

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner

v.

LBT IP I LLC,

Patent Owner

Case IPR2020-01189
U.S. Patent No. 8,497,774

**PATENT OWNER'S PRELIMINARY RESPONSE
TO PETITION FOR *INTER PARTES* REVIEW
OF U.S. PAT. NO. 8,497,774**

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 i. The Prior Art Relied Upon By The Petitioner Does Not Disclose Limitation 1(e) “Local Battery Power Adjustment Mechanism to Generate in Substantially Real-Time an Updated Set of Network Communication Signaling Protocols Associated with at least one of a Request Rate of Location Coordinate Packets to be Communicated to a Target Host and a Listen Rate of the Location Coordinate Packets From a Satellite Navigation System, the Updated Set of Network Communication Signaling Protocols Having a Value That is Responsive to a User Input Request”8

 ii. The Prior Art Relied Upon By The Petitioner Does Not Disclose Limitation 8(c) “an Electrical Power Resource Management Component to Adjust Cycle Timing of at Least one of a Request Rate of Location Coordinate Packets to a Target Host and a Listen Rate of the Location Coordinate Packets Responsive to an Estimated Charge Level of the Charging Unit”.13

 iii. The Prior Art Relied Upon By The Petitioner Does Not Disclose Limitation 8(d) “Wherein the Battery Power

:

Level Monitor Measures a Power Level of the Charging Unit and Adjusts a Power Level Applied to Location Tracking Circuitry Responsive to One or More Signal Levels, the Power Level Comprising a Multitude of Threshold Values Determined by a User or System Administrator to Intermittently Activate or Deactivate the Location Tracking Circuitry to Conserve Power of the Charging Unit in Response to the Estimated Charge Level of the Charging Unit”.....15

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The Petitioner has not demonstrated a reasonable likelihood of success in its argument that any of the challenged claims of U.S. Patent No. 8,497,774 (“the ’774 Patent”) are invalid as obvious because (i) the Petitioner’s proposed combinations of references are improper, and (ii) even if the Petitioner’s proposed combinations of references were proper, the references on which it relies nonetheless fail to disclose required limitations from the challenged claims. Because the Petitioner has not met its burden, its request for institution of an *inter partes* review (“IPR”) should be denied.

I. INTRODUCTION

The ’774 Patent describes an electronic tracking device that includes a battery power monitor, a charging unit, and an electrical power resource management component. Ex. 1001, Abstract. The electrical power resource management component adjusts cycle timing of one or more of control parameters for the tracking device and the control parameters include request rate of location coordinate packets to a target host and a listen rate of the location coordinate packets. *Id.*

Independent claim 1 recites, in part:

local battery power adjustment mechanism to generate in substantially real-time an updated set of network communication signaling protocols associated with at least one of a request rate of location coordinate packets to be communicated to a target host and a listen rate of the

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