

UNITED STATES PATENT NO. 5,958,006

PRELIMINARY INFRINGEMENT CONTENTIONS¹

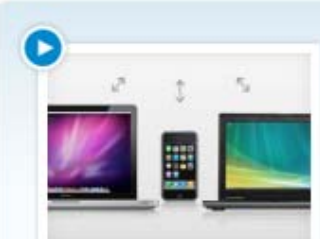

Accused Apple Products:² MobileMe, Apple iPhone 3G S, Apple iPhone 3G, Apple iPhone 4G, Apple iPad, Apple iPad with 3G, Apple iPad 2, Apple iPad 2 with 3G, Apple iPod Touch, Apple MacBook, Apple MacBook Pro, Apple MacBook Air, Apple iMac, Apple Mac Mini, and Apple Mac Pro.

'006 Patent Claim	Representative Apple Products: Apple Phone communicating over MobileMe ; Apple Computer communicating over MobileMe³
12. A method of communicating data between a first data processing device and a third data processing device via a second data	<p>Upon information and belief, an Apple Phone in the course of normal use with MobileMe and an Apple Computer in the course of normal use with MobileMe perform each and every step of this claim. Additionally, a user of an Apple Phone or an Apple Computer will performs each and every step of this claim in the course of such use.</p> <p>Furthermore, Apple performs each and every step of this claim, actively induces users to perform such steps, and contributes to such use by selling Apple Phones and Apple Computers for use with MobileMe and</p>

¹ Motorola Mobility's investigation is ongoing and discovery and claim construction are not yet complete. Mobility reserves the right to supplement or amend these contentions with contentions arising under the doctrine of equivalents in response to any proposed or ordered claim construction, subsequent discovery response or production, or subsequent disclosure made pursuant to FRCP 26.

² This list of Accused Apple Products was created based on publicly available information. Motorola reserves the right to supplement this list of Accused Apple Products.

³ This chart provides Motorola's preliminary infringement analysis for the MobileMe service communicating with Apple's accused products. In this claim chart, "Apple Phone" refers to Apple iPhone 3G S, Apple iPhone 3G, Apple iPhone 4G, Apple iPad, Apple iPad with 3G, Apple iPad 2, Apple iPad 2 with 3G, and Apple iPod Touch; whereas "Apple Computer" refers to Apple MacBook, Apple MacBook Pro, Apple MacBook Air, Apple iMac, Apple Mac Mini, and Apple Mac Pro. Upon information and belief, the analysis set forth in this chart for "Apple Phone" applies equally to the Apple iPhone 3G S, Apple iPhone 3G, Apple iPhone 4G, Apple iPad, Apple iPad with 3G, Apple iPad 2, Apple iPad 2 with 3G, and Apple iPod Touch; whereas, upon information and belief, the analysis set forth in this chart for "Apple Computer" applies equally to the Apple MacBook, Apple MacBook Pro, Apple MacBook Air, Apple iMac, Apple Mac Mini, and Apple Mac Pro..

<p>'006 Patent Claim</p>	<p>Representative Apple Products: Apple Phone communicating over MobileMe ; Apple Computer communicating over MobileMe³</p>
<p>processing device, comprising:</p>	<p>providing directions for such use.</p> <p>Upon information and belief, Apple Phones and Apple Computers perform a method of communicating data between a first data processing device (MobileMe host server) and a third data processing device (Apple Phone) via a second processing device (MobileMe communication server).</p> <div data-bbox="541 548 1098 678"> <h2>Mail, Contacts, and Calendar</h2> </div> <div data-bbox="541 732 1146 987"> <p>MobileMe keeps your mail, contacts, and calendar information in the cloud and uses push technology to keep everything in sync across your iPhone, iPad, Mac, PC, and the web automatically. So no matter where you go or what device you use, all your information is up to date — no docking required.</p> </div> <div data-bbox="541 1065 1152 1308">  <p>Push email, push contacts, push calendar. Watch the QuickTour ▶</p> </div> <div data-bbox="1192 548 1864 1273">  <p>The diagram shows a central cloud labeled 'mobile me' containing icons for a calendar (Tuesday 9), an email envelope, an '@' symbol, and a sunflower. Below the cloud, three devices are shown: an iPhone, a Mac laptop, and an iPad. Bidirectional arrows connect the cloud to each device, indicating synchronization.</p> </div> <p>MobileMe Features, (http://www.apple.com/mobileme/features/), accessed May 13, 2011, MOTO-APPLE-0006037953_127187.</p>

