

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Apple Inc.,
Petitioner

v.

INVT SPE LLC,
Patent Owner

IPR Case No. IPR2019-00958
U.S. Patent No. 7,848,439

**PETITION FOR *INTER PARTES* REVIEW
UNDER 35 U.S.C. §311 *ET SEQ.* AND 37 C.F.R. §42.100 *ET SEQ.*
(CLAIMS 1 THROUGH 7 OF U.S. PATENT NO. 7,848,439)**

EXHIBIT LIST

EXHIBIT	DESCRIPTION	DATE
1001	U.S. Patent No. 7,848,439 to She et al. (“’439 Patent”)	December 7, 2010
1002	File History of U.S. Patent No. 7,848,439 to She et al.	n/a
1003	U.S. Patent No. 6,904,283 to Li et al.	June 7, 2005
1004	U.S. Patent No. 7,221,680 to Vijayan et al.	May 22, 2007
1005	U.S. Patent No. 6,721,569 to Hashem et al.	April 13, 2004
1006	U.S. Patent No. 5,596,604 to Cioffi et al.	January 21, 1997
1007	Declaration of Zhi Ding, Ph.D.	n/a
1008	Curriculum Vitae of Zhi Ding, Ph.D.	n/a
1009	U.S. Patent No. 6,167,031 to Olofsson et al.	December 26, 2000

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I. INTRODUCTION

Apple Inc. (“Petitioner” or “Apple”) petitions for *Inter Partes* Review (“IPR”) under 35 U.S.C. §§311-319 and 37 C.F.R., Part 42, of claims 1 through 7 (“the IPR Claims”) of U.S. Patent No. 7,848,439 (“the ’439 Patent”), and asserts there is a reasonable likelihood that it will prevail with respect to each of the IPR Claims. Therefore, Petitioner respectfully requests cancellation of the IPR Claims.

II. MANDATORY NOTICES UNDER 37 C.F.R. §42.8

A. Real Parties-In-Interest (§42.8 (b)(1))

The real parties-in-interest is Apple Inc.

B. Related Matters (§42.8 (b)(2))

Pursuant to 37 C.F.R. § 42.8(b)(2), Petitioner is aware of the following pending patent infringement lawsuits involving the ’439 Patent:

- *INVT SPE LLC v. Apple, Inc.*, Case No. 2:17-cv-03738 (New Jersey);
- *INVT SPE LLC v. HTC Corporation and HTC America, Inc.*, Case No. 2:17-cv-03740 (New Jersey);
- *INVT SPE LLC v. ZTE Corporation and ZTE (USA) Inc.*, Case No. 2:17-cv-06522 (New Jersey); and
- *Certain KTE- and 3G-Compliant Cellular Communications Devices*, Inv. No 337-TA-1138 (ITC).

C. Lead and Backup Counsel (§42.8 (b)(3))

Apple appoints Adam P. Seitz (Reg. No. 52,206) of Erise IP, as Lead Counsel, and appoints Paul R. Hart (Reg. No. 59,646), of the same firm as Back-Up Counsel.

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