

EXHIBIT 21

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC.,
Petitioner,

v.

AGIS SOFTWARE DEVELOPMENT, LLC,
Patent Owner.

Case IPR2018–00819
Patent 9,467,838 B2

Before DANIEL J. GALLIGAN, CHRISTA P. ZADO, and
FREDERICK C. LANEY, *Administrative Patent Judges*.

ZADO, *Administrative Patent Judge*.

DECISION
Institution of *Inter Partes* Review
35 U.S.C. § 314(a)

IPR2018–00819
Patent 9,467,838 B2

5. *Summary*

Because Patent Owner has not satisfied its burden to show that the '410 application and earlier intervening applications satisfy the written description requirement of 35 U.S.C. § 112, Patent Owner has not established that the '838 patent is entitled to rely on a filing date earlier than October 31, 2014, the filing date of the '838 patent. Accordingly, based on this record, the '724 patent, which issued on December 8, 2009, qualifies as prior art to the '838 patent under 35 U.S.C. 102(a)(1).

D. *The '724 patent (Ex. 1008)*

The '724 patent discloses a cellular, PDA communication device and communication system for allowing a plurality of cellular phone users to monitor each other's locations and status, and to initiate cellular phone calls by touching a symbol on a touch screen display with a stylus, which can also include point to call conference calling. Ex. 1008, [57]. Each participant's cellular phone PDA device includes a GPS navigation receiver with application software for point to call cellular phone initiation to participants and geographical entities including vehicles, persons or events, conference calls and video transfers. *Id.*

“The heart of the invention lies in the AGIS software applications provided in the device.” *Id.* at 5:9–10. Mounted within the housing as part of the PDA is a display and a CPU. *Id.* at 5:10–11. The internal CPU includes databases that provide for a geographical map and georeferenced entities that are shown on the display that includes as part of the display various areas of interest in a particular local map section. *Id.* at 5:11–15. The software has an algorithm that relates the X and y coordinates to latitude and longitude and can access a participant's symbol or a fixed or movable entity's symbol as being the one closest to that point. *Id.* at 5:63–67.