

EXHIBIT A

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

MAXELL LTD.,
Patent Owner

Case No. IPR2020-00204
Patent No. 6,928,306

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 6,928,306**

non-English language prior art. This searching was comprehensive and involved time-intensive tasks such as translating foreign language documents and analyzing the same. Additionally, Apple prepared and served invalidity contentions in the Maxell litigation on August 14, 2019, which involved a significant time investment beyond the prior art searching already undertaken. Immediately upon completing the invalidity contentions, Apple began preparing the IPRs for the ten asserted patents, including the '306 Patent. This work included additional prior art searching (beyond the prior art searching performed for the invalidity contentions), identifying and retaining experts, and preparing corresponding petitions and expert declarations. As the Board can appreciate, these tasks are time intensive and require a certain specialty and expertise. This is especially true given filing a petition that is not well-supported, precise, and thorough risks not complying with the requirements for IPR. Since the Maxell litigation was filed, Apple has worked diligently to prepare and file this Petition, has not delayed filing of this Petition, either intentionally or otherwise, and does not obtain any tactical advantage from any delay.

Given the extremely time-intensive process for preparation of any petition, let alone petitions for ten patents (all but three of which are unrelated), Apple's time to filing of this Petition is reasonable. Maxell filed litigation asserting ten patents and should expect that Apple would file IPRs. Maxell would reap an inequitable advantage were the Board to exercise its discretion to not institute under § 314(a)