<p>'006 Patent Claim</p>	<p>Representative Apple Products: Apple Phone communicating over MobileMe ; Apple Computer communicating over MobileMe³</p>
	<p>See What is Mac OS X – Mail, iCal, Address Book, (http://www.apple.com/macosx/what-is-macosx/mail-ical-address-book.html), accessed May 14, 2011, MOTO-APPLE-0006037953_127173-74:</p> <div data-bbox="527 508 825 613">  </div> <p data-bbox="527 618 1100 667">Mail, iCal, Address Book</p> <p data-bbox="527 695 1075 922">Three built-in applications that work as one: Mail, iCal, and Address Book bring the power of Mac OS X to your email, calendar, and contacts. You get elegant, easy-to-use interfaces, lightning-fast searches, and complete integration across the applications and your Mac.</p> <div data-bbox="772 919 1104 984">  </div> <p data-bbox="1136 542 1451 574">Syncing included.</p> <p data-bbox="1136 594 1766 943">Part of what makes Address Book and iCal so powerful is seamless syncing. They can sync the contact and calendar information on your Mac with your iPhone or other mobile phone, PDA, or iPod touch, so it follows you everywhere. And with a MobileMe account,² your contacts and calendars stay up to date wirelessly across multiple Mac computers, iPhone, iPod touch, and the web, so you can access your information from any device with an Internet connection.</p> <div data-bbox="1650 550 1766 662">  </div> <p data-bbox="495 1008 1839 1073">See also iPhone Features, (http://www.apple.com/iphone/features/mail.html), accessed on May 14, 2011, MOTO-APPLE-0006037953_126650-50:</p>

<p>'006 Patent Claim</p>	<p>Representative Apple Products: Apple Phone communicating over MobileMe ; Apple Computer communicating over MobileMe³</p>
	<div data-bbox="537 467 915 894" style="background-color: #f0f0f0; padding: 10px;"> <p>Have email, will travel.</p> <p>With Mail on iPhone 4, wherever you go, your email goes too. iPhone works with popular email providers including MobileMe, Yahoo! Mail, Gmail, and AOL — and most industry-standard IMAP and POP mail systems. Add multiple email accounts and move between them easily. iPhone also supports multiple Microsoft Exchange ActiveSync accounts for business use. So even when you're on the go, you can send and receive email. And if you need it in hard copy, AirPrint lets you print messages and attachments with just a few taps.*</p> </div> <div data-bbox="995 305 1740 1032" style="text-align: center;"> </div> <div data-bbox="516 1105 1052 1401" style="background-color: #f0f0f0; padding: 10px; margin-top: 20px;"> <p>Find the hidden message.</p> <p>Search your email by subject, sender, and recipient. Even search for messages and contacts that aren't stored on your iPhone. Search can find them on your remote email server.</p> </div>

Exhibit C

<p>'006 Patent Claim</p>	<p>Representative Apple Products: Apple Phone communicating over MobileMe ; Apple Computer communicating over MobileMe³</p>
<p>filtered data units from the first data processing device based on at least one user-definable filter parameters to identify whether a data unit is a qualifying or non-qualifying data unit,</p>	<p>from the MobileMe host server (the first data processing device) based on at least whether the data unit is a HTML image (a user-definable filter parameter) to identify whether a data unit is a qualifying or non-qualifying data unit.</p> <p>When used with an Apple Phone, this is performed by the MobileMe communication server when the "load remote images" setting is set to "off" in the Apple Phone Settings App:</p>

