLAIMS 3 AND 5 ARE PATENTABLE OVER THE COMBINATION OF ISHIYAMA, MURAKAWA AND AHONEN	69
A.	Overview of Ahonen	69
B.	The Combination of Ishiyama, Murakawa and Ahonen Fails to Teach Sending a “Reply Back to the Mobile Terminal . . . From the Security Gateway” (Claim 3) or a “Reply Message to the Mobile Terminal at the Second Address to Confirm the Address Change” (Claim 5)	70
VI.	GROUND 3: CLAIM 8 IS PATENTABLE OVER THE COMBINATION OF ISHIYAMA, MURAKAWA AND FORSLOW .	73
VII.	CONCLUSION	73

TABLE OF AUTHORITIES

	Page(s)
CASES	
<i>Continental Can Co. v. Monsanto Co.</i> , 948 F.2d 1264 (Fed. Cir. 1991)	39
<i>David Netzer Consulting Eng’r LLC v. Shell Oil Co.</i> , 824 F.3d 989 (Fed. Cir. 2016)	10
<i>Graham v. John Deere Co.</i> , 383 U.S. 1 (1966).....	25, 26
<i>In re Robertson</i> , 169 F.3d 743 (Fed.Cir.1999)	39, 45
<i>InTouch Techs., Inc. v. VGO Commc’ns, Inc.</i> , 751 F.3d 1327 (Fed. Cir. 2014)	55
<i>KSR Int’l Co. v. Teleflex Inc.</i> , 127 S.Ct. 1727 (2007).....	26
<i>Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co.</i> , 851 F.3d 1270 (Fed. Cir. 2017)	45, 48
<i>Personal Web Techs., LLC v. Apple, Inc.</i> , 848 F.3d 987 (Fed. Cir. 2017)	53, 54, 56
<i>Pfizer, Inc. v. Apotex, Inc.</i> , 480 F.3d 1348 (Fed. Cir. 2007)	26
<i>Phillips v. AWH Corp.</i> , 415 F.3d 1303 (Fed. Cir. 2005)	10, 11
<i>Regents of Univ. of California v. Broad Institute, Inc.</i> , 903 F.3d 1286 (Fed. Cir. 2018)	26

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.