UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ORACLE CORPORATION,
NETAPP INC. and
HUAWEI TECHNOLOGIES CO., LTD.

Petitioners,

v.

CROSSROADS SYSTEMS, INC.

Patent Owner.

Case IPR2014-01207

U.S. Patent No. 7,051,147

PETITIONERS' REPLY IN SUPPORT OF THE PETITION

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I. The CRD Combined System is Identical in Relevant Respect to Devices Patent Owner has Accused of Infringement and Various Embodiments Described in the '147 Specification

Crossroads Systems, Inc.'s (Patent Owner's) primary argument with respect to the *CRD* combination is that the Host LUN mapping table does not "map between the [host] device and the remote storage device[s]" as recited in the claims because, on the host side, the combined system uses host channel IDs instead of host device IDs. Resp. at 41-49. Patent Owner illustrates this concept by positing an example in which Bill takes his computer and substitutes it for Lisa's by plugging it into port or channel 0, in which case the storage router of the combined system would presume (incorrectly) that it was communicating with Lisa's computer when it in fact was communicating with Bill's. *Id.* at 48-49. Patent Owner presents an ostensibly separate argument concerning the access control limitations, but on close examination, it is premised on the same theory discussed above, *i.e.,* that because Bill & Lisa could in effect "hot swap" their workstations the combined system does not meet the claims. *Id*. at 47-49.

Accepting Patent Owner's argument would require, improperly, the Board to ignore the *CRD* reference's express teaching that "[b]y using the controller's Host LUN Mapping feature, you can assign redundancy groups **to a particular host**." Patent Owner's argument also ignores the unrebutted evidence cited in the petition which shows that the Tachyon chip may optionally pass the host device identity to

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the CRD-5500 controller processor. Pet. at 18-19, citing Ex. 1010 at ¶¶ 42, 45. In that implementation of the combined system, Patent Owner's primary argument is moot. Ex. 1004 at 10 (emphasis added).

Patent Owner's argument also is unavailing, because it is premised on narrow interpretations of the "map" and "access control" claim terms, which are unsupported. First, Patent Owner's interpretation is unsupported by any intrinsic evidence—indeed to the contrary, the specification describes various embodiments in which computers may be "hot swapped" like in the Bill & Lisa example, wherein there is no suggestion that such embodiments would fall outside the claim scope. Second, Patent Owner's "example" is belied by the fact that the Patent Owner previously has accused of infringement systems which operate in the same manner as the *CRD* combined system. Consistent with that infringement allegation, Patent Owner's expert Dr. Levy concedes that in systems where there is a single host device attached to each channel (such as the *CRD* combined system) the channel ID suffices to uniquely identify the host.

Patent Owner's remaining argument is premised upon a bodily incorporation of the secondary reference into the primary reference, which is plainly not contemplated by the petition or the institution decision, nor legally required to show nonobviousness.

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