

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTELLECTUAL VENTURES MANAGEMENT, LLC
Petitioner

v.

XILINX, INC.
Patent Owner

Case IPR2012-00018
Patent 7,566,960

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

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Rules

37 C.F.R. § 42.23 1

Petitioner Intellectual Ventures provides this reply under 37 C.F.R. § 42.23 to Patent Owner Xilinx's Patent Owner's Response dated May 7, 2013. At issue is the *inter partes* review of claims 1-13 of U.S. Patent No. 7,566,960 ("the '960 patent"; IVM 1001).

I. Statement of Relief Requested

Petitioner requests cancellation of claims 1-13 in U.S. Patent No. 7,566,960 ("the '960 patent") and denial of Xilinx's Second Substitute Motion to Amend filed July 26, 2013. An opposition to the Second Substitute Motion to Amend is being filed concurrently.

II. Original Claims 1-13 Are Obvious over the Art Cited in the Petition

The Patent Owner Response to Petition ("Response"; Paper 17) fails to demonstrate the patentability of claims 1-13. The Response attempts to contort the plain and ordinary meanings of "inside surface" and "inside," while impermissibly offering claim constructions that reverse positions that the Patent Owner took during original prosecution of the '960 patent. This reversal was confirmed by the Patent Owner's own expert, Dr. Neikirk, during his deposition.

The Response also "cuts" figures from Ma and Siniaguine and then literally "pastes" these figures together to attempt to show that the patterns in the figures are not "substantially identical," while ignoring well-settled law that figures cannot be assumed to be drawn to scale.

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