

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.

UNILOC 2017 LLC

Patent Owner

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IPR2019-00056

PATENT 6,467,088

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**PATENT OWNER PRELIMINARY RESPONSE TO PETITION**

**PURSUANT TO 37 C.F.R. §42.107(a)**

MICROSOFT CORP.  
EXHIBIT 1011

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## I. INTRODUCTION

Uniloc 2017 LLC (“Uniloc” or “Patent Owner”) submits this Preliminary Response to Petition IPR2019-00056 for *Inter Partes* Review (“Pet.” or “Petition”) of United States Patent No. 6,467,088 (“the ’088 patent” or “EX1001”) filed by Apple, Inc. (“Petitioner”). The instant Petition is procedurally and substantively defective for at least the reasons set forth herein.

## II. THE ’088 PATENT

The ’088 patent is titled “Reconfiguration Manager for Controlling Upgrades of Electronic Devices.” The ’088 patent issued October 15, 2002, from U.S. Patent Application No. 09/343,607 filed January June 30, 1999.

The inventors of the ’088 patent observed that, at the time, many different electronic devices, such as desktop, laptop and palmtop computers, personal digital assistants (PDAs), telephones, televisions, set-top boxes and other consumer electronic processing devices, it was common for there to be improvements to software or hardware components of those electronic devices. And that users of those electronic devices would often prefer to upgrade their devices, incrementally, rather than discard their current devices and purchase new ones. And that for many of those upgrades, it was generally necessary to determine if the new or improved component is compatible with the rest of the device, and if not, what other

components would need simultaneous upgrading in order to provide the desired compatibility, and that making those compatibility determinations could be particularly difficult if the range of possible device configurations is large and the interaction among device components is complex. EX1001, 1:12-39. Further, the inventors of the '088 patent also observed that while a number of different techniques had been developed for updating components of electronic devices, there were numerous problems and shortcomings with those existing techniques, including such as failing to ensure compatibility among software and hardware components for a variety of different electronic devices. *Id.*, 1:30-2:14.

According to the invention of the '088 patent, a reconfiguration manager is provided that may be implemented on a computer or other data processing device to control the reconfiguration of software or other components of an electronic device such as a computer, personal digital assistant (PDA), set-top box, television, etc. In accordance with the invention, a reconfiguration manager receives a reconfiguration request, e.g., a software upgrade request from the electronic device, and determines one or more device components that are required to implement the reconfiguration request. The reconfiguration manager also determines, e.g., from information supplied by the electronic device as part of the request, identifiers of one or more additional components currently implemented in the electronic device. The reconfiguration manager then compares the needed and currently implemented

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