Apple Inc.

V.

Scramoge Technology Ltd.

# IPR2022-0573, U.S. Patent No. 7,825,

Patent Owner's Demonstrative Exhibits

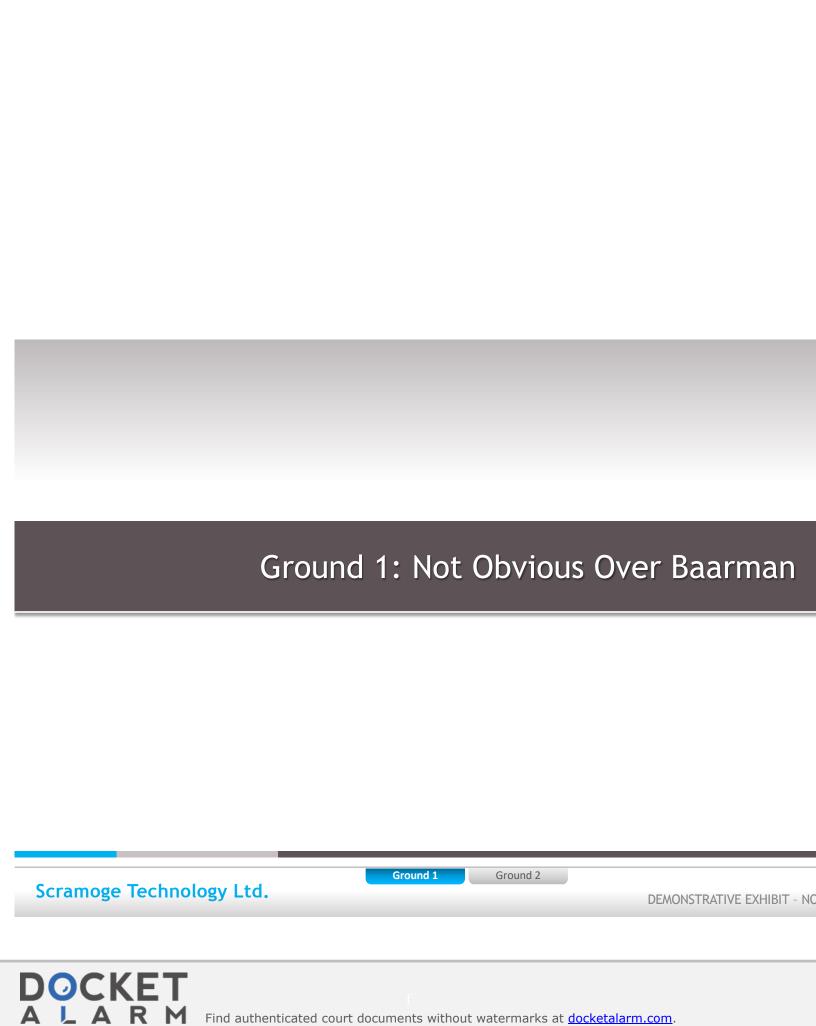
June 16, 2023

Ex. 2011

Scramoge Technology Ltd.

**DEMONSTRATIVE EXHIBIT - NO** 





# Petition Failed to Establish Baarman as P

**January 7, 2008**Baarman Provisional Application Filed

Baarman Non-Provisional Ap

November 14, 2008 '537 Patent Application File

Jan Feb Mar Apr May Jun Jul Aug Sep Oct

Ground 1

Ground 2

Scramoge Technology Ltd.

DEMONSTRATIVE EXHIBIT - NO



## Petition Failed to Show Enablemen

- "An application for patent ... for an invention disclosed in the interpretation provided by section 112 [first paragraph] ... in a provisional application, as though filed of the provisional application."
  - 35 U.S.C. § 119(e)(1); see Dynamic Drinkware, LLC v. Nat'l Graphic
    F.3d 1375, 1378 (Fed. Cir. 2015)
- It is well settled that 35 U.S.C. § 112, ¶ 1 contains a written des requirement separate from an enablement requirement.
  - Ariad Pharm., Inc. v. Eli Lilly & Co., 598 F.3d 1336, 1344 (Fed. Cir.

Scramoge Technology Ltd.

Ground 1

Ground 2



## Petition Failed to Show Enablemen

- "The enablement requirement is satisfied when one skilled in the reading the specification, could practice the claimed invention w undue experimentation."
  - AK Steel Corp. v. Sollac and Ugine, 344 F.3d 1234, 1244 (Fed. Cir. 20
- Petition does not address the Wands factors, including the degree experimentation required to "make and use" the Baarman claims
- Petition merely gives exemplary citations to the Baarman Provision without explanation

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Ground 1

Ground 2



# DOCKET

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