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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.

OPTIS WIRELESS TECHNOLOGY, LLC,  
Patent Owner.

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Case IPR2020-00466

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**PETITION FOR *INTER PARTES* REVIEW OF  
U.S. PATENT NO. 8,411,557  
CHALLENGING CLAIMS 1-10**

**TABLE OF CONTENTS**

	Page(s)
<b>I. INTRODUCTION</b> .....	1
<b>II. MANDATORY NOTICES</b> .....	1
A. Real Party-in-Interest .....	1
B. Related Matters.....	1
C. Counsel .....	1
D. Service Information.....	1
<b>III. CERTIFICATION OF GROUNDS FOR STANDING</b> .....	2
<b>IV. OVERVIEW OF CHALLENGE AND RELIEF REQUESTED</b> .....	2
A. Prior Art Patents and Printed Publications.....	2
B. Grounds for Challenge .....	3
<b>V. DISCRETION UNDER 35 U.S.C. §314(a) AND §325(d)</b> .....	4
<b>VI. BRIEF DESCRIPTION OF TECHNOLOGY</b> .....	7
<b>VII. OVERVIEW OF THE '557 PATENT</b> .....	10
A. Summary of the '557 Patent.....	10
B. Prosecution History .....	14
<b>VIII. CLAIM CONSTRUCTION</b> .....	19
<b>IX. LEVEL OF ORDINARY SKILL</b> .....	20
<b>X. OVERVIEW OF PRIMARY PRIOR ART REFERENCES</b> .....	20
A. Sutivong (Ex-1003) .....	20
B. Harris (Ex-1004).....	21
C. Tan (Ex-1005) .....	23
<b>XI. SPECIFIC GROUNDS FOR PETITION</b> .....	24
A. Ground 1: Claims 1-10 Are Obvious Over Harris in View of Tan.....	24
1. Claim 1 .....	24
2. Claim 2 .....	37
3. Claim 3 .....	38
4. Claim 4 .....	39
5. Claim 5 .....	41

Petition for *Inter Partes* Review of U.S. Patent No. 8,411,557  
Claims 1-10

6.	Claim 6 .....	42
7.	Claim 7 .....	43
8.	Claim 8 .....	44
9.	Claim 9 .....	44
10.	Claim 10 .....	45
B.	Ground 2: Claims 1-10 Are Obvious Over Sutivong in View of Tan .....	46
1.	Claim 1 .....	46
2.	Claim 2 .....	59
3.	Claim 3 .....	59
4.	Claim 4 .....	62
5.	Claim 5 .....	62
6.	Claim 6 .....	63
7.	Claim 7 .....	64
8.	Claim 8 .....	65
9.	Claim 9 .....	66
10.	Claim 10 .....	66
<b>XII.</b>	<b>LEGAL PRINCIPLES</b> .....	<b>68</b>
<b>XIII.</b>	<b>CONCLUSION</b> .....	<b>68</b>

## I. INTRODUCTION

Apple Inc. (“Apple” or “Petitioner”) respectfully requests *inter partes* review of claims 1-10 of U.S. Patent No. 8,411,557 (“’557 patent”) (Ex-1001) pursuant to 35 U.S.C. §§ 311-319 and 37 C.F.R. § 42.1 *et seq.*

## II. MANDATORY NOTICES

### A. Real Party-in-Interest

Apple is the real party-in-interest.

### B. Related Matters

Optis Wireless Technology, LLC (“Patent Owner”) has asserted the ’557 patent against Apple in *Optis Wireless Technology, LLC et al. v. Apple Inc.*, Case No. 2-19-cv-00066-JRG (E.D. Tex.). That case is currently pending.

### C. Counsel

Lead Counsel: Jason Kipnis (Reg. No. 40,680),

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Petitioner consents to service by e-mail on lead and backup counsel.

### **III. CERTIFICATION OF GROUNDS FOR STANDING**

Petitioner certifies pursuant to Rule 42.104(a) that the patent for which review is sought is available for *inter partes* review and that Petitioner is not barred or estopped from requesting an *inter partes* review challenging the patent claims on the grounds identified in this Petition. *See* 37 C.F.R. § 42.101(a-c).

### **IV. OVERVIEW OF CHALLENGE AND RELIEF REQUESTED**

Pursuant to Rules 42.22(a)(1) and 42.104(b)(1)-(2), Petitioner challenges claims 1-10 of the '557 patent.

#### **A. Prior Art Patents and Printed Publications**

The following references are pertinent to the grounds of unpatentability as explained below:<sup>1</sup>

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<sup>1</sup> The '557 patent issued from a patent application filed prior to enactment of the America Invents Act ("AIA"). Accordingly, the pre-AIA statutory framework applies.

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