Exhibit C

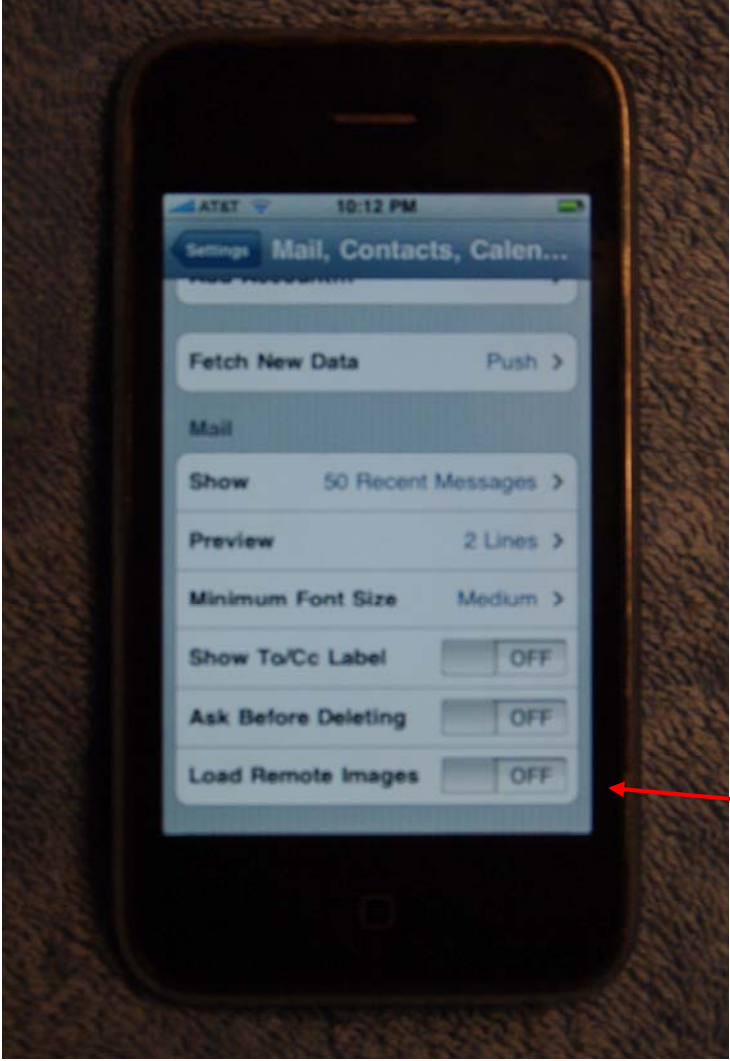
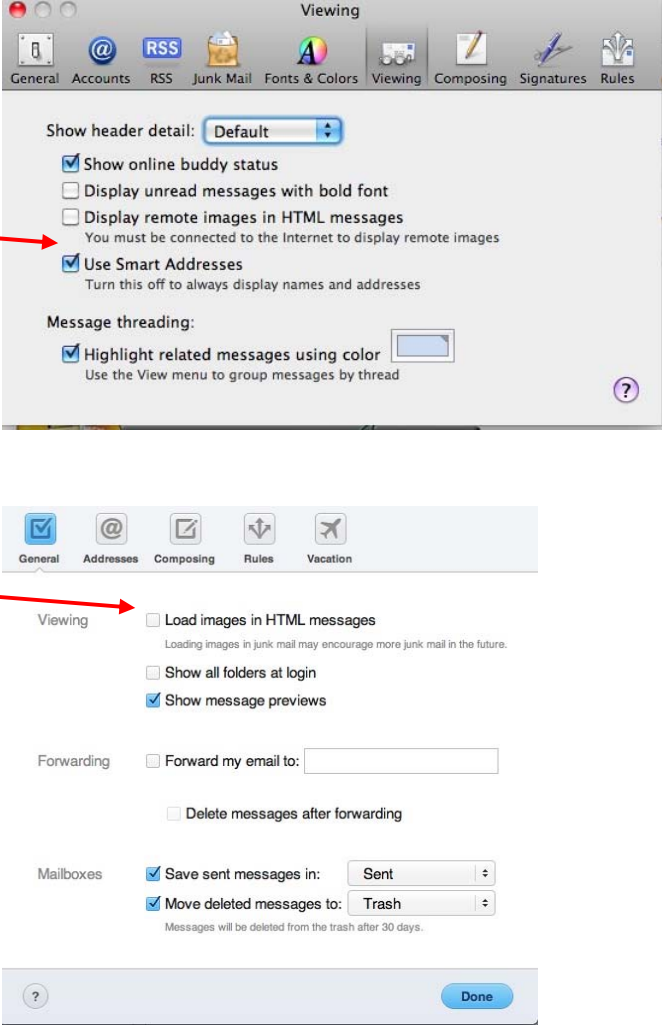



'006 Patent Claim	Representative Apple Products: Apple Phone communicating over MobileMe ; Apple Computer communicating over MobileMe³
	 <p data-bbox="495 1377 1780 1411">Photo of Apple iPhone showing option to load remote images, taken June 29, 2010, MOTO-APPLE-</p>

Exhibit C

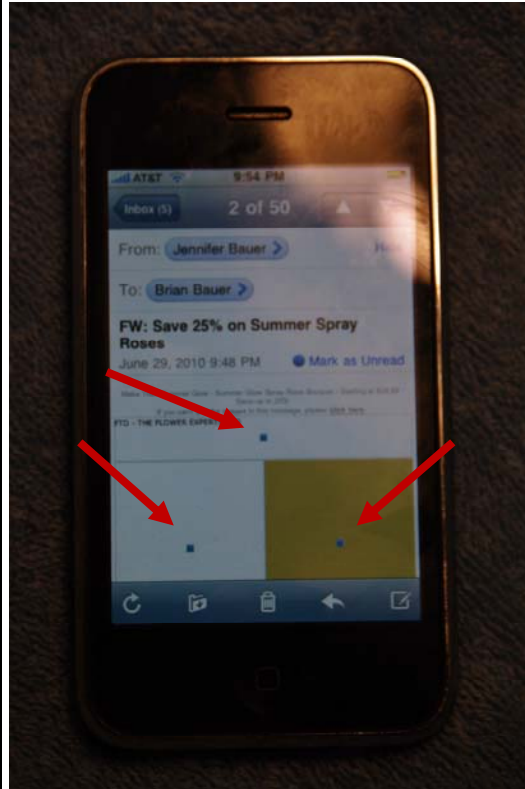
'006 Patent Claim	Representative Apple Products: Apple Phone communicating over MobileMe ; Apple Computer communicating over MobileMe³
	<p>0006037953_127176 (arrow added).</p> <p>When used with an Apple Computer, this is performed by the MobileMe communication server when (1) the "Display remote images in HTML messages" setting is not selected in the Mail App of Apple's OS X operating system or (2) the "Load images in HTML messages" setting is not selected in the Preferences section of the MobileMe web application:</p>

