

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner

v.

LBT IP I LLC,

Patent Owner

Case No. IPR2020-01192
U.S. Patent No. 8,421,618

**PETITIONER APPLE INC.'S REPLY
TO PATENT OWNER'S RESPONSE**

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I. INTRODUCTION

LBT's arguments misrepresent Mr. Andrews's deposition testimony and ignore *Sakamoto's* collective teachings. *Sakamoto* teaches the GPS receiver 10 is cut off and position searching is stopped when the GPS signal is below a predetermined threshold. (Paper 1, *Petition*, 31-33; Ex. 1004, *Sakamoto*, [0038], [0050]; Ex. 1003, *Declaration of Mr. Scott Andrews*, ¶¶ 119-120). *Sakamoto* also teaches the satellite signal level is measured periodically ("at the cycle set in advance"), and when the signal level is once again above a predetermined threshold level, the GPS receiver is set in the normal or high sensitivity positioning modes. *Sakamoto*, [0037-0038]; Paper 1, 33-37; Ex. 1003, ¶¶ 138-139. LBT argues that because the GPS receiver is cut off when the signal level is low, and the GPS receiver receives the satellite signal, then the GPS receiver cannot activate in response to a signal level above the claimed receive communication signal level. (Paper 17, *Patent Owner Response*, 10). LBT's theory is incorrect, as it fails to address *Sakamoto's* setting a positioning mode based on a measured signal level above a predetermined threshold level.

II. THE PETITION AND SUPPORTING EVIDENCE ESTABLISH THE REQUIRED ACTIVATING/DEACTIVATING

A. LBT's Arguments Do Not Meaningfully Rebut the Petition's Mappings

LBT ignores the Petition's mapping and Mr. Andrews's declaration opinions. (Paper 1, 32, 35-37; Ex. 1003, ¶¶ 136-139). *Sakamoto* expressly teaches the satellite signal level is measured periodically "at the cycle set in advance." *Sakamoto*, [0037];

Ex. 1003, ¶¶ 137-138. Upon measuring that the signal level is above the predetermined threshold level, the *Sakamoto* GPS receiver 10 is set to either the normal or high sensitivity positioning modes. *Sakamoto*, [0037-0038]. As mapped in the Petition, the GPS receiver’s transition from the stop position searching mode (where no position searching is performed) to either of the normal or high sensitivity positioning modes (where both modes perform position searching) *activates* the GPS receiver. *See* Paper 1, 35 (“*Sakamoto’s* transitioning between the stop-position searching mode and either the normal/high modes results in **selective activation and deactivation** of the GPS receiver’s signal acquisition and processing functionalities....”) (emphasis in original), 37-38 (discussing “*Sakamoto* teaches transitioning from one mode to another mode depending on signal level, where signal level detection is performed responsive to the satellite signal level request message sent ‘at the cycle set in advance’”); Ex. 1003, ¶¶ 119-120 (discussing *deactivating* taught by *Sakamoto*), 133, 136-139 (Mr. Andrews opining “a POSITA would have recognized that *Sakamoto’s* system would have been configured to transition from one of the modes to any other mode (including directly from stop-position searching mode to normal mode and/or vice-versa) when appropriate”).

Notably, the Petition maps the GPS receiver’s *activation* as performed responsive to the signal level being above the predetermined threshold level. (Paper 1, 37-38; Ex. 1003, ¶ 138). LBT counters the *Sakamoto* GPS receiver “cannot

acquire or process the necessary signal for activation until the GPS receiver...[has] already been activated in response to some other trigger, such as the position request....” (Paper 17, 10-11). LBT then cites *Sakamoto*, [0020] discussing manual positioning for allegedly supporting its position. LBT’s discussion of *Sakamoto*’s manual positioning, however, does not respond to the Petition’s mapping and wholly ignores *Sakamoto*’s teachings that the satellite signal level is automatically measured cyclically. The manual activation method was not mapped for the Petition. *See* Paper 1, 35-36 (relying on *Sakamoto*’s teaching of measuring the signal level at the “cycle set in advance”). LBT solely focuses on the manual-instruction embodiment in *Sakamoto*, [0020] without addressing the periodic, cyclical signal level detection at ¶¶ [0037-0038]. *See* Paper 17, 11.

As discussed herein, both the express teachings in *Sakamoto* and Mr. Andrews’s opinions in his original Declaration (Ex. 1003) and deposition establish that *Sakamoto*’s GPS receiver activates, such as beginning position searching, in response to the satellite signal level above the predetermined threshold level as measured periodically at the cycle set in advance.

B. *Sakamoto*’s Teachings

Sakamoto teaches that “at the cycle set in advance in the position information database 25,” the positioning mode control unit 22 “sends a positioning control message (satellite signal level request message).” *Sakamoto*, [0037]; Paper 1, 35-36

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