IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Seung Jin Kim

U.S. Patent No.: 10,455,066 Attorney Docket No.: 39521-0092IP2

Issue Date: Oct. 22, 2019 Appl. Serial No.: 15/563,937 Filing Date: Oct. 2, 2017

Title: MOBILE SYSTEM WITH WIRELESS EARBUD

Mail Stop Patent Board

Patent Trial and Appeal Board U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

PETITION FOR INTER PARTES REVIEW OF UNITED STATES PATENT NO. 10,455,066 PURSUANT TO 37 C.F.R. §§ 311–319, 37 C.F.R. § 42



TABLE OF CONTENTS

I.	REQUIREMENTS FOR IPR	1
	A. Grounds for Standing	1
	B. Challenge and Relief Requested	1
II.	DISTRICT COURT LITIGATION	2
III.	THE '066 PATENT	6
	A. Brief Summary	6
	B. All Challenged Claims are not entitled to the filing date of the '978 Provisional	6
IV.	CLAIM CONSTRUCTION	12
V.	UNPATENTABILITY GROUNDS	14
	A. GROUND 1A: Claims 1, 4, 6, and 8 are obvious over Watson-350 and Hankey-Rabu	14
	1. Overview of Watson-350	14
	2. Overview of Hankey-Rabu	16
	3. Motivation to Combine Watson-350 and Hankey-Rabu	18
	4. Claim 1	22
	5. Claim 4	31
	6. Claim 6	32
	B. GROUND 1B: Claims 9, 10, 14, 21, 26, 28, 30, 34, 36, and 38 are obvious over Watson-350, Hankey-Rabu, and Kalayjian	33
	1. Overview of Kalayjian	33
	2. Motivation to Combine Watson-350, Hankey-Rabu, and Kalayjian	33



	3.	Claim 9	34
	4.	Claim 10	12
	5.	Claim 14	13
	6.	Claim 21	13
	7.	Claim 30	16
	8.	Claim 34	17
	9.	Claim 36	18
	10	.Claim 38	19
C.		ROUND 1C: Claim 21 is obvious over Watson-350, Hankey-Rabu, and	
D.		ROUND 2A: Claims 1, 4, 6, and 8 are obvious over Watson-510 and ankey-Rabu5	54
	1.	Overview of Watson-510	54
	2.	Motivation to Combine Watson-510 and Hankey-Rabu	56
	3.	Claim 1	57
	4.	Claim 4	54
	5.	Claim 6	55
Е.		ROUND 2B: Claims 9, 10, 14, 21, 26, 28, 30, 34, 36, and 38 are vious over Watson-510, Hankey-Rabu, and Kalayjian	56
	1.	Motivation to Combine Watson-510, Hankey-Rabu, and Kalayjian	56
	2.	Claim 9	56
	3.	Claim 10	57
	4.	Claim 14	58
	5	Claim 30	58

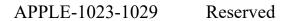


	6. Claim 34	69
	7. Claim 36	70
	8. Claim 38	70
	F. Ground 2C: Claim 21 is obvious over Watson-510, Hankey-Rabu, Kalayjian, and Watson-350	71
	1. Motivation to Combine Watson-510, Hankey-Rabu, Kalayjian, and Watson-350	71
	2. Claim 21	74
	G. GROUND 2D: Claim 21 is obvious over Watson-510, Hankey-Rabu, an Lydon	
VI.	DISCRETIONARY DENIAL OF THE INSTANT PETITION IS NEITHE APPROPRIATE NOR EQUITABLE	
	A. District Court Proceeding	75
	B. Previous Petition	78
VII.	FEES	79
VIII.	CONCLUSION	80
IX.	MANDATORY NOTICES UNDER 37 C.F.R § 42.8(a)(1)	80
	A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1)	80
	B. Related Matters Under 37 C.F.R. § 42.8(b)(2)	80
	C. Lead And Back-Up Counsel Under 37 C.F.R. § 42.8(b)(3)	81
	D Service Information	81



EXHIBITS

APPLE-1001	U.S. Patent No. 10,455,066 to Kim ("the '066 Patent")					
APPLE-1002	Excerpts from the Prosecution History of the '066 Patent					
APPLE-1003	Reserved					
APPLE-1004	U.S. Patent No. 8,401,219 to Hankey et al. ("Hankey")					
APPLE-1005	U.S. Patent No. 8,086,281 to Rabu et al. ("Rabu")					
APPLE-1006	Reserved					
APPLE-1007	U.S. Patent No. 8,078,787 to Lydon et al. ("Lydon")					
APPLE-1008	U.S. Patent Application Publication No. 2008/0125040 to Kalayjian ("Kalayjian")					
APPLE-1009-1016 Reserved						
APPLE-1017	U.S. Provisional Patent Application No. 62/142,978 ("the '978 Provisional")					
APPLE-1018-102	1 Reserved					
APPLE-1022	Complaint, <i>Pinn, Inc. v Apple Inc.</i> , Case No. 8:19-cv-1805, C.D. Cal, Sept. 20, 2019.					



APPLE-1030 First Amended Complaint, *Pinn, Inc. v Apple Inc.*, Case No. 8:19-cv-1805, C.D. Cal, Nov. 21, 2019

APPLE-1031 Reserved



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.

