

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,  
Petitioner

v.

MPH TECHNOLOGIES OY,  
Patent Owner

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Case IPR2019-00825  
U.S. Patent No. 9,762,397

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**PETITION FOR *INTER PARTES* REVIEW OF  
U.S. PATENT NO. 9,762,397**

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

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**EXHIBIT LIST**

<b>Exhibit No.</b>	<b>Description</b>
<b>1001</b>	U.S. Patent No. 9,762,397 B2 to Vaarala <i>et al.</i> , issued Sept. 12, 2017
<b>1002</b>	Declaration of David Goldschlag, Ph.D. (“Goldschlag Decl.”)
<b>1003</b>	Prosecution History of U.S. Patent No. 9,762,397 B2
<b>1004</b>	RFC3104 - RSIP Support for End-to-end IPsec (Oct. 2001)
<b>1005</b>	U.S. Patent No. 7,032,242 B1 to Grabelsky <i>et al.</i> , issued Apr. 18, 2006
<b>1006</b>	<i>Intentionally Left Blank</i>
<b>1007</b>	Declaration of Ms. Sandy Ginoza
<b>1008</b>	Curriculum Vitae of David Goldschlag, Ph.D.
<b>1009-1010</b>	<i>Intentionally Left Blank</i>
<b>1011</b>	S. Frankel, <i>Demystifying the IPsec Puzzle</i> , Artech House, Inc., 2001
<b>1012</b>	RSIP Support for End-to-end IPsec (RFC3104), IETF Data Tracker
<b>1013</b>	RFC2026 - The Internet Standards Process -- Revision 3 (Oct. 1996)
<b>1014</b>	<i>Intentionally Left Blank</i>
<b>1015</b>	RFC2401 - Security Architecture for the Internet Protocol (Nov. 1998)
<b>1016</b>	RFC2402 - IP Authentication Header (Nov. 1998)
<b>1017</b>	RFC2406 - IP Encapsulating Security Payload (ESP) (Nov. 1998)
<b>1018</b>	RFC2409 - The Internet Key Exchange (IKE) (Nov. 1998)
<b>1019</b>	RFC3102 - Realm Specific IP: Framework (Oct. 2001)

Petition for *Inter Partes* Review of  
U.S. Pat. No. 9,762,397

<b>Exhibit No.</b>	<b>Description</b>
<b>1020</b>	Prosecution History of U.S. Patent No. 8,346,949 B2

Apple Inc. petitions for *inter partes* review of claims 1 and 2 of United States Patent No. 9,762,397 to Vaarala *et al.* (Ex. 1001, “the ’397 patent”), titled “Method and System for Sending a Message Through a Secure Connection.” The Petition demonstrates that both claims of the ’397 patent are unpatentable.

The ’397 patent purported to solve issues with Internet Protocol Security (IPSec) operability for mobile hosts. It did not. Rather, the alleged issues with IPSec presented by the ’397 patent were well-known and solved long before the earliest priority date of the ’397 patent. Ex. 1002, Goldschlag Decl., ¶¶45-52. In particular, the ’397 patent alleged that IPSec was designed for static connections, and therefore when a mobile host moved or changed its network address, IPSec provided no mechanism to alter parameters of the secure connection. *Id.*

The ’397 patent alleged to solve these problems by establishing an end-to-end secure connection between two end hosts via an intermediate computer. But not only is this solution trivial, it was also explicitly disclosed by RFC3104 prior to the earliest priority date of the ’397 patent. Additionally, Grabelsky explains other well-known and simple elements of the claims that would have been known to a POSITA, such as data packet formats and use of translation tables.

Accordingly, there is at least a reasonable likelihood that at least one claim of the ’397 patent is unpatentable, as shown herein. Therefore, Petitioner

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