UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY LTD, AND TSMC NORTH AMERICA CORP.

Petitioner

v.

ZOND, LLC
Patent Owner

U.S. Patent No. 7,808,184

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*Inter Partes* Review Case No. 2014-00799

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**PATENT OWNER's PRELIMINARY RESPONSE UNDER 37 CFR § 42.107(a)**

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# EXHIBIT LIST

| Exhibit No. | Description |
|---|---|
| Ex. 2001 | Information Disclosure Statement |
| Ex. 2002 | Webster's New World College Dictionary, 4th Edition, 2008 |
| Ex. 2003 | U.S. Patent No. 6,896,773 |
| Ex. 2004 | U.S. Patent No. 6,806,652 |

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## I. Introduction

The Petitioner has represented in a motion for joinder (paper no. 6) that this petition "is identical to the Intel IPR in all substantive respects, includes identical exhibits, and relies upon the same expert declarant." Accordingly, based upon that representation, the Patent Owner opposes review on the same basis presented in opposition to Intel's request no. IPR2014-00455, which is repeated below.

The present petition for *inter partes* review of U.S. Patent No. 7,808,184 ("the '184 patent") relies solely on theories of obviousness woven almost entirely from prior art references[1] already considered by the patent office[2] but without persuasive reasons why the outcome should be any different here. In fact, it does not even address the requisite factual inquiries for an obviousness analysis as set forth by the Supreme Court,[3] and skirts several other significant

[1] Ex. 1003, Mozgrin; Ex. 1004, Kudyavtsev; Ex. 1005, Wang.

[2] Ex. 2001, Information Disclosure Statement, pgs. 2, 6.

[3] *Graham v. John Deere Co.*, 383 U.S. 1, 17-18, 148 USPQ 459, 467 (1966); *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 399 (2007) ("[T]he [Graham] factors define the controlling inquiry"); *Liberty Mutual v. Progressive Casualty*, CMB-2012-00003, paper 7 at 2 – 3.

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