

PUBLIC VERSION

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

MAXELL, LTD.,

Plaintiff,

v.

APPLE INC.,

Defendants.

Civil Action No. 5:19-cv-00036

JURY TRIAL DEMANDED

PUBLIC VERSION

**MAXELL, LTD.'S MOTION FOR PARTIAL SUMMARY JUDGMENT OF NO
INVALIDITY OF U.S. PATENT NOS. 6,748,317, 6,580,999, AND 6,430,498 IN VIEW OF
THE ABOWD AND CYBERGUIDE ALLEGED PRIOR ART**

PUBLIC VERSION

TABLE OF CONTENTS

I. INTRODUCTION 1

II. LEGAL STANDARD..... 2

III. STATEMENT OF UNDISPUTED FACTS 3

IV. STATEMENT OF THE ISSUES FOR THE COURT TO DECIDE 4

V. ARGUMENT 4

A. Apple has failed to show that the Abowd Publication is Prior Art 5

 1. Abowd was not shown to have been publicly available at the University of Pittsburgh Library 7

 2. Abowd was not shown to have been publicly available at the Carnegie Mellon University Library 8

 3. Mr. Munford or Dr. Paradiso have not made any showing that Abowd was publicly accessible to one of skill in the art 10

B. Apple has failed to show that the Cyberguide prototypes are prior art 11

VI. CONCLUSION..... 15

PUBLIC VERSION
TABLE OF AUTHORITIES

	Page(s)
CASES	
<i>Acceleration Bay, LLC v. Activision Blizzard Inc.</i> , 908 F.3d 765 (Fed. Cir. 2018).....	5, 6, 8
<i>Am. Seating Co. v. USSC Grp., Inc.</i> , 514 F.3d 1262 (Fed. Cir. 2008).....	14
<i>Anderson v. Liberty Lobby, Inc.</i> , 477 U.S. 242 (1986).....	2
<i>Barry v. Medtronic, Inc.</i> , 230 F. Supp. 3d 630 (E.D. Tex. 2017).....	14
<i>Barry v. Medtronic, Inc.</i> , 914 F.3d 1310 (Fed. Cir. 2019).....	14
<i>Blue Calypso, LLC v. Groupon, Inc.</i> , 815 F.3d 1331 (Fed. Cir. 2016).....	10
<i>Carella v. Starlight Archery</i> , 804 F.2d 135 (Fed. Cir. 1986).....	2
<i>Celotex Corp. v. Catrett</i> , 477 U.S. 317 (1986).....	2
<i>Clock Spring, L.P. v. Wrapmaster, Inc.</i> , 560 F.3d 1317 (Fed. Cir. 2009).....	3, 12
<i>Dey, L.P. v. Sunovion Pharm., Inc.</i> , 715 F.3d 1351 (Fed. Cir. 2013).....	14
<i>Eason v. Thaler</i> , 73 F.3d 1322 (5th Cir. 1996)	2
<i>Finnigan Corp. v. Int’l Trade Commission</i> , 180 F.3d 1354 (Fed. Cir. 1999).....	3
<i>Forsyth v. Barr</i> , 19 F.3d 1527 (5th Cir. 1994)	2
<i>In re Hall</i> , 781 F.2d 897 (Fed. Cir. 1986).....	2, 5

..

PUBLIC VERSION
TABLE OF AUTHORITIES—continued

	Page(s)
<i>Hilgraeve, Inc. v. Symantec Corp.</i> , 271 F. Supp. 2d 964 (E.D. Mich. 2003).....	2
<i>Intellectual Ventures II LLC v. Sprint Spectrum, L.P.</i> , No. 2:17-cv-00662-JRG-RSP, 2019 U.S. Dist. LEXIS 76941 (E.D. Tex. Apr. 18, 2019).....	5, 8
<i>Invitrogen Corp. v. Biocrest Mfg., L.P.</i> , 424 F.3d 1374 (Fed. Cir. 2005).....	14
<i>Jazz Pharms., Inc. v. Amneal Pharms., LLC</i> , 895 F.3d 1347 (Fed. Cir. 2018).....	5
<i>Juicy Whip, Inc. v. Orange Bang, Inc.</i> , 292 F.3d 728 (Fed. Cir. 2002).....	3, 13
<i>Kyocera Wireless Corp.</i> , 545 F.3d 1340.....	10
<i>Microsoft Corp. v. i4i Limited Partnership</i> , 131 S. Ct. 2238, 564 U.S. 91 (2011).....	2
<i>Minnesota Min. & Mfg. Co. v. Chemque, Inc.</i> , 303 F.3d 1294 (Fed. Cir. 2002).....	2, 5
<i>Navico Inc. v. Garmin Int’l, Inc.</i> , No. 2:16-CV-00190-JRG-RSP, 2017 U.S. Dist. LEXIS 139806 (E.D. Tex. July 28, 2017).....	12
<i>Ragas v. Tenn. Gas Pipeline Co.</i> , 136 F.3d 455 (5th Cir. 1998)	2
<i>Samsung Elecs. Co. v. Infobridge Pte. Ltd.</i> , 929 F.3d 1363 (Fed. Cir. 2019).....	5
<i>Schlumberger Tech. Corp. v. Bico Drilling Tools, Inc.</i> , No. H-17-3211, 2019 U.S. Dist. LEXIS 98509 (S.D. Tex. June 12, 2019).....	14
<i>In re Wyer</i> , 655 F.2d 221 (CCPA 1981)	5
<i>Zimmer Tech. Inc. v. Howmedica Osteonics Corp.</i> , 476 F. Supp. 2d 1024 (N.D. Ind. 2007)	3

...

PUBLIC VERSION
TABLE OF AUTHORITIES—continued

	Page(s)
STATUTES	
35 U.S.C. § 102.....	4
35 U.S.C. § 282.....	2
OTHER AUTHORITIES	
Fed. R. Civ. P. 56(c)	2

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