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.

_____

Case IPR2019-00825
Patent 9,762,397

_____

PATENT OWNER'S PRELIMINARY RESPONSE

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EXHIBIT LIST	
2001	U.S. Pat. No. 8,346,949 B2
2002	RFC1918

I.   INTRODUCTION

MPH Technologies Oy ("Patent Owner") submits this Preliminary Response

to the Petition for Inter Partes Review filed by Apple Inc. ("Petitioner")

challenging claims 1 and 2 of U.S. Patent No. 9,762,397 ("the '397 Patent"). The

Petition fails to demonstrate a reasonable likelihood that either challenged claim is

unpatentable. 37 C.F.R. § 42.108(c). The petition should be denied.

The '397 Patent is a continuation of U.S. Patent No. 8,346,949 ("the '949

Patent") [Ex. 2001], which Petitioner challenges in another petition filed

simultaneously with this Petition. *See* IPR2019-00822. Petitioner challenges both

Patents based on exactly the same two references, RFC3104 and Grabelsky, and

virtually the same arguments based on those references.[1]

The claims of the present '397 Patent include limitations not found in claim

1 of the '949 Patent, and not addressed in IPR2019-00822. In particular, the

claims include the requirements of "the intermediate computer receiving a secure

message having a first source address ***sent to <u>an</u> address of the intermediate***

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[1] The IPR2019-00822 petition also adds a third reference, in a combination

directed solely against a single dependent claim of the '949 Patent. Ex. 2001, 8

('949 claim 3). That reference is not raised here.

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