

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

Rally AG LLC
Patent Owner

Inter Partes Review Case No. IPR2024-01446
U.S. Patent No. 11,361,107

**PETITIONER'S REPLY TO PATENT OWNER'S PRELIMINARY
RESPONSE**

Patent Owner’s Preliminary Response (“POPR”) (Paper 6) advances two substantive arguments challenging the Proposed Grounds. Both seek to import unclaimed limitations from the specification,¹ but the POPR’s second argument mischaracterizes the claims, the specification, and the Petition in ways that risk confusion. Namely, the POPR argues that limitation 13(e) requires (1) populating a “reply-to” field with the sender’s alias² (as expressly recited) and (2) populating a “from” field with a distinct email address. POPR, 40-45. PO insists that (2) provides the benefit of improving the user experience and criticizes the proposed grounds for failing to capture this benefit. *Id.* Critically, (2) is not claimed. The claims do not discuss a “from” field and do not mandate the user experience highlighted by PO.

“[T]he *claims*, not the written description, [] define the scope of the patent right.” *Laitram Corp. v. NEC Corp.*, 163 F.3d 1342, 1347 (Fed. Cir. 1998). The Board should thus decline PO’s invitation to import this unclaimed feature. *Resonate Inc. v. Alteon Websystems, Inc.*, 338 F.3d 1360, 1364 (Fed. Cir. 2003) (“[I]t is important not to import into a claim limitations that are not a part of the claim.”).

¹ The POPR’s argument regarding limitation 13(d) turns on the unclaimed feature of accommodating multiple distinct senders.

² Petitioner refers the “cloaked relying party email address” as the “sender’s alias.”

I. THE PETITION ADDRESSED THE PLAIN CLAIM LANGUAGE AND THE PURPOSE OF THE CLAIMED “REPLY-TO” FIELD

PO concedes that the purpose of populating “reply-to” field with the sender’s alias is to preserve the end user’s anonymity, ensuring responsive communications go through the alias email server. *See* POPR, 21 (“[T]he ID cloaking system maintains routing of the user’s reply to the relying party through the ID cloaking system by modifying the Reply-To field . . . prevent[ing the end user] from unintentionally sending a reply directly to the relying party” revealing “personal information”), 43 (configuring “the Reply-To field . . . ensures that a user’s reply . . . traverses the ID cloaking system”). This anonymity goal of the “reply-to” limitation is repeatedly emphasized in the ’107 Patent. *See* Ex. 1001, 10:65-11:3 (teaching that a “reply-to” address keeps the email alias “as an intermediary” ensuring a user’s private information is not “inadvertently revealed”), 12:17-51, 17:62-67.

The Petition established that *Lee* expressly teaches this anonymity feature. Like the ’107 Patent, *Lee* uses a sender alias to ensure responsive communications are routed through the alias server as an intermediary, protecting the end user’s private information. Petition, 31-35. The Petition and its declarant, Dr. Terveen, recognized that *Lee* accomplishes this functionality by populating the “from” field, rather than “reply-to” field with the sender’s alias. *Id.*; Ex. 1003, ¶¶82-85. But, as Dr. Terveen explained, the “reply-to” and “from” fields are “functionally identical” in this context, so it would have been obvious to populate the “reply-to” field, as

claimed. *Id.* In support, Dr. Terveen noted that the '107 Patent itself teaches using identical “from” and “reply-to” addresses, ensuring responsive communications are routed through the alias server. Ex. 1003, ¶83 (citing Ex. 1001, 17:62-67).

The POPR does not dispute that Lee uses a sender alias to ensure responsive communications are routed through the alias server. Nor does the POPR dispute that “from,” “reply-to,” or both can be used for this purpose. The POPR instead focuses on an unclaimed feature of using *different* “from” and “reply-to” fields. POPR, 40-45. The POPR suggests that populating the “reply-to” field as claimed is inextricably tied to using distinct “from” and “reply-to” fields such that the claims should be construed to require this otherwise unclaimed feature. The POPR even suggests that the Petition conceded limitation 13(e) requires distinct addresses in these fields. POPR, 41. Petitioner has conceded no such thing. The claims require populating a “reply-to” field with the sender’s alias, which is rendered obvious by *Lee*. The functionality of improving user experience by additionally using a distinct “from” field is neither claimed, nor is it inextricably tied to using a “reply-to” field. Indeed, the '107 Patent is unambiguous that *both* the “from” and “reply-to” fields may be populated with the same sender alias, “ensur[ing] that any replies. . . get routed back through the [alias server].” Ex. 1001, 17:62-67. Because the claimed “reply-to” feature may be deployed independently of using a distinct “from” field, there is no basis to import this unclaimed feature from the specification.

Respectfully submitted,

Dated: February 25, 2025

BY: /s/ Paul R. Hart

Paul R. Hart, Reg. No. 59,646

COUNSEL FOR PETITIONER

CERTIFICATE OF SERVICE ON PATENT OWNER
UNDER 37 C.F.R. § 42.105

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105, the undersigned certifies that on February 25, 2025, a true and correct copy of the foregoing Petitioner's Reply to Patent Owner's Preliminary Response was served electronically on counsel for Patent Owner at the following address:

Matthew W. Johnson (mwjohnson@jonesday.com)
John V. Biernacki (jbiernacki@lkglobal.com)
Joshua R. Nightingale (jrnightingale@jonesday.com)

BY: /s/ Paul R. Hart
Paul R. Hart, Reg. No. 59,646

COUNSEL FOR PETITIONER