

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION
Petitioner

v.

PROXYCONN, INC.
Patent Owner

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

CORRECTED PATENT OWNER'S RESPONSE

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 1. *Perlman* is not Analogous Art to the ‘717 Patent, and therefore cannot render Obvious Original Claims 1, 3, 1, and 22-2428

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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. IPR2012-00026 and IPR2013-00109, EX1002 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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