

[trials@uspto.gov](mailto:trials@uspto.gov)

IPR2014-01197, Paper No.76

IPR2014-01207, Paper No. 77

IPR2014-01209, Paper No. 76

November 30, 2015

571-272-7822

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

ORACLE CORP., NETAPP INC., HUAWEI TECHNOLOGIES  
CO., LTD., and DOT HILL SYSTEMS CORPORATION,  
Petitioners,

v.

CROSSROADS SYSTEMS, INC.,  
Patent Owner.

---

Cases: IPR2014-01197, IPR2014-01207, IPR2014-01209  
Patents: 6,425,035 B2, 7,051,147 B2

---

Held: October 30, 2015

---

BEFORE: NEIL T. POWELL, KRISTINA M. KALAN, J. JOHN  
LEE, and KEVIN W. CHERRY, Administrative Patent Judges.

The above-entitled matter came on for hearing on Friday, October  
30, 2015, commencing at 1:00 p.m., at the U.S. Patent and  
Trademark Office, 600 Dulany Street, 9th Floor, Hearing Room  
D, Alexandria, Virginia.

Cases: IPR2014-01197, IPR2014-01207, IPR2014-01209  
Patents: 6,425,035 B2, 7,051,147 B2

APPEARANCES:

ON BEHALF OF THE PETITIONERS:

JARED BOBROW, ESQUIRE  
AARON Y. HUANG, ESQUIRE  
Weil, Gotshal & Manges, LLP  
201 Redwood Shores Parkway  
Redwood Shores, California 94065-1134

and

GREG H. GARDELLA, ESQUIRE  
Oblon, McClelland, Maier & Neustadt, LLP  
1940 Duke Street  
Alexandria, Virginia 22314

ON BEHALF OF THE PATENT OWNER:

KEITH A. RUTHERFORD, ESQUIRE  
JAMES H. HALL, ESQUIRE  
Blank & Rome, LLP  
717 Texas Avenue  
Suite 1400  
Houston, Texas 77002

1 P R O C E E D I N G S

2 - - - - -

3 JUDGE POWELL: Good afternoon. This is the oral  
4 hearing for three related cases, IPR2014-01197 which involves  
5 patent 6,425,035 B2; IPR2014-01207 which involves patent  
6 7,051,147 B2; and IPR2014-01209 which involves the same  
7 patent. IPR2015-00822 has been joined with IPR2014-01197.

8 In the hearing room with me I have Judge Lee and  
9 Judge Cherry and joining us via video from Denver, we have  
10 Judge Kalan. Can counsel please state your names for the record.

11 MR. GARDELLA: Good afternoon, Your Honors.  
12 Greg Gardella on behalf of petitioners, Oracle and NetApp. I'm  
13 joined today by Jared Bobrow and Aaron Huang of the Weil  
14 Gotshal firm. Mr. Bobrow will be doing the presentation today.  
15 And with your permission, I'll approach with your copies of the  
16 demonstratives.

17 JUDGE POWELL: Sure.

18 MR. RUTHERFORD: Keith Rutherford again for the  
19 patent owner, Crossroads. Also in attendance is Steve Sprinkle,  
20 lead counsel. With me at counsel table, James Hall, and we have  
21 in the audience our CEO and COO of Crossroads. And may we  
22 also approach with our demonstratives?

23 JUDGE POWELL: Sure. Okay. I'll start by addressing  
24 the joint list of objections to demonstrative exhibits. We have  
25 reviewed and considered them and we are going to allow both

1 parties to use any of their demonstrative exhibits in today's  
2 hearing. We will carefully consider which evidence and  
3 arguments have been properly presented as we prepare our final  
4 decisions in these cases.

5 Consistent with the hearing order, each party will have  
6 60 minutes. Petitioners will present their case first and may  
7 reserve time for rebuttal. And then patent owner will respond to  
8 petitioner's presentation after which petitioners may use any  
9 remaining time to respond to patent owner's presentation.

10 During your presentations you must identify each  
11 demonstrative exhibit clearly and specifically. You can refer to it  
12 by slide number or screen number or however else is appropriate.  
13 That's particularly important because Judge Kalan cannot see the  
14 projection screen here in the hearing room.

15 And with that, do we have any questions before we  
16 start? Well, I'll yield the floor to petitioners.

17 MR. BOBROW: Good afternoon, Your Honors. Jared  
18 Bobrow for the petitioners. With the Board's permission, I would  
19 like to reserve 25 minutes.

20 JUDGE POWELL: Okay.

21 MR. BOBROW: Thank you. Starting with slide 2 of  
22 our slide presentation, set forth there are the claims on which this  
23 trial is proceeding and the three obviousness combinations that  
24 are at issue. The CRD-5500 combination, the Bergsten/Hirai  
25 combination and the Kikuchi/Bergsten combination.

1           Let me proceed first with the CRD-5500 combination, if  
2 I may. As the Board heard this morning, the CRD-5500 manual  
3 describes a storage system. That storage system includes a  
4 multiplicity of hosts on one side. It includes a transport medium.  
5 We have cables going to channels. We then have those channels,  
6 the I/O ports as part of the CRD-5500. And on the other side of  
7 that storage router, what we have are storage devices. The  
8 CRD-5500 manual also describes the functions of mapping and  
9 describes the function of access control resident in the  
10 CRD-5500.

11           The only element missing from the CRD-5500 is an  
12 express statement of the use of fibre channel. That's the only  
13 thing we submit that is missing from the CRD-5500. The  
14 CRD-5500 data sheet, which is Exhibit 1004, states that the 5500  
15 itself was designed to include and be adapted for fibre channel  
16 functionality. So there's no dispute that the cards and the slots of  
17 the CRD-5500 were adapted for a fibre channel use.

18           To provide the fibre channel element, we provide the  
19 Smith reference which discloses the Tachyon chip. And the  
20 Tachyon chip, it discloses, is used for SCSI encapsulation over  
21 fibre channel. The idea of the combination is including the  
22 Tachyon chip on the card of the CRD-5500 so that, as shown on  
23 slide 6 of our presentation, we have hosts, each one connected  
24 through the Tachyon I/O card that's in the CRD-5500 and we  
25 have storage on the other end.

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.