# UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., Petitioner

v.

MPH TECHNOLOGIES OY, Patent Owner

\_\_\_\_\_

Case IPR2019-00822 U.S. Patent No. 8,346,949

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,346,949

## Mail Stop PATENT BOARD

Patent Trial and Appeal Board U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450



#### **TABLE OF CONTENTS**

I.	Mandatory Notices (37 C.F.R. § 42.8(a)(1)				
II.	Grounds for Standing (37 C.F.R. § 42.104(a))				
III.		ication of Challenge (37 C.F.R. § 42.104(b))			
		ation of Prior Art			
	B. Stat	tutory Grounds for the Challenge	7		
IV.	The '9	49 Patent	8		
	A. Ove	erview of the '949 Patent	8		
	1.	Brief Overview of IPSec and SSL	9		
	2.	The '949 patent focused on employing standard IPSec protocablish a single secure connection			
	3.	The Examiner did not consider RFC3104, Grabelsky, or Wag			
	B. Lev	rel of Ordinary Skill in the Art	17		
	C. Cla	im Construction	17		
	1.	"secure connection"	17		
	2.	"unique identity [of the secure connection]"	19		
V.	Ground	ds of Unpatentability	20		
	A. Ground 1: Claims 1, 2, 4-7, 9, 11-14, 20-21, and 27-29 are unpatentable under 35 U.S.C. § 103 as obvious over RFC3104 and Grabelsky20				
	1.	Overview of RFC3104	20		
	2.	Overview of the Combination of RFC3104 and Grabelsky	23		
	3. ob	The combination of RFC3104 and Grabelsky renders claim 1 vious.			
	4. ob	The combination of RFC3104 and Grabelsky renders claim 2 vious.			
	5. ob	The combination of RFC3104 and Grabelsky renders claim 4 vious.	45		
	6.	The combination of RFC3104 and Grabelsky renders claim 5 vious.			



obvious4	18
8. The combination of RFC3104 and Grabelsky renders claim 7 obvious.	19
9. The combination of RFC3104 and Grabelsky renders claim 9 obvious.	52
10. The combination of RFC3104 and Grabelsky renders claim 11 obvious.	54
11. The combination of RFC3104 and Grabelsky renders claim 12 obvious.	56
12. The combination of RFC3104 and Grabelsky renders claim 13 obvious.	58
13. The combination of RFC3104 and Grabelsky renders claim 14 obvious.	58
14. The combination of RFC3104 and Grabelsky renders claim 20 obvious.	59
15. The combination of RFC3104 and Grabelsky renders claim 21 obvious.	50
16. The combination of RFC3104 and Grabelsky renders claim 27 obvious.	51
17. The combination of RFC3104 and Grabelsky renders claim 28 obvious	53
18. The combination of RFC3104 and Grabelsky renders claim 29 obvious6	54
B. Ground 2: Claim 3 is unpatentable under 35 U.S.C. § 103 as obvious over RFC3104, Grabelsky, and Wagner	
1. Overview of Wagner6	55
2. The combination of RFC3104, Grabelsky, and Wagner renders claim 3 obvious.	56
Conclusion	71



VI.

# **EXHIBIT LIST**

Exhibit No.	Description
1001	U.S. Patent No. 8,346,949 B2 to Vaarala et al., issued Jan. 1, 2013
1002	Declaration of David Goldschlag, Ph.D. ("Goldschlag Decl.")
1003	Prosecution History of U.S. Patent No. 8,346,949 B2
1004	RFC3104 - RSIP Support for End-to-end IPsec (Oct. 2001)
1005	U.S. Patent No. 7,032,242 B1 to Grabelsky <i>et al.</i> , issued Apr. 18, 2006
1006	Wagner <i>et al.</i> , Analysis of the SSL 3.0 Protocol, USENIX (Nov. 1996)
1007	Declaration of Ms. Sandy Ginoza
1008	Curriculum Vitae of David Goldschlag, Ph.D.
1009	Declaration of James L. Mullins Ph.D.
1010	Curriculum Vitae of James L. Mullins
1011	S. Frankel, Demystifying the IPsec Puzzle, Artech House, Inc., 2001
1012	RSIP Support for End-to-end IPsec (RFC3104), IETF Data Tracker
1013	RFC2026 - The Internet Standards Process Revision 3 (Oct. 1996)
1014	RFC2246 - The TLS Protocol Version 1.0 (Jan. 1999)
1015	RFC2401 - Security Architecture for the Internet Protocol (Nov. 1998)
1016	RFC2402 - IP Authentication Header (Nov. 1998)
1017	RFC2406 - IP Encapsulating Security Payload (ESP) (Nov. 1998)



Exhibit No.	Description
1018	RFC2409 - The Internet Key Exchange (IKE) (Nov. 1998)
1019	RFC3102 - Realm Specific IP: Framework (Oct. 2001)
1020	Zhang et al., "A Multu-Layer IPsec Protocol," (Aug. 2000)



# DOCKET

# 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.