'006 Patent Claim	Representative Apple Products: Apple Phone communicating over MobileMe ; Apple Computer communicating over MobileMe ³
	 <p>Screenshots of Apple Computer showing options to display images in HTML messages, taken May 12, 2011, MOTO-APPLE-0006037953_127177-78 (arrows added).</p>

<p>'006 Patent Claim</p>	<p>Representative Apple Products: Apple Phone communicating over MobileMe ; Apple Computer communicating over MobileMe³</p>
	<p>See also MobileMe Help, (http://docs.info.apple.com/article.html?path=MobileMe/Help/en/mm6b1a0b80.html), accessed May 5, 2011, MOTO-APPLE-0006037953_127204:</p> <ul style="list-style-type: none"> ■ To control whether or not HTML images are loaded automatically when a message is viewed, choose Preferences from the Action menu  in the toolbar at the top of the window, click General, select the checkbox next to "Load images in HTML messages," and then click Done. <p>When "Load images in HTML messages" checkbox isn't selected, messages that contain HTML images appear with a Load Images button you can click to see the images.</p>
<p>wherein for qualifying data units, an identifying information part and an additional part is received and for non-qualifying data units, the identifying information part without the additional part is received,</p>	<p>Upon information and belief, for non-HTML images (qualifying data units), the date, subject, sender, etc. (identifying information parts) and the non-HTML images in the email content (the additional part) is received by MobileMe's communication server.</p> <p>For HTML images (non-qualifying data units), the date, subject, sender, etc. (the identifying information parts) without the HTML images (the additional part) are received:</p> <ul style="list-style-type: none"> ■ To control whether or not HTML images are loaded automatically when a message is viewed, choose Preferences from the Action menu  in the toolbar at the top of the window, click General, select the checkbox next to "Load images in HTML messages," and then click Done. <p>When "Load images in HTML messages" checkbox isn't selected, messages that contain HTML images appear with a Load Images button you can click to see the images.</p> <p>MobileMe Help, (http://docs.info.apple.com/article.html?path=MobileMe/Help/en/mm6b1a0b80.html), accessed May 5, 2011, MOTO-APPLE-0006037953_127204.</p>

<p>and providing the third data processing device with the identifying information part and the additional part for qualifying data units and providing the third data processing device with the identifying information part without the additional part for non-qualifying data units.</p>	<p>Upon information and belief, MobileMe's communication server provides an Apple Phone and/or an Apple Computer (the third data processing device) with the date, subject, sender, etc. (the identifying information part) and the non-HTML images in the email content (the additional part) for qualifying data units and provides the Apple Phone and/or an Apple Computer with the identifying information part without the HTML images (the additional part) for non-qualifying data units.</p> <p>See MobileMe Help, (http://docs.info.apple.com/article.html?path=MobileMe/Help/en/mm6b1a0b80.html), accessed May 5, 2011, MOTO-APPLE-0006037953_127204:</p> <ul style="list-style-type: none">■ To control whether or not HTML images are loaded automatically when a message is viewed, choose Preferences from the Action menu  in the toolbar at the top of the window, click General, select the checkbox next to "Load images in HTML messages," and then click Done. <p>When "Load images in HTML messages" checkbox isn't selected, messages that contain HTML images appear with a Load Images button you can click to see the images.</p> <p>See also Picture of the iPhone showing identifying information (including location in the email) about the .html that was not sent from the MobileMe service to an Apple Phone, taken May 12, 2011, MOTO-APPLE-0006037953_127179 (arrows added); Picture of an Apple Computer showing identifying information (including location in the email) about the .html that was not sent from the MobileMe service to an Apple Computer via the Mail.App in OS X, taken May 12, 2011, MOTO-APPLE-0006037953_127180 (arrows added); Picture of an Apple Computer showing identifying information (including location in the email) about the .html that was not sent from the MobileMe service to an Apple Computer via the MobileMe web application, taken May 12, 2011, MOTO-APPLE-0006037953_127181 (arrows added):</p>
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Apple iPhone

