ES PATENT AND TRADEMARK OFFICI
PATENT TRIAL AND APPEAL BOARD
APPLE INC.
Petitioner
v.
UNILOC 2017 LLC
Patent Owner
IPR2019-00702
PATENT 7,969,925

## PATENT OWNER RESPONSE TO PETITION



## **Table of Contents**

1.	IINI	INTRODUCTION				
II.	THE '925 PATENT					
III.	RELATED PROCEEDINGS					
IV.	LEVEL OF ORDINARY SKILL IN THE ART					
V.	LIK	ELIHC	IER DOES NOT PROVE A REASONABLE OOD OF UNPATENTABILITY FOR ANY NGED CLAIM	3		
	A.	Clair	m Construction	4		
		1.	"opening a listening software port" (claims 1, 8, and 15) and "opening a second listening software port" (claims 2, 9, and 16)	5		
		2.	Petitioner fails to explain why the Board should find there is no claimed relationship between the timing of any of the steps in these independent claims vis-à-vis any step recited in a respective dependent claim.	9		
	В.	incon defic direc	cioner's assertion of RFC793 relies upon an rrect claim construction and fails to cure conceded ciencies of the primary references for the limitations cted to "opening a listening software port" bunds 1–6, all challenged claims)	11		
		1.	Petitioner expressly relies solely an alleged "opening" that is not specific to a "target mobile device"	12		
		2.	Petitioner undermines its challenges by acknowledging a POSITA would likely use			



		"well-known" sockets if combining RFC793 with any of the cited primary references	13
		3. Petitioner fails to prove the use of TCP in RFC793 cures the conceded deficiencies of the primary references (Alos, Cordenier, and Lee)	15
	C.	Petitioner overlooks additional demonstrable facts further refuting the alleged motivation to combine Alos and RFC793	18
	D.	Additional deficiencies arise from the proposed combination of RFC739 with Cordenier (Grounds 3–4, all challenged claims)	19
	E.	Petitioner's declarant adds nothing of substance	20
	F.	The Petition fails to Prove Obviousness of Any Dependent Claim	21
VI.	CON	NCLUSION	21



#### I. INTRODUCTION

Uniloc 2017 LLC ("Uniloc" or "Patent Owner") submits this Response to Petition IPR2019-00702 for *Inter Partes* Review ("Pet." or "Petition") of United States Patent No. 7,969,925 ("the '925 patent" or "EX1001") filed by Apple, Inc. ("Petitioner"). The instant Petition is procedurally and substantively defective.

### II. THE '925 PATENT

The '925 patent is titled "Peer-to-peer mobile data transfer method and device." The '925 patent issued June 28, 2011, from U.S. Patent Application No. 12/832,576 filed January July 8, 2010.

The inventors of the '925 patent observed that, at the time, multimedia technologies for mobile devices depended upon a server that receives and prepares multimedia content to be retrieved by the recipient of the multimedia content. For example, at the time, the Multimedia Messaging Service ("MMS") protocol utilized a server known as a Multi-Media Service Center ("MMSC") to store multimedia content in preparation for a retrieval process initiated by the recipient. Specifically, under MMS, the initiating device initiated a data connection over TCP/IP and performed an HTTP POST of an MMS Encapsulation Format encoded multimedia message to the MMSC. The MMSC stored the multimedia message and made it available as a dynamically generated URL link. The MMSC then generated a notification message containing the dynamically generated URL and sent the notification message to the recipient through WAP Push over the Short Message Service ("SMS") protocol. When the recipient received the MMS notification



message, it initiated a data connection over TCP/IP and performed an HTTP request to retrieve the MMS message containing multimedia content from the MMSC through the dynamically generated URL. '925 patent (Ex. 1001), 1:23–42.

According to one example embodiment, a method and system is provided for establishing a direct data transfer session between mobile devices over a digital mobile network system that supports data packet-based communications. No separate data server need be used to provide a known location from which a recipient retrieves data such as multimedia content. A mobile device initiating a data transfer opens a listening software port, which is configured for use with an underlying data packet-based network protocol and for enabling a direct data transfer with a specific target mobile device. The initiating mobile device sends an invitation message containing the network address, including the listening port, of the initiating device to the target mobile device through a page-mode messaging service (e.g., text-based service) supported by the digital mobile network system. The initiating mobile device may further utilize and incorporates a unique identification number (e.g., telephone number, PIN number, etc.) associated with the target mobile device into the invitation message to locate and contact the target mobile device within the wireless mobile network. Once the initiating mobile device receives a response from the target mobile device at the listening software port, the two mobile devices may establish a reliable virtual connection through the underlying data packet-based network protocol in order to transfer data directly between the two mobile devices. *Id.* at 1:61–2:17.



# DOCKET

# 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.

