

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

IPR2022-01222
Patent 8,982,863 B1

Record of Oral Hearing
Held: November 7, 2023

Before KEVIN F. TURNER, HYUN J. JUNG, and NATHAN A. ENGELS,
Administrative Patent Judges.

IPR2022-01222
Patent 8,982,863 B1

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF THE PATENT OWNER:

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The above-entitled matter came on for hearing on November 7, 2023, commencing at 1:00 p.m., via video teleconference.

P R O C E E D I N G S

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3 JUDGE JUNG: Hello, this is Judge Jung, and with me are Judge
4 Turner and Judge Engels. This is the oral argument for IPR2022-01222. In
5 this proceeding, Petitioner, Apple Incorporated, challenges certain claims of
6 U.S. Patent Number 8,982,863, or the '863 patent. The '863 patent is owned
7 by Smart Mobile Technologies LLC. Counsel for Petitioner, please state
8 your name for the record.

9 MR. EHMKE: Your Honors, this is Andrew Ehmke, Lead
10 Petitioner on behalf of Apple. Joining me today is my colleague, Adam
11 Fowles. Mr. Fowles will be presenting on behalf of the Petition.

12 JUDGE JUNG: Thank you, Mr. Ehmke. Counsel for Patent
13 Owner, please introduce yourself.

14 MR. SHAW: Good morning, Your Honors. This is Greer Shaw
15 for Patent Owner, and with me is my partner, Phil Graves, and my co-
16 counsel, who is lead counsel on this case, Rex Hwang.

17 JUDGE JUNG: Thank you, Mr. Shaw. A few reminders for this
18 hearing. If you encounter any technical difficulties, please let us know
19 immediately, even if you have to interrupt. If you're not speaking, please
20 mute yourself. Please identify yourself each time you speak to help make
21 the transcript clear. Please refer to demonstratives, papers, and exhibits by
22 slide or page number. And there is a public connection. The Petitioner has
23 60 minutes of total time to present its arguments, and the Patent Owner also
24 has 60 minutes of total time to present its arguments. Each party may
25 reserve time for rebuttal, and I will interrupt you when you only have a few

1 minutes remaining. That said, Mr. Fowles, you may proceed when you're
2 ready.

3 MR. FOWLES: Thank you very much. I would like to reserve 10
4 minutes for rebuttal.

5 JUDGE JUNG: Ten minutes it is. Thank you.

6 MR. FOWLES: Thank you. With that let us move to slide 2 of
7 Petitioner's demonstratives. Looking first at the background of the '863
8 patent, those parts that are relevant to this proceeding involve a cellular
9 telephone/mobile device, illustrated here in Figures 4 and 5A as CT/MD, a
10 server, and a network switch box. The CT/MD is set up as a dual band
11 system, and the server, referred to as server C in the patent, controls
12 communication protocols and allocates channels and transfers of data via
13 packets. The network switch box, finally, provides system services by
14 interfacing to different environments. Moving now to slide 3, the
15 independent claims focus on a system for controlling IP-based devices.
16 While the claims include an IP-enabled wireless device, all of the areas of
17 dispute relate, sorry, to the claims' server and network switch box
18 limitations. So we will focus on those aspects here today. Many limitations
19 are shared between independent claims 1 and 14 of the '863 patent. The
20 biggest difference being where claim 1 focuses on just one network switch
21 box, claim 14 includes a second network switch box as well.

22 Now referring to those areas of dispute between the parties, we
23 will step through those in order today unless the Board has other questions
24 or issues they would like to turn to. And for the independent claims, those
25 areas of dispute include first whether Ahopelto's teachings render obvious

1 the server and network switch box limitations of the independent claims.
2 And second, whether Ahopelto's system teachings render obvious a server
3 that's in communication with a network switch box, as in claim 1, or a
4 server configured for communication with first and second network switch
5 boxes, as in claim 14. Patent Owner further disputes the obviousness of
6 dependent claims 4, 6, and 19, and we'll get to those.

7 So let's move now to slide 4 and the first topic. The first area of
8 dispute centers around the server and network switch box limitations.
9 Ahopelto's system teachings render obvious both of these limitations in the
10 challenged claims, though. So let's look at slide 5 and look first at what
11 Ahopelto teaches. Ahopelto's Figure 1 shows a general packet radio service
12 network with multiple operators, mobile devices, and destinations. The
13 GPRS network includes multiple nodes to facilitate packet transfers between
14 endpoints, including a GPRS gateway support node, as well as other nodes
15 like the GGSN and the GPRS HSN. Now, the GGSN was instrumental in
16 Ahopelto's GPRS network in ensuring data packets reach their destination
17 regardless of the protocol used. Instead, the protocol used for the packet was
18 a basis for determining what networks would be used to reach the endpoint.
19 And that leads us to slide 6. Ahopelto teaches that the different functions of
20 the different nodes, including the GGSN, SGSN, and others can be
21 implemented in a single computer. This was a well-known approach.
22 Analogously, it was also known for the GGSN itself to implement multiple
23 software functions on the same node, using duplicated hardware and
24 modular software, for example. The evidence reflects that POSITAs
25 recognized that a variety of different functions were going on inside of a

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