

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

SYNOPSIS, INC.  
Petitioner

v.

Patent of MENTOR GRAPHICS CORPORATION  
Patent Owner

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Case IPR2012-00042 (SCM)  
Patent 6,240,376 B1

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Mail Stop *Patent Board, PTAB*  
United State Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**PETITIONER'S MOTION TO EXCLUDE  
EVIDENCE UNDER 37 C.F.R. 42.64(c)**

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**EXHIBIT LIST****Previously Filed**

- 1001 U.S. Patent No. 6,240,376 to Raynaud, et al.
- 1002 Prosecution history of application Serial No. 09/127,584, which matured into the '376 patent.
- 1003 Chen, et al., "A Source-Level Dynamic Analysis Methodology and Tool for High-Level Synthesis," Proceedings of the Tenth International Symposium on System Synthesis, 1997, pp. 134-140, Sep. 1997.
- 1004 Koch, et al., "Breakpoints and Breakpoint Detection in Source Level Emulation," ISSS Proceedings of the 9th International Symposium on System Synthesis, pp. 26-31 (1996).
- 1005 Koch Publication information from CiteCeerX and ACM archives.
- 1006 Koch, et al., "Debugging of Behavioral VHDL Specifications by Source Level Emulation," Proceedings of the European Design Automation Conference, pp. 256-261, September 1995.
- 1007 U.S. Patent No. 6,132,109 to Gregory, et al.
- 1008 HDL-ICETM ASIC Emulation System, Quicturn Design Systems, Inc.
- 1009 Prosecution history for application Serial No. 08/566,401, which matured into U.S. Patent No. 5,838,948.
- 1010 U.S. Patent No. 5,960,191 to Sample, et al.
- 1011 Transcript of Initial Conference Call, Mar. 21, 2013
- 1012 U.S. Patent No. 6,363,520 to Boubezari et al.
- 1013 Declaration of Dr. Brad Hutchings in support of Petitioner's Opposition to Patent Owner's Substitute Motion to Amend
- 1014 Excerpts from Field-Programmable Gate Array Technology, Stephen M. Trimberger, 1994.

**EXHIBIT LIST (CONT'D)**

- 1015 Taking Advantage of Reconfigurable Logic, Bradly K. Fawcett, Seventh Annual IEEE International Proceedings, ASIC Conference, 1994, pgs. 227-230
- 1016 Effects of FPGA Architecture on FPGA Routing, Stephen Trimberger, 32nd ACM/IEEE Design Automation Conference, 1995
- 1017 A Reprogrammable Gate Array and Applications, Stephen Trimberger, Proceedings of the IEEE, Vol. 81, No. 7, July 1993
- 1018 Proper Use of Hierarchy in HDL-Based High Density FGPA Design, Carol A. Fields, published in Lecture Notes in Computer Science, 1995 at pgs. 168-177
- 1019 Deposition Transcript of Dr. Majid Sarrafzadeh dated August, 22, 2013
- 1020 Declaration of Travis Jensen.

**Currently Filed**

- 1021 Synopsys's Objections to Patent Owner's Exhibits in Support of Response served on June 28, 2013
- 1022 Synopsys's Objections to Exhibits in Patent Owner's Reply in Support of its Substitute Motion to Amend served on October 5, 2013.

Pursuant to 37 C.F.R. 42.64(c), Petitioner Synopsys, Inc. respectfully requests that the Board exclude 1) Patent Owner's evidence related to assignor estoppel; 2) Patent Owner's post-2006 evidence of an alleged privity relationship between EVE and Synopsys; and 3) three exhibits filed with Patent Owner's Reply in Support of Its Substitute Motion to Amend.

**First.** The Board should exclude all of Patent Owner's exhibits relating to assignor estoppel because the Board recently expressly held that assignor estoppel is not a legally cognizable defense in an *inter partes* review. Thus, the evidence is irrelevant.

**Second.** The Board should exclude all of Patent Owner's exhibits that relate to a purported post-2006 privity relationship between EVE and Synopsys because such evidence is irrelevant under the Board's ruling that "§ 315(b) requires a privity relationship in 2006 when EVE was served with a complaint alleging infringement of the '376 patent." Dec. on Mot. for Add'l Discovery (paper 24) at 3 (internal quotation omitted).

**Third.** The Board should exclude Exhibits MG 2030 and MG 2031 because neither party cited or explained either exhibit in any paper. The Board should strike Exhibit 2033 because it relates to the conception date of the '376 patent which is not at issue in this proceeding.

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