

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

MPH TECHNOLOGIES OY,
Patent Owner

Case IPR2019-00823
U.S. Patent No. 9,712,494

**PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE
UNDER 37 C.F.R. § 42.23**

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

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 A. The Board should reject MPH’s improper construction of “mobile computer.”1

 1. The ’494 patent does not does not address any capability of “a static secure connection” in its explanation of a “mobile computer.”3

 2. MPH and its expert Dr. Rouskas ignore that the ’494 patent uses the terms “mobile terminal” and “mobile host” in conjunction with computers that establish a “static secure connection.”5

 B. MPH does not dispute that the prior art discloses a “unique identity,” and therefore this term need not be expressly construed.8

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III. Ground 1: The combination of RFC3104 and Grabelsky renders obvious claims 1-5 and 8-11.8

 A. RFC3104 discloses a “mobile computer,” as recited in claim 1.8

 1. RFC3104 teaches the use of a laptop (i.e., “mobile computer”) that moves physical locations and changes networks.9

 2. MPH’s arguments that a laptop cannot change addresses during the course of an ongoing RSIP connection are irrelevant.....11

 B. The combination of RFC3104 and Grabelsky teaches a “translation table [that] includes two partitions,” as recited in claim 4.....14

 C. The combination of RFC3104 and Grabelsky teaches that “the intermediate computer is configured to modify the translation table entry address fields in response to a signaling message sent from the mobile computer,” as recited in claim 9.....19

 D. The combination of RFC3104 and Grabelsky teaches that “the source address of the forwarded message is the same as the first network address,” as recited in claim 11.22

 E. The combination of RFC3104 and Grabelsky renders obvious claims 2, 3, 5, 8, and 10.26

IV. Ground 2: The combination of RFC3104, Grabelsky, and Wagner renders obvious claims 6 and 7.26

V. Conclusion27

UPDATED EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 9,712,494 B2 to Vaarala <i>et al.</i> , issued Jul. 18, 2017 (“the ’494 patent”)
1002	Declaration of David Goldschlag, Ph.D. (“Goldschlag Decl.”)
1003	Prosecution History of U.S. Patent No. 9,712,494 B2 (“Prosecution History”)
1004	RFC3104 - RSIP Support for End-to-end IPsec, The Internet Society (Oct. 2001) (“RFC3104”)
1005	Prosecution History of U.S. Patent No. 8,346,949 B2 (“’949 Patent Prosecution History”)
1006	U.S. Patent No. 7,032,242 B1 to Grabelsky <i>et al.</i> , issued Apr. 18, 2006 (“Grabelsky”)
1007	Wagner <i>et al.</i> , Analysis of the SSL 3.0 Protocol, USENIX (Nov. 1996) (“Wagner”)
1008	Declaration of Ms. Sandy Ginoza (“Ginoza Decl.”)
1009	Declaration of James L. Mullins Ph.D. (“Mullins Decl.”)
1010	Curriculum Vitae of James L. Mullins
1011	S. Frankel, “Demystifying the IPsec Puzzle,” Artech House, Inc., 2001 (“Frankel”)
1012	RSIP Support for End-to-end IPsec (RFC 3104), IETF Data Tracker (2000) (“IETF Data Tracker”)
1013	RFC2026 - The Internet Standards Process -- Revision 3 (Oct. 1996) (“RFC2026”)
1014	RFC2246 - The TLS Protocol Version 1.0 (Jan. 1999) (“RFC2246”)

Exhibit No.	Description
1015	RFC2401 - Security Architecture for the Internet Protocol (Nov. 1998) (“RFC2401”)
1016	RFC2402 - IP Authentication Header (Nov. 1998) (“RFC2402”)
1017	RFC2406 - IP Encapsulating Security Payload (ESP) (Nov. 1998) (“RFC2406”)
1018	RFC2409 - The Internet Key Exchange (IKE) (Nov. 1998) (“RFC2409”)
1019	RFC3102 - Realm Specific IP: Framework (Oct. 2001) (“RFC3102”)
1020	Zhang <i>et al.</i> , “A Multi-Layer IPsec Protocol,” (Aug. 2000) (“Zhang”)
1021	Curriculum Vitae of David Goldschlag, Ph.D. (“Goldschlag CV”)
1022	Declaration of David Goldschlag, Ph.D., in Support of Petitioner’s Reply to Patent Owner’s Response (“Second Goldschlag Decl.”)
1023	Transcript of the Deposition of George N. Rouskas, Ph.D., May 7, 2020 (“Rouskas Dep.”)
1024	Transcript of the Deposition of Michael S. Borella, Ph.D., May 18, 2020 (“Borella Dep.”)
1025	Merriam-Webster’s Collegiate Dictionary, Eleventh Edition (2003) (“Merriam-Webster’s Dictionary”)

I. Introduction

Patent Owner (“MPH”) presents a single argument in support of the patentability of the ’494 patent’s independent claim: that the prior art does not teach a “mobile computer,” as recited in claim 1 of the ’494 patent. This argument is premised on an improper and overly narrow construction of the term “mobile computer” which attempts to import numerous additional requirements into this basic term. The Board properly rejected similar attempts by MPH at the institution stage, and should continue to do so. A “mobile computer” is taught by RFC3104 under any reasonable interpretation of the term, and thus, the Board should find independent claim 1 unpatentable.

MPH’s arguments against the dependent claims fare no better. Again, MPH attempts to import requirements into the claims that do not exist and mischaracterizes the Petition’s arguments. For the reasons specified in the Petition and below, the Board should find the dependent claims unpatentable over the cited prior art.

II. Claim Construction

A. The Board should reject MPH’s improper construction of “mobile computer.”

“mobile computer”	
MPH’s Proposed Construction	“a computer that moves from one network to another as opposed to a computer that is only capable of a static secure connection”

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