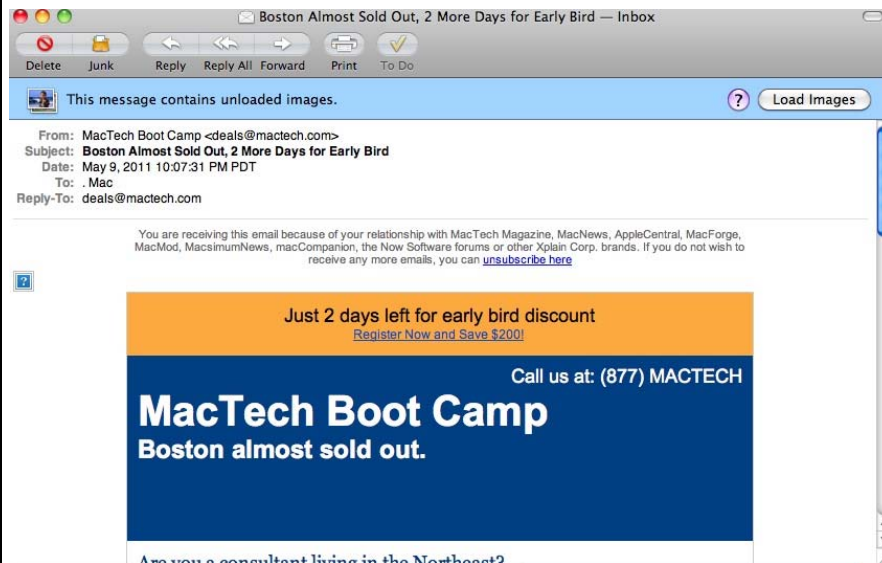


Apple Computer via Mail.App



Exhibit C

Apple Computer via MobileMe web application



26. A controller of a communication unit adapted for requesting data over a wireless communication channel from a further data processing host via a communication server, the controller comprising:

Upon information and belief, Apple sells, offers for sale, manufactures, imports, and uses Apple Phones and Apple Computers, and Apple induces its customers to purchase and use Apple Phones and Apple Computers, which contain a controller and are communication units adapted for requesting data over a wireless communication channel from a further data processing host via a communication server, *e.g.*, the MobileMe communication server.

See Screenshot of raw data from a MobileMe indicating MobileMe is a communication server, taken on May 10, 2011, MOTO-APPLE-0006037953_127175 (highlighting added):

Exhibit C

<p>Return-path: <return_smverp.1232082537.1088744.DATABASEID.1169284.929109887.158307_smverp.XXXXXX=mac.com@ab.mm.ticketmaster.com> Received: from smtpin138.mac.com ([10.150.68.138]) by ms02034.mac.com (Oracle Communications Messaging Exchange Server 7u4-21.01 64bit (built Feb 16 2011)) with ESMTMP id <0LL0008HF8ZC8P80@ms02034.mac.com> for XXXXXXXX@mac.com; Wed, 11 May 2011 00:21:12 +0000 (GMT) Original-recipient: rfc822;XXXXXXXXXX Received: from sms1-els204-94.mm.ticketmaster.com ([209.104.36.94]) by smtpin138.mac.com (Sun Java(tm) System Messaging Server 7u3-16.01 64bit (built May 20 2010)) with ESMTMP id <0LL000B1F8Z21W20@smtpin138.mac.com> for XXXXXXXX@mac.com (ORCPT XXXXXXXX@mac.com); Tue, 10 May 2011 17:21:12 -0700 (PDT) X-Proofpoint-Virus-Version: vendor=fsecure engine=2.50.10432:5.2.15,1.0.148,0.0.0000 definitions=2011-05-10_13:2011-05-11,2011-05-10,1970-01-01 signatures=0 X-Proofpoint-Spam-Details: rule=notspam policy=default score=0 spamscore=0 ipscore=0 suspectscore=62 phishscore=0 bulkscore=100 adultscore=0 classifier=spam adjust=0 reason=mlx engine=6.0.2-1012030000 definitions=main-1105100173 Received: from sms1.mm.els204.clisys.tmc ([10.75.20.63]) by sms1-els204-94.mm.ticketmaster.com (StrongMail Enterprise 3.2.3(3.00.316)) ; Tue, 10 May 2011 17:21:11 -0700 X-VirtualServer: Default, sms1-els204-94.mm.ticketmaster.com, 10.75.20.62 X-VirtualServerGroup: Default X-Destination-ID: XXXXXXXX@mac.com X-MailingID: 1232082537::1088744::DATABASEID::1169284::929109887::158307 X-SMHeaderMap: mid="X-MailingID" X-SMFBL: aW5mb19maWVuZEBtYWMuY29t X-Mailer: StrongMail Enterprise 3.2.3(3.00.316) Content-type: multipart/alternative; boundary="-----_NextPart_001_AEA6_74B0DC51.19495CFF" MIME-version: 1.0 Message-id: <1232082537.158307@BOWERYBALLROOM.COM> Subject: =?UTF-8?B?U291bmRnYXJkZW4sIEJvbiBjd2VyeSBQcmVzZW50cw==?= Date: Tue, 10 May 2011 17:21:11 -0700 To: XXXXXXXX@mac.com From: =?UTF-8?B?VGh1IEJvd2VyeSBQcmVzZW50cw==?= <INFO@BOWERYBALLROOM.COM></p> <p>Apple Phones and Apple Computers (communication unit) include a controller adapted for requesting data over a wireless communication channel from the MobileMe host via the MobileMe communications server.</p> <p>See also What is IMAP and Why Do We Use It?, (http://www.apple.com/mobileme/news/2008/11/what-is-imap-and-why-do-we-use-it.html), accessed May 13, 2011, MOTO-APPLE-0006037953_126673:</p>
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November 5, 2008

What Is IMAP and Why Do We Use It?

