

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ATOPTECH, INC.
Petitioner

v.

SYNOPSYS, INC.
Patent Owner

Case IPR2014-01145
Patent 6,237,127

PETITIONER'S REPLY

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Other Authorities

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| The American Heritage Dictionary (Third Edition 1992) | 3, 4, 11 |

EXHIBITS

| Exhibit No. | Reference Name |
|-------------|--|
| 1001 | U.S. Patent No. 6,237,127 (“`127 Patent”) |
| 1002 | Prosecution History of the `127 Patent |
| 1003 | Complaint, <i>Synopsys, Inc. v. ATopTech, Inc.</i> , No. 3:13-cv-02965-MMC (N.D. Cal. 2013). |
| 1004 | Proof of Service, <i>Synopsys, Inc. v. ATopTech, Inc.</i> , No. 3:13-cv-02965-MMC (N.D. Cal. 2013). |
| 1005 | “Timing Analysis with known False Sub Graphs,” Krishna P. Belkhale and Alexander J. Suess, 1995 IEEE/ACM International Conference of Computer-Aided Design – Digest of Technical Papers, November 5-9, 1995, San Jose, California, pgs. 736-740. (“Belkhale”), with Declaration of Sherrie Schmidt, ASU Libraries, Arizona State University. |
| 1006 | U.S. Patent No. 5,210,700 (“Tom”) |
| 1007 | Declaration of Dr. Ghiasi |
| 1008 | American Heritage Dictionary (Third Edition 1992), pp. 1241, 1517, 1824 |
| 1009 | Transcript of Deposition of Synopsys’ Expert, Dr. Martin Walker (6/10/2015) |
| 1010 | Zhou et al, “Efficient Static Timing Analysis Using A Unified Framework for False Paths and Multi-Cycle Paths,” ASP-DAC '06 Proceedings of the 2006 Asia and South Pacific Design Automation Conference, 24-27 January, 2006, pp. 73-78. |
| 1011 | Declaration of Dr. Ghiasi in Support of Petitioner’s Reply |
| 1012 | IEEE Computer Society 2000 Computer Pioneer Award, Harold W. (Bud) Lawson, http://www.computer.org/web/awards/pioneer-harold-lawson . |

I. INTRODUCTION

It has long been known that the claims of a patent define the invention. The claims of a patent are supposed to avoid coverage of things that already exist, and instead lay claim to a novel and nonobvious invention. Synopsys drafted the claims of the `127 patent. Synopsys had a chance to change the wording of those claims during this *inter partes* review proceeding, and even stated that such amendments were being contemplated (Paper No. 10). Synopsys, however, elected not to amend. Now Synopsys should be held to those claims.

During prosecution of the `127 patent, one of the very references at issue in this IPR (the Tom reference) was before the examiner and the *sole* limitation that Synopsys argued was not taught in the prior art was the claimed “exception.” Ex. 1002 at 145-147. The examiner relied on Synopsys’ argument and granted the `127 patent, saying specifically that “Tom does not teach the use of exceptions or some equivalent.” *Id.* at 152. Synopsys does not dispute that Belkhale teaches those very claimed exceptions. In fact, Synopsys cannot dispute that exceptions were well known in the prior art because Belkhale teaches one of the very exceptions listed in the `127 patent—false paths.

So instead, to differentiate itself from the prior art, Synopsys reads all sorts of limitations into the *other* elements of its claims: Synopsys argues that when it recited a “timing table,” it was claiming a table with two or more entries; and Synopsys argues that when it recited that a “timing table . . . refers to a tag,” it was claiming that there is a unique “reference” data structure that must be propagated. But Synopsys did not claim any of these things, either during prosecution or in this

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