

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., SAMSUNG ELECTRONICS CO., LTD.,
and SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

SMART MOBILE TECHNOLOGIES LLC,
Patent Owner.

Case IPR2022-00807
Patent 9,756,168

PATENT OWNER'S PRELIMINARY RESPONSE

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STATUTES

35 U.S.C. § 314(a)9

35 U.S.C. § 316(e)23

EXHIBIT LIST	
2001	Techopedia – Jini (available at https://www.techopedia.com/definition/1304/jini) [Techopedia Jini]
2002	Excerpts from <i>The Jini™ Specification</i> , Ken Arnold et al., [Jini Specification]
2003	Excerpts from <i>A Collection of Jini™ Technology Helper Utilities and Services Specifications</i> , Sun Microsystems, Inc. (2000) [A Collection of JINI Specifications]
2004	Excerpts from Microsoft Computer Dictionary, Fifth Edition (2002) [Microsoft Computer Dictionary]
2005	Excerpts from Newton’s Telecom Dictionary, 16th Edition (2000) [Newton’s Telecom Dictionary]

I. INTRODUCTION

The Petition raises six grounds, each of which requires combining at least Sainton, Baker, and Mueller.¹ The Petition requests cancellation of independent claim 2 and its dependents 3, 5, 19-23, and 25, and independent claim 4 and its dependents 28, 29, 32, and 34. The Petition should be denied because it fails, for at least the reasons below, to show a sufficient likelihood that Petitioner will prevail as to any claim.

First, each challenged claim requires a “server” (in claim 2 and its dependents, “remote server”) configured to store software and applications for wireless devices. Petitioner argues that this limitation is rendered obvious by Sainton and Baker in combination because Baker’s lookup service 136 supposedly discloses the claimed “server.” However, Petitioner fails to show that Baker’s lookup service 136 is a “server” as claimed. In fact, the POSITA would understand that Baker’s technology expressly distinguishes its lookup service 136 from a “server,” a fact that the Petition entirely fails to address. *See* Section II.

Second, each challenged claim requires storing user “profile[s]” at the “server.” Petitioner argues that the “profile[s]” limitation is rendered obvious by

¹ Grounds 2-5 each require adding a fourth reference (Humpleman, Grube, Hsu, Camp, or Petty). These additional references are irrelevant to this Response.

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