

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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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

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**PETITIONERS' REPLY TO  
PATENT OWNER'S PRELIMINARY RESPONSE**

## TABLE OF CONTENTS

	Page
I. APPLE IS NOT A REAL PARTY IN INTEREST. ....	2
A. This Petition was not filed at Apple’s behest.....	2
B. The business relationship does not support an RPI theory .....	3
C. The Developer Agreement does not support Apple being an RPI.....	5
D. Routine product certification does not make Apple an RPI.....	8
E. CPC’s “clear beneficiary” argument is meritless.....	8
F. Petitioners challenged the ’039 Patent for their own benefit.....	9
II. APPLE IS NOT IN PRIVACY WITH PETITIONERS. ....	9
Factor 1: No agreement binds the Petitioners to the Apple action.....	10
Factor 2: No privity in business relationship between Apple and Petitioners.....	10
Factors 3-4: Petitioners have no control or representation in the Apple action. ....	10
Factor 5: Petitioners are not acting as Apple’s proxy. ....	10
Factor 6: No special statutory scheme foreclosing successive litigation. ....	10

## TABLE OF AUTHORITIES

	<b>Page(s)</b>
<b>Cases</b>	
<i>Apple Inc. v. CPC Patent Technologies PTY, LTD., IPR2022-00601,</i> Paper 11 (PTAB Sept. 28, 2022) .....	9
<i>ASSA ABLOY AB et al v. CPC Patent Technologies Pty. Ltd. et al,</i> No. 3-22-cv-00694 (D. Conn.).....	3
<i>ASSA ABLOY AB et al v. CPC Patent Technologies Pty. Ltd.,</i> IPR2022-01006, Paper 27 (PTAB Dec. 1, 2022) .....	1, 3, 8
<i>Bae Sys. Info. &amp; Elec. Sys. Integration, Inc. v. Cheetah Omni, LLC,</i> IPR2013-00175, Paper 20 (PTAB July 23, 2013) .....	3, 6
<i>Bungie v. Worlds Inc.,</i> IPR2015-01264, Paper 64 (PTAB Jan. 14, 2020) .....	5, 6
<i>Dep't of Justice v. Discovery Patents, LLC.,</i> IPR2016-01041, Paper 29 (PTAB Nov. 9, 2017).....	6
<i>Google LLC et al v. Cywee Grp. Ltd.,</i> IPR2018-01257, Paper 91 (PTAB Jan. 9, 2020) .....	2, 6
<i>RR Donnelley &amp; Sons Co. v. ScriptChek Visual Verification Sys., Inc.,</i> IPR2021-00564, Paper 17 .....	7
<i>Taylor v. Sturgell,</i> 553 U.S. 880 (2008).....	9
<i>Unified Pats. Inc. v. Am. Pats. LLC,</i> IPR2019-00482, Paper 132 (PTAB Aug. 3, 2022).....	6
<i>Uniloc 2017 LLC v. Facebook Inc.,</i> 989 F.3d 1018 (Fed. Cir. 2021) .....	2, 3, 9
<i>Ventex Co., Ltd., v. Columbia Sportswear North America, Inc.,</i> IPR2017-00651 (PTAB Jan. 24, 2019).....	6

*WesternGeco LLC v. ION Geophysical Corp.*,  
889 F.3d 1308 (Fed. Cir. 2018) .....9, 10

*Wi-Fi One, LLC v. Broadcom Corp.*,  
887 F.3d 1329 (Fed. Cir. 2018) .....2, 4, 5

*Worlds, Inc. v. Bungie, Inc.*,  
903 F.3d 1237 (Fed. Cir. 2018) .....5

CPC Patent Technologies Pty. Ltd. (“CPC”) devotes its entire Patent Owner Preliminary Response (“POPR”) to a meritless real-party-in-interest (“RPI”) theory that is contrary to both fact and law. The Board has already rejected this same RPI theory when instituting related IPR2022-01006, which involves the same Petitioners and Patent Owner. Just as the Board correctly determined in IPR2022-01006 (Paper 27), the evidence confirms that Apple was not involved at all in this petition and is not an RPI. Apple never knew the petition would be filed, never requested that it be filed, and never directed, controlled or contributed to it financially or otherwise. Petitioners filed their petition based on their own interests, without any consideration of Apple. Further, Apple has its own IPR petition challenging the patent-at-issue. Petitioners likewise had no involvement in Apple’s petition.

Absent any facts to support a viable RPI theory, CPC instead argues that a standard business relationship between Apple and Petitioners makes Apple an RPI and privy. Not so. Petitioners and Apple have a standard business relationship like that of over 34 million application developers on Apple’s platform (EX-1024 at 6-7) and hundreds of MFi Program participants (collectively its business partners). EX-1025. The Board rejected CPC’s theory: the “common form of conducting business, without more, does *not* establish a relationship sufficient to make Apple a real party-in-interest or a privy of Petitioner...” IPR2022-01006, Paper 27 at 35.

It would be a radical departure from the law—and from common sense—to

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