

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,  
Petitioner,

v.

AIRE TECHNOLOGY LIMITED,  
Patent Owner

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IPR2022-01137  
Patent No. 8,581,706

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**PATENT OWNER'S SUR-REPLY**

**Table of Contents**

I. Introduction..... 1

II. The Petition's Lack of Supporting Evidence ..... 2

III. The Petition Does Not Establish That A POSITA Would Have  
Been Motivated To Combine *Guthery* With *Nozawa* ..... 6

IV. The Petition Does Not Establish That A POSITA Would Have  
Been Motivated To Combine *Guthery* With *RFID Handbook* ..... 17

V. Conclusion ..... 18

**Table of Authorities**

**Cases**

*Application of Wessler*,  
353 F.2d 238 (C.C.P.A. 1965)..... 11

*MobileMedia Ideas LLC v. Apple Inc.*,  
780 F.3d 1159 (Fed. Cir. 2015)..... 4

*Skky, Inc. v. MindGeek, s.a.r.l.*,  
859 F.3d 1014 (Fed. Cir. 2017)..... 4

*Smartmatic USA Corp. v. Election Sys. & Software*,  
IPR2019-00527, Paper 32 (Aug. 5, 2020)..... 4

*TQ Delta, LLC v. CISCO Sys., Inc.*,  
942 F.3d 1352 (Fed. Cir. 2019)..... 4

*Xerox Corp. v. Bytemark, Inc.*,  
IPR2022-00624, Paper 12 (PTAB Feb. 10, 2023) ..... 3

*Xerox Corp. v. Bytemark, Inc.*,  
IPR2022-00624, Paper No. 9 (PTAB Aug. 24, 2022) (precedential) ..... 3, 14

Exhibits

Exhibit No.	Description
2001	Notice of IPR Petitions, <i>Aire Technology Ltd. v. Apple Inc.</i> , Case No. 6:21-cv-01101-ADA, Dkt. No. 37 (W.D. Tex. Jun. 24, 2022)
2002	Amended Scheduling Order, <i>Aire Technology Ltd. v. Apple Inc.</i> , Case No. 6:21-cv-01101-ADA, Dkt. No. 61 (W.D. Tex. Sep. 21, 2022)
2003	Law360 Article: <i>West Texas Judge Says He Can Move Faster Than PTAB</i>
2004	Text Order Denying Motion to Stay Pending IPR, <i>Solas OLED Ltd. v. Google, Inc.</i> , Case No. 6:19-cv-00515-ADA (W.D. Tex. June 23, 2020)
2005	Order Denying Motion to Stay Pending IPR, <i>Multimedia Content Management LLC v. DISH Network L.L.C.</i> , Case No. 6:18-cv-00207-ADA, Dkt. No. 73 (W.D. Tex. May 30, 2019)
2006	Standing Order Governing Proceedings in Patent Cases, Judge Alan D. Albright
2007	Claim Construction Order, <i>Solas OLED Ltd. v. Apple Inc.</i> , Case No. 6:19-cv-00537-ADA, Dkt. No. 61 (W.D. Tex. Aug. 30, 2020)
2008	Plaintiff Aire Technology Ltd.'s Preliminary Disclosure of Asserted Claims and Infringement Contentions to Apple Inc. in <i>Aire Technology Ltd. v. Apple Inc.</i> , Case No. 6:21-cv-01101-ADA (W.D. Tex.)
2009	Defendant Apple Inc.'s Preliminary Invalidity Contentions in <i>Aire Technology Ltd. v. Apple Inc.</i> , Case No. 6:21-cv-01101-ADA (W.D. Tex.)
2010	September 30, 2021 Federal District Court Trial Statistics
2011	December 31, 2021 Federal District Court Trial Statistics
2012	March 31, 2022 Federal District Court Trial Statistics

## I. Introduction

As explained in the Patent Owner's Response, Petitioner's Grounds 1 and 2 challenges to independent claims 1 and 11, as well as the claims depending therefrom, fail because a POSITA would not have been motivated to modify *Guthery's* smart card system in view of *Nozawa*. A POSITA would understand that the proposed combination would be *detrimental* to *Guthery* because, for example, it contradicts *Guthery's* stated goal of tightly coupling *the execution of applications and thereby communication with them with efficient management of the smart card's limited RAM memory*. To process multiple-packet inputs requested by a host, a requisite aspect of the operation of *Guthery's* smart card, an application determines "how many packets to expect and therefore how many permissions to send it must grant to the host to receive the entire message." Ex. 1005, 13:1-4. Because Petitioner's proposed combination with *Nozawa* would deprive the application of the ability to make this determination, the proposed combination renders *Guthery's* smart card system inoperable for its intended purpose. A POSITA would thus *not* have been motivated to make the proposed combination.

Petitioner's Ground 2 challenge to dependent claim 16 and the Ground 4 challenge to independent claim 20 also fail because a POSITA would not have been motivated to modify *Guthery's* smart card system in view of *RFID Handbook*. The Petition generically asserts that *Guthery's* smart card would benefit from improved

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