There aren't many industry acronyms it helps to know about, but IMAP is one of them. The words the letters stand for, Internet Message Access Protocol, don't exactly cause the heart to leap, but the protocol itself defines a promise that matters a lot to anyone who handles their mail from more than one location. The promise boils down to this: whenever you go to your inbox and other folders, no matter from where, things will be exactly as you last left them, no matter from where. And that's why we use it for MobileMe email accounts.



The protocol puts what's on the cloud (server) in charge. It lets you access your account and work with it locally from a variety of places via different applications. But it insists that the master copy be kept on the server and that all changes be recorded there, so that each new log-in produces the inbox and folder contents you expect to see. In the other standard messaging protocol, POP, the local copy is primary, and when you access your mail it is generally removed from the server after being copied down to your local inbox. If you access your messages from more than one place, life can get confusing--a message you want to read on the road might have already been downloaded to a different computer or a filing change you make at work won't be reflected back at home.

With an IMAP account things just work the way you'd expect from the way they look, so you don't have to think about it. It's got the possibility of "mobile" built into its core. If you haven't set up your computer, iPhone, or iPod touch with your MobileMe IMAP account yet, check out these instructions.

See also MobileMe Features, (<http://www.apple.com/mobileme/features/>), accessed May 13, 2011, MOTO-APPLE-0006037953_127187:

Mail, Contacts, and Calendar

MobileMe keeps your mail, contacts, and calendar information in the cloud and uses push technology to keep everything in sync across your iPhone, iPad, Mac, PC, and the web automatically. So no matter where you go or what device you use, all your information is up to date — no docking required.



Push email, push contacts, push calendar.
[Watch the QuickTour ▶](#)

(a) a summary store to store identifying information received from the host via the communications server about data units not sent from the host to the communication unit and not received at

Upon information and belief, Apple Phones and/or Apple Computers contain a summary store that stores the date, subject, sender, etc. (the identifying information) received from host (*e.g.*, MobileMe's host server) via MobileMe's communication server about HTML images (the data units not sent from the host) to the Apple Phone and/or Apple Computer (the communication unit) and not received by the Apple Phone and/or Apple Computer .

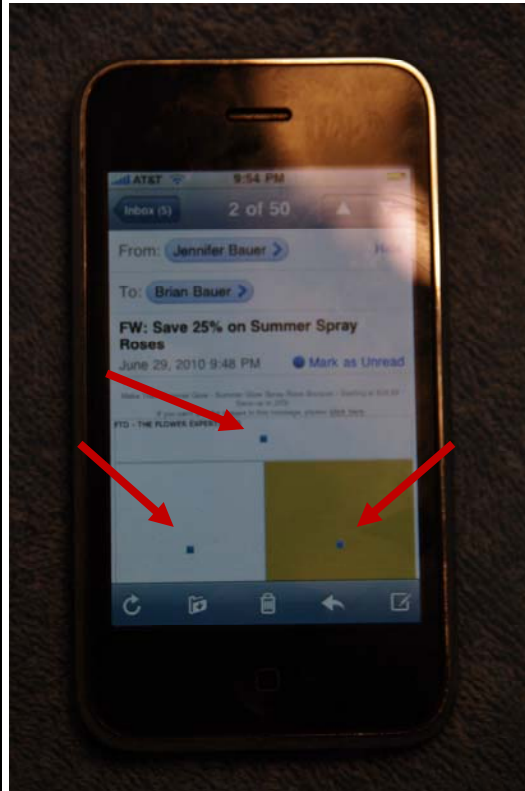
See also Picture of the iPhone showing identifying information (including location in the email) about the .html that was not sent from the MobileMe service to an Apple Phone, taken May 12, 2011, MOTO-APPLE-0006037953_127179 (arrows added); Picture of an Apple Computer showing identifying information (including location in the email) about the .html that was not sent from the MobileMe service to an Apple

Exhibit C

the communication unit.

