EXHIBIT F

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

————————

APPLE INC.,
Petitioner,

v.

MAXELL, LTD.,
Patent Owner.

————————

IPR2020-00199
Patent 6,329,794 B1

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Before MINN CHUNG, KEVIN C. TROCK, and JOHN A. HUDALLA,
Administrative Patent Judges.

HUDALLA, *Administrative Patent Judge*.

DECISION
Granting Institution of *Inter Partes* Review
35 U.S.C. § 314

Apple Inc. ("Petitioner") filed a Petition (Paper 1, "Pet.") requesting
an *inter partes* review ("IPR") of claims 1–3 and 5–14 (the "challenged
claims") of U.S. Patent No. 6,329,794 B1 (Ex. 1001, "the '794 patent").
Petitioner filed a Declaration of Louis Hruska (Ex. 1003) with its Petition.
Patent Owner, Maxell, Ltd. ("Patent Owner"), filed a Preliminary Response
(Paper 6, "Prelim. Resp.").

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With our authorization (Paper 7), Petitioner also filed a Reply
(Paper 8, "Pet. Reply") and Patent Owner filed a Sur-Reply (Paper 10, "PO
Sur-reply") addressing whether we should exercise our discretion to deny
institution under 35 U.S.C. § 314(a).

We have authority to determine whether to institute an *inter partes*
review. *See* 35 U.S.C. § 314(b); 37 C.F.R. § 42.4(a). Under 35 U.S.C.
§ 314(a), we may not authorize an *inter partes* review unless the information
in the petition and the preliminary response "shows that there is a reasonable
likelihood that the petitioner would prevail with respect to at least 1 of the
claims challenged in the petition." For the reasons that follow, we institute
an *inter partes* review as to claims 1–3 and 5–14 of the '794 patent on all
grounds of unpatentability presented.

I.   BACKGROUND

A.   *Real Parties-in-Interest*

Petitioner identifies Apple Inc. as the real party-in-interest. Pet. 71.
Patent Owner identifies Maxell, Ltd. as the real party-in-interest. Paper 5, 1.

B.   *Related Proceedings*

The parties identify the following proceedings related to the
'794 patent (Pet. 71; Paper 5, 1):

Maxell, Ltd. v. Apple Inc., No. 5:19-cv-00036 (E.D. Tex. Mar. 15,
2019) ("the underlying litigation");

Maxell, Ltd. v. ZTE Corp., No. 5:18-cv-00034 (E.D. Tex. Mar. 2,
2018); and

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ZTE Corp. v. Maxell, Ltd., IPR2018-00241 (institution denied) ("the '241 IPR").

We further note that Petitioner's arguments reference two other cases involving the '794 patent (Pet. 6; *see also* Ex. 1010):

Maxell, Ltd. v. Huawei Device USA, Inc., No. 5:16-cv-00178 (E.D. Tex. Nov. 18, 2016) ("the Huawei litigation"); and

Maxell, Ltd. v. ZTE Corp., No. 5:16-cv-00179 (E.D. Tex. Nov. 18, 2016).

C.   *The '794 patent*

The '794 patent is directed to controlling power consumption in a battery-operable information processing device. Ex. 1001, 1:6–11. Figure 1 of the '794 patent is reproduced below.
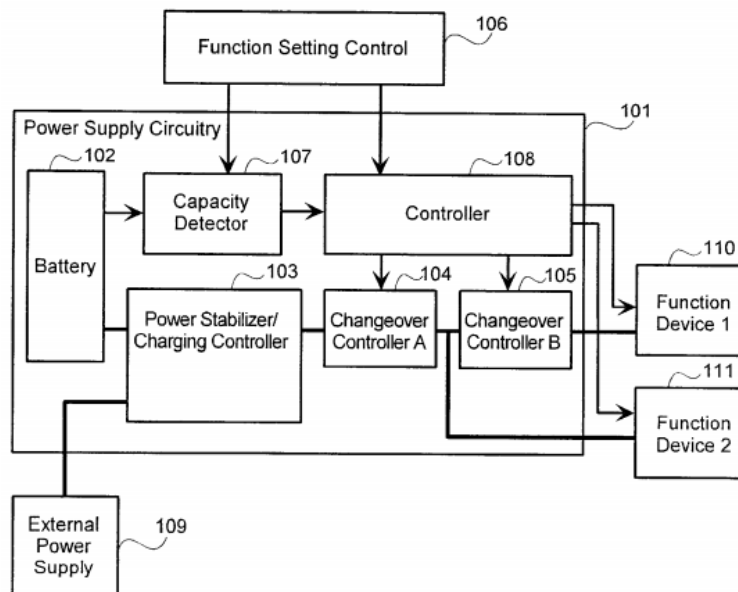
FIG.1

Figure 1 depicts power supply section 101, which supplies power to various functions in an information processing device. *Id.* at 3:23–25. Power supply

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section 101 includes battery 102 and power stabilizer/charging
controller 103. *Id.* at 3:25–28. Capacity detector 107 detects the remaining
capacity of battery 102. *Id.* at 3:34–35. Power supply section 101 is
connected to function device 1 110 and function device 2 111, each of which
implements functions of the information processing device. *Id.* at 3:42–44.
As examples of such functions, the '794 patent mentions a modem function,
an audio communication function, and a videophone function. *Id.* at 1:18–
21, 1:31–35.

 Changeover controller A 104 switches between activation and
stopping of power to function device 1 and function device 2, whereas
changeover controller B 105 switches between activation and stopping of
power to function device 1. *Id.* at 3:29–34. Controller 108 controls
changeover controllers A, B and sends power consumption reduction
instructions to function devices 1, 2. *Id.* at 3:35–38.

 Priority levels are set for individual function devices and battery time
can be maintained in a prioritized manner for function devices with higher
priorities. *Id.* at 2:21–26. Power consumption reduction instructions are
sent to function devices with lower usage priorities when battery capacity
decreases below certain thresholds levels. *Id.* at 1:55–59. As a result,
lower-priority function devices will be powered down before higher-priority
function devices. *Id.* at 1:59–62. This power management method allows a
user to continue using higher-priority functions for a longer period of time
by reducing power to lower-priority functions as the battery capacity is
depleted. *Id.* at 1:62–67.

 The '794 patent issued from an application that was filed
September 7, 2000, which claims priority to a Japanese patent application

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