

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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MICROSOFT CORPORATION  
Petitioner

v.

Patent of PROXYCONN, INC.  
Patent Owner

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Cases: IPR2012-00026, IPR2013-00109  
Patent No.: 6,757,717 B1  
Filed: September 16, 1999  
Issued : June 29, 2004  
Inventor: Leonid Goldstein  
Title: SYSTEMS AND METHODS FOR DATA ACCESS

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**PATENT OWNER'S RESPONSE**

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**STATEMENT OF MATERIAL FACTS IN DISPUTE**

Petitioner did not submit statements of material facts in its petitions for *inter partes* review. Accordingly, no response is due pursuant to 37 C.F.R. §42.23(a), and no facts are admitted.

## I. INTRODUCTION

The '717 Patent is directed to data access, and specifically, methods, systems, and apparatuses for increasing the speed of data accessing in communication networks. EX1001 at 1:13-15. "Data access" is obtaining data from a remote server (a sender/computer) on a network in response to a request from a client (a receiver/computer).

The Patent Trial and Appeal Board (the "Board") has granted review of the '717 Patent on the following grounds:

### A. ANTICIPATION BY *PERLMAN* OF CLAIMS 1, 3 AND 22-24

Patent Owner responds that Perlman is directed to data synchronization, rather than data access. *See* Sections II.C.1.a and II.C.2.a, *infra*. Perlman lacks permanent storage memory. *See* Section II.C.1.b, *infra*. Perlman further lacks the step of searching for data having the same digital digest, as required by claims 22-24. *See* Section II.C.2.b, *infra*. Thus, Perlman cannot anticipate challenged claims 1, 3, 22-24.

### B. ANTICIPATION BY *YOHE* OF CLAIMS 1, 3, 6, 7, 10, 22 AND 23

Patent Owner responds that Yohe lacks a sender/computer, as required by Original Claims 1, 3, and 10. *See* Section II.D.1.a, *infra*. Yohe lacks a sender/computer having permanent storage memory and means for creating a digital digest on data, as required by Original Claims 1, 3 and 10. *See* Section

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