Computer via the Mail.App in OS X, taken May 12, 2011, MOTO-APPLE-0006037953_127180 (arrows added); Picture of an Apple Computer showing identifying information (including location in the email) about the .html that was not sent from the MobileMe service to an Apple Computer via the MobileMe web application, taken May 12, 2011, MOTO-APPLE-0006037953_127181 (arrows added):

Apple Phone

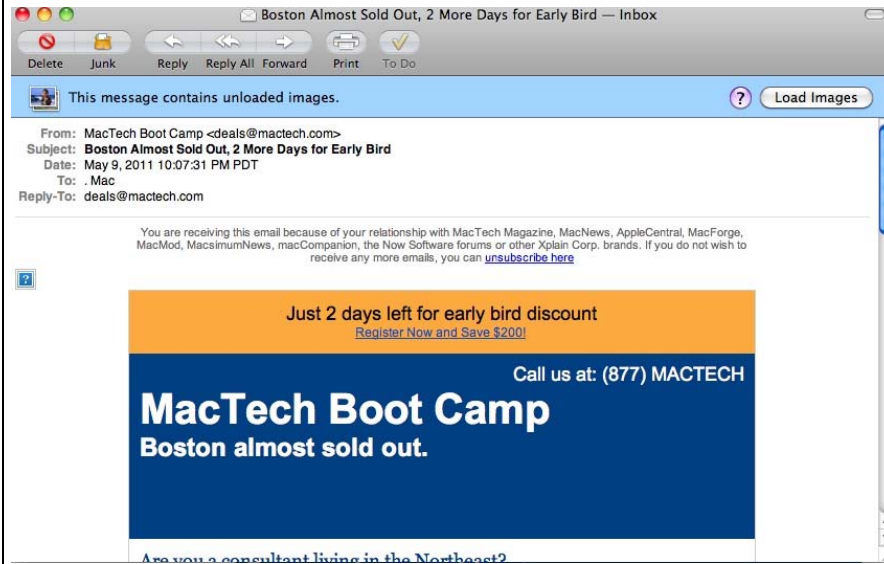


Apple Computer via Mail.App



Exhibit C

Apple Computer via MobileMe web application



See also Photo of iPhone showing HTML images after being downloaded from the MobileMe infrastructure, taken June 29, 2010, MOTO-APPLE-0006037953_127182:

Exhibit C

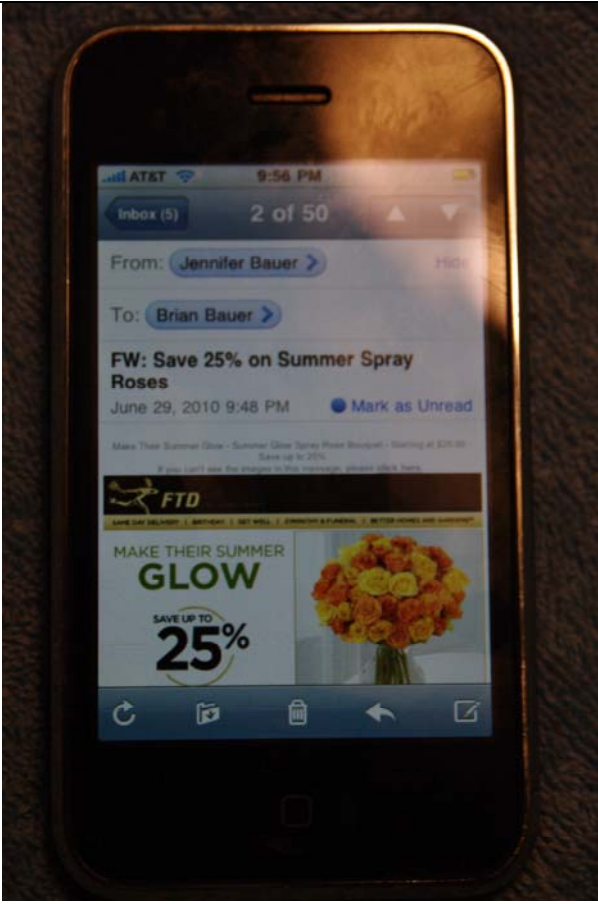
	
<p>wherein said data units are individually filtered prior to reception at the communication unit, based upon user definable filter parameters.</p>	<p>Upon information and belief, said HTML images (data units) are individually filtered prior to reception at the Apple Phone and/or Apple Computer (the communication unit), based upon whether the end user has chosen to not receive HTML images (the user definable filter parameters).</p> <p>Upon information and belief, for an Apple Phone, this is performed when the "load remote images" setting is set to "off" in the Apple Phone Settings App:</p>

