UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SERVICENOW, INC.,

Petitioner,

v.

HEWLETT-PACKARD COMPANY,

Patent Owner.

Case No. CBM2015-00077

U.S. Patent No. 7,925,981

PATENT OWNER'S PRELIMINARY RESPONSE UNDER 35 U.S.C. § 323 AND 37 C.F.R. § 42.207

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b) The Petitioner ignores the claims and improperly relies solely on select examples in the specification of the '981 patent. 19

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c) The Board has denied CBM review in cases involving challenged claims that are not financial in nature. 24

d) The Petitioner's cited cases are distinguishable; the challenged claims in those cases were clearly financial in nature. 27

2. The '981 patent is "for a technological invention." 30

a) The '981 patent recites at least one technological feature that is novel and unobvious over the prior art. 30

b) The '981 patent solves a technical problem using a technical solution. 31

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