

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner,

v.

MAXELL, LTD.,
Patent Owner

Case: IPR2020-00202

U.S. Patent No. 10,212,586

**PATENT OWNER'S SUR-REPLY IN *INTER PARTES* REVIEW
OF U.S. PATENT NO. 10,212,586**

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U.S. Patent and Trademark Office
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TABLE OF AUTHORITIES

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CASES

Personalized Media Commc'ns, LLC v. Apple Inc.,
2020 U.S. App. LEXIS 8017 (Fed. Cir. Mar. 13, 2020)8

PATENT OWNER'S EXHIBIT LIST

Description	Exhibit #
March 16, 2020 Scheduling Order	2001
May 31, 2019 Scheduling Order	2002
Docket from District Court Action	2003
January 8, 2020 Minute Order	2004
March 18, 2020 Markman Order	2005
August 28, 2019 Minute Order	2006
September 17, 2019 Minute Order	2007
Maxell's Disclosure of Asserted Claims and Infringement Contentions	2008
Maxell's Final Election of Asserted Claims	2009
Apple's Final Election of Prior Art	2010
Apple's Invalidity Contentions	2011
Kirkup Chart from District Court Action	2012
Schiffer Chart from District Court Action	2013
De la Hueva Chart from District Court Action	2014
March 6, 2017 Scheduling Order from Maxell v. ZTE	2015
March 19, 2018 Scheduling Order from Maxell v. ZTE	2016
Docket from District Court Action	2017
Standing Order re COVID-19	2018
April 20, 2020 Scheduling Order from District Court Action	2019
Declaration of Tiffany A. Miller	2020
Redacted Copy of Apple Inc.'s Motion to Strike Portions of Maxell's Opening Expert Reports That Exceed the Scope of Maxell's P.R. 3-1 Infringement Contentions And New Expert Theories Offered After Expert Reports	2021
Declaration of Branimir Vojcic, DSc (dated October 16, 2020)	2022
<i>Kerberos: An Authentication Service for Computer Networks</i> , IEEE Communications Magazine, September 1994	2023
<i>Authentication v. Authorization Defined: What's the Difference?</i> ,	2024

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Security Boulevard, June 2020 (emphasis added) (https://securityboulevard.com/2020/06/authentication-vs-authorization-defined-whats-the-difference-infographic/#:~:text=In , last visited October 14, 2020)	
Apple developer page, <i>Authentication and Authorization</i> (copyright date of 2012, updated December 13, 2012)	2025
Apple developer page, <i>About Authentication, Authorization, and Permissions</i> (copyright date of 2003, 2013, updated January 28, 2013)	2026
<i>Mobile IP Authentication, Authorization, and Accounting</i> , The Internet Society, October 2000	2027
<i>The 3 “A”’s: Authentication, Authorization, Accounting, AAA and Network Security for Mobile Access: Radius, Diameter, EAP, PKI, and IP Mobility</i> , 2005	2028
Deposition Transcript of Victor Shoup, Ph.D. (October 14, 2020)	2029

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