Exhibit C

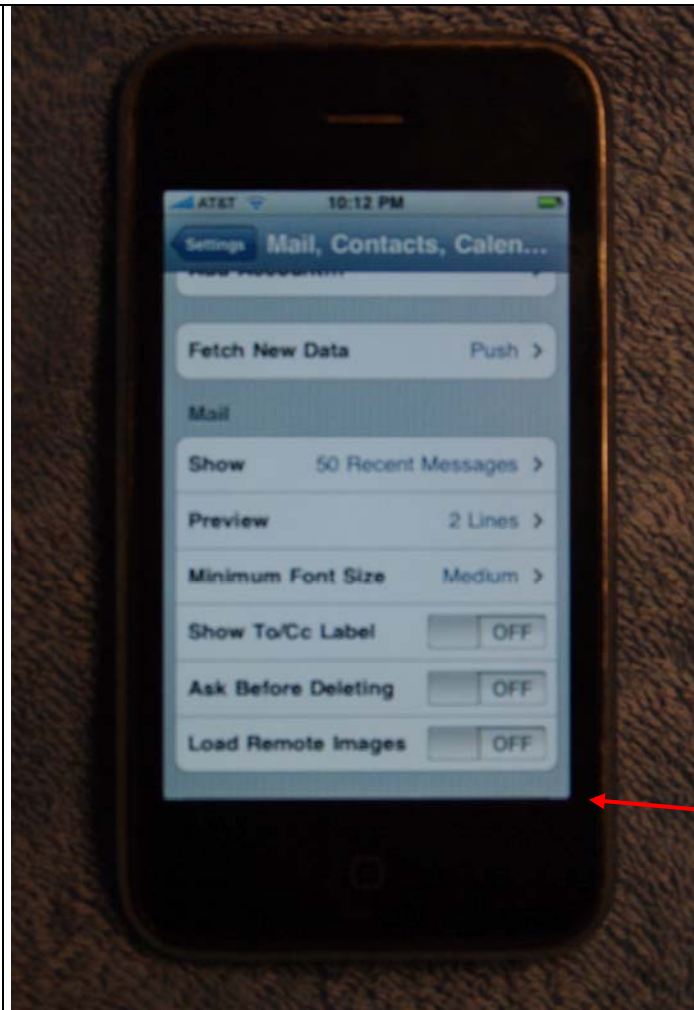
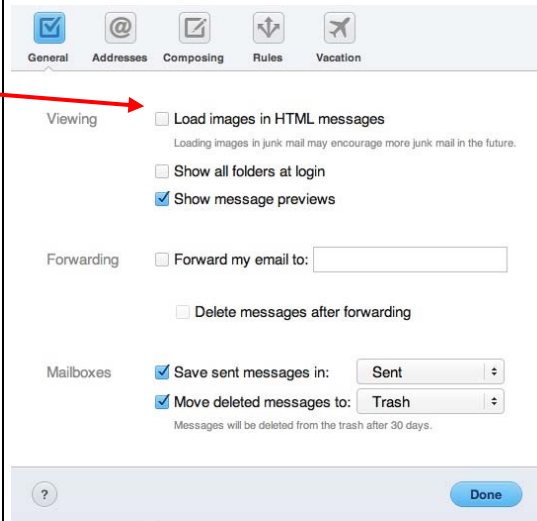
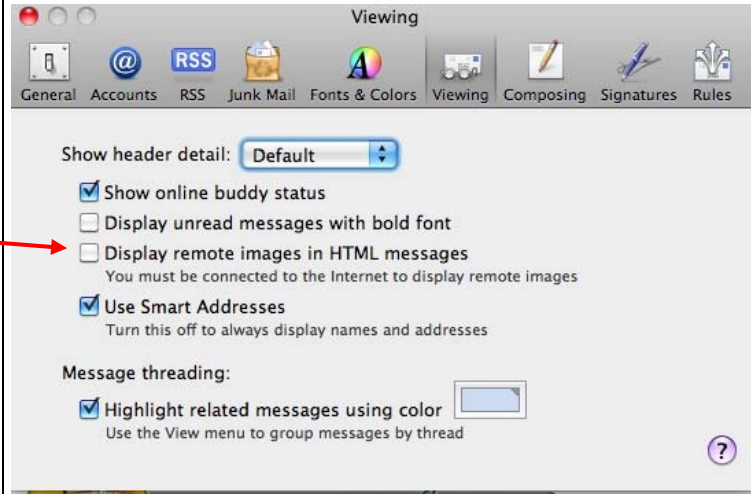


Photo of Apple iPhone showing option to load remote images, taken June 29, 2010, MOTO-APPLE-0006037953_127176 (arrow added).

Upon information and belief, on an Apple computer, this is performed when (1) the "Display remote images in HTML messages" setting is not selected in the Mail.App of Apple's OS X operating system or (2) the

Exhibit C


"Load images in HTML messages" setting is not selected in the Preferences section of the MobileMe web application:



See Screenshots of Apple Computer showing options to display images in HTML messages, taken May 12, 2011, MOTO-APPLE-0006037953_127177-78 (arrows added).

Exhibit C

See also MobileMe Help, (<http://docs.info.apple.com/article.html?path=MobileMe/Help/en/mm6b1a0b80.html>), accessed May 5, 2011, MOTO-APPLE-0006037953_127204:

- To control whether or not HTML images are loaded automatically when a message is viewed, choose Preferences from the Action menu  in the toolbar at the top of the window, click General, select the checkbox next to "Load images in HTML messages," and then click Done.

When "Load images in HTML messages" checkbox isn't selected, messages that contain HTML images appear with a Load Images button you can click to see the images.