

UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

CPC PATENT TECHNOLOGIES PTY, LTD.,
Patent Owner

CASE: IPR2022-00602
U.S. PATENT NO. 9,665,705

PATENT OWNER RESPONSE

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LIST OF EXHIBITS

Exhibit No.	Description
2001	Scheduling Order, <i>CPC Patent Technologies Pty Ltd. v. HMD Global Oy</i> , 6:21-cv-00166 (Dkt. 27) (Sept. 23, 2021)
2002	HMD Final Invalidity Contentions, Chart B15 – <i>Mathiassen</i> , dated March 16, 2022
2003	Apple Inc. – Final Invalidity Contentions dated March 16, 2022
2004	Scheduling Order, <i>CPC Patent Technologies Pty Ltd. v. Apple Inc.</i> , 6:21-cv-00165 (Dkt. 37) (Sept. 23, 2021)
2005	March 19, 2020 Letter from George Summerfield to Brian Ankenbrandt
2006	Defendant Apple Inc.’s Notice of Motion and Motion to Stay Pending <i>Inter Partes</i> Review, 5:22-cv-02553 (Dkt. 119) (June 14, 2022)
2007	HMD Global Oy – Final Invalidity Contentions dated March 16, 2022
2008	Declaration of George C. Summerfield in Support of Motion for <i>Pro Hac Vice</i> Admission
2009	Biography of George C. Summerfield
2010	Declaration of Jonah Heemstra in Support of Motion for <i>Pro Hac Vice</i> Admission
2011	Apple’s Opening Claim Construction Brief, <i>CPC Patent Technologies Pty Ltd. v. Apple Inc.</i> , 6:21-cv-00165 (Dkt. 46) (Nov. 19, 2021)
2012	Final Deposition Transcript of Dr. Andrew Sears, dated November 8, 2022

Exhibit No.	Description
2013	Declaration of William C. Easttom II (Chuck Easttom) Ph.D., D.Sc.
2014	CV of Dr. Chuck Easttom

I. INTRODUCTION

The limitations of the independent claims of U.S. Patent No. 9,665,705 (“the ’705 Patent”) can be divided as follows: 1) the preamble; 2) a memory with the biometric signature database (representative clause 1(a));¹ 3) a transmitter subsystem and its components involved in capturing and matching of biometric data (representative clause 1(b)); 4) a receiver subsystem to give access to a device based upon information received from the transmitter subsystem (representative clause 1(c)); 5) the transmitter subsystem to the extent it is involved in the capture and registration of biometric data associated with a user (representative clause 1(d)); and 6) the device to be unlocked (representative clause 1(e)). Apple cobbles together a single, three-reference challenge to the claims of the ’705 Patent. Even with these three references in hand, Apple must ignore its own characterization of the prior art and its construction of the subject claims to mount an obviousness challenge.

¹ These clauses refer to the numbering system used by the Board to label the various claim limitations in claim 1 of the ’705 Patent. As the Board notes, the only difference between claim 1 and claim 15 (the only other independent claim directed to a “system for providing secure access to a controlled item”) is the phrase “configured to” in the former and the phrase “capable of” in the latter. Paper No. 11 at 6. The distinction between those terms is addressed later herein.

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