UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

LONGITUDE FLASH MEMORY SYSTEMS S.A.R.L.,
Patent Owner

Case IPR2015-01933
Patent No. 6,831,865

PATENT OWNER LONGITUDE FLASH MEMORY SYSTEMS S.A.R.L. AND EXCLUSIVE LICENSEE LONGITUDE LICENSING LTD.'S PRELIMINARY RESPONSE

DOCKET ALARM
Find authenticated court documents without watermarks at docketalarm.com.

TABLE OF CONTENTS

I. Introduction 1

II. Background.....3

A. About U.S. Patent No. 6,831,865 (the "'865 patent" or "Chang") 3

B. The '865 Claims 10

C. Petitioner's Grounds of Challenge 12

III. Argument.....17

A. The Petition Fails to Comply with the Board's Rules for Particularity 18

B. The Proposed Grounds of Rejection Fail 20

1. Claim Construction.....20

2. Challenge #1: U.S. Patent No. 5,485,595 ("Assar") Fails to Anticipate Claims 1-3, 5, 18, and 25-27 23

3. Challenge #2: Apple Fails to Establish that Dependent Claims 8, 24, and 29, are Obvious over Assar in view of the Knowledge of a POSITA 29

4. Challenge #3: Apple Has Not Shown Dependent Claims 4-5 and 28 to be Obvious over Assar in view of Estakhri 30

5. Challenge #4: Lin Fails to Anticipate Claim 18.....31

6. Challenge #5: Apple Fails to Establish that Dependent Claim 24 is Obvious over Lin in view of the Knowledge of a POSITA.....33

7. Challenge #6: Apple Fails to Establish that Claims 1-3, 8, 18, 24-27, and 29 are Obvious over Kim in view of the Linux Publication and the Knowledge of POSITA 34

8. Challenge #7: Apple Fails to Establish that Claims 4, 5, 24, and 28 are Obvious over Kim in view of Lin 41

IV. Conclusion.....41

DOCKET ALARM

Find authenticated court documents without watermarks at docketalarm.com.

TABLE OF AUTHORITIES

Cases

Apple Inc. v. ContentGuard Holdings, LLC,
Case No. IPR2015-00446 (PTAB July 10, 2015) (Paper 11)..... 18, 19, 20
Cisco Sys., Inc. v. C-Cation Techs., LLC,
Case No. IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) 19
Fresenius USA, Inc. v. Baxter Intern., Inc.,
582 F.3d 1288 (Fed. Cir. 2009) 26
Hughes Network Sys., LLC v. Cal. Inst. of Tech.,
Case No. IPR2015-00060 (PTAB Nov. 6, 2015) (Paper 20) 36
In re Translogic Tech., Inc.,
504 F.3d 1249 (Fed. Cir. 2007) 21
Microsoft Corp v. Biscotti Inc.,
Case No. IPR2014-01457 (PTAB. Mar. 19, 2015) (Paper 9).....36
Panduit Corp. v. Dennison Mfg. Co.,
810 F.2d 1561 (Fed. Cir. 1987) 36
SRI Int'l, Inc. v. Internet Sec. Sys., Inc.,
511 F.3d 1186 (Fed. Cir. 2008) 36

Statutes

35 U.S.C. § 102(g) 35
35 U.S.C. § 314(a) 1, 2, 17, 41
35 U.S.C. § 325(d) 35

Other Authorities

MPEP § 2182 ..... 27, 33
Office Patent Trial Practice Guide,
77 Fed. Reg. 48756 (Aug. 14, 2012) 20

Rules

37 C.F.R. § 42.6(a)(3) 1, 19
37 C.F.R. § 42.22(a)(2).....1, 19
37 C.F.R. § 42.24(a)(1)(i) 19
37 C.F.R. § 42.100(b).....20

DOCKET ALARM
Find authenticated court documents without watermarks at docketalarm.com.

37 C.F.R. § 42.104(b)(4).....1
37 C.F.R. § 42.104(b)(5).....1

DOCKET ALARM
Find authenticated court documents without watermarks at docketalarm.com.

LIST OF EXHIBITS

Exhibit	Description
N/A	None

DOCKET ALARM
Find authenticated court documents without watermarks at docketalarm.com.

DOCKET ALARM

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts

Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research

With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips

Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS
Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS
Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS
Sync your system to PACER to automate legal marketing.