

**UNITED STATES PATENT AND TRADEMARK OFFICE**

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

ASSA ABLOY AB, ASSA ABLOY Inc.,  
ASSA ABLOY Residential Group, Inc., August Home, Inc., HID Global  
Corporation, and ASSA ABLOY Global Solutions, Inc.,  
Petitioners,

v.

CPC Patent Technologies PTY LTD.,  
Patent Owner.

Case No. IPR2022-01093

Patent No. 8,620,039

---

**PETITION FOR *INTER PARTES* REVIEW OF**

**U.S. PATENT NO. 8,620,039 (CLAIMS 1, 2, 13, 14, 19, and 20)**

***Mail Stop "PATENT BOARD"***  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

## TABLE OF CONTENTS

I.	INTRODUCTION .....	1
II.	MANDATORY NOTICES .....	1
III.	IDENTIFICATION OF CLAIMS AND GROUNDS.....	2
IV.	CERTIFICATION AND FEES.....	4
V.	BACKGROUND .....	4
A.	The '039 Patent .....	4
B.	The Prior Art .....	7
1.	<b>Hsu</b> .....	7
2.	<b>Sanford</b> .....	9
3.	<b>Tsukamura</b> .....	9
VI.	LEVEL OF SKILL .....	10
VII.	CLAIM CONSTRUCTION .....	11
A.	Terms to be Construed .....	11
1.	<u><b>Card Information “Defining” / “Defines” a Memory Location</b></u> .....	11
2.	<u><b>“unoccupied”</b></u> .....	14
B.	Means-Plus-Function Limitations .....	15
C.	Other Previously-Construed Terms.....	16
1.	<u><b>“biometric card pointer system”</b></u> .....	16
2.	<u><b>“biometric card pointer enrollment system”</b></u> .....	16
D.	Other Previously-Agreed-On Terms .....	16
1.	<u><b>“dependent upon”</b></u> .....	16
2.	<u><b>“biometric signature”</b></u> .....	16
VIII.	ARGUMENT.....	17
A.	GROUND #1: Claims 1, 2, 13, 14, 19, and 20 are rendered obvious by Hsu and Sanford .....	17
1.	<b>Claim 1</b> .....	17
2.	<b>Claim 2</b> .....	40

**TABLE OF CONTENTS**

(continued)

3.	<b>Claim 13</b> .....	49
4.	<b>Claim 14</b> .....	57
5.	<b>Claim 19</b> .....	60
6.	<b>Claim 20</b> .....	69
B.	GROUND #2: Claims 1, 2, 13, 14, 19, and 20 are rendered obvious by Hsu, Sanford, and Tsukamura .....	73
1.	<b>Claim 1</b> .....	73
2.	<b>Claim 2</b> .....	85
3.	<b>Claim 13</b> .....	86
4.	<b>Claim 14</b> .....	90
5.	<b>Claim 19</b> .....	92
6.	<b>Claim 20</b> .....	93
IX.	CONCLUSION.....	94

## EXHIBIT LIST

<b>EXHIBITS FILED BY PETITIONERS</b>	
EX-1001	U.S. Patent No. 8,620,039 (“’039 Patent”)
EX-1002	Patent Prosecution History of U.S. Patent No. 8,620,039
EX-1003	European Patent Pub. No. EP 0924655A2 to Hsu <i>et al.</i> (“Hsu”)
EX-1004	World Intellectual Property Organization (WIPO) Int. Pub. No. WO 2003077077A2 (03/077077) to Kirk Sanford (“Sanford”)
EX-1005	U.S. Patent No. 6,963,660 to Yoshihiro Tsukamura and Takeshi Funahashi (“Tsukamura”)
EX-1006	Declaration of Stuart Lipoff Regarding Invalidity of U.S. Patent No. 8.620,039
EX-1007	Curriculum Vitae of Stuart Lipoff
EX-1008	European Patent Pub. No. EP 0881608A1 to Walter Leu (“Leu Original”)
EX-1009	Certified English Translation of European Patent Pub. No. EP 0881608A1 to Walter Leu (“Leu”)
EX-1010	U.S. Patent No. 5,790,674 to Robert C. Houvener and Ian P. Hoenisch (“Houvener”)
EX-1011	U.S. Patent No. 5,956,415 to McCalley <i>et al.</i> (“McCalley”)

<b>EXHIBITS FILED BY PETITIONERS</b>	
EX-1012	Claim Construction Order in <i>CPC Patent Technologies Pty Ltd v. Apple Inc.</i> , WDTX-6-21-cv-00165-ADA, Dkt. No. 76 (“Apple CC Order”)
EX-1013	Joint Claim Construction Statement in <i>CPC Patent Technologies Pty Ltd v. Apple Inc.</i> , WDTX-6-21-cv-00165-ADA, Dkt. No. 57 (“Apple Joint CC Statement”)
EX-1014	Excerpts from Bloomsbury English Dictionary, 2 <sup>nd</sup> Edition (2004)
EX-1015	Excerpts from The Chambers Dictionary, 4 <sup>th</sup> Edition (2003)
EX-1016	CPC Publicly Filed Infringement Allegations Against Apple regarding U.S. Patent No. 8,620,039
EX-1017	World Intellectual Property Organization (WIPO) Int. Pub. No. WO 2001022351A1 (01/022351) to Gerald R. Black (“Black”)
EX-1018	World Intellectual Property Organization (WIPO) Int. Pub. No. WO 2004055738A1 (04/055738) to Svein Mathiassen and Ivar Mathiassen (“Mathiassen”)
EX-1019	Excerpts from Algorithms + Data Structures = Programs, Niklaus Wirth (1976) (“Wirth”)
EX-1020	Excerpts from The Art Of Computer Programming (Second Edition), Volume 1 Fundamental Algorithms (1973) (“Knuth Vol. 1”)

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.