UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION, SONY ELECTRONICS INC.,
SONY MOBILE COMMUNICATIONS AB, and
SONY MOBILE COMMUNICATIONS (USA) INC.
Petitioners,

v.

MEMORY INTEGRITY, LLC,
Patent Owner.

Case IPR2015-00158
Patent 7,296,121 B2

PETITIONERS' OPPOSITION TO PATENT OWNER MOTION TO AMEND PURSUANT TO 37 C.F.R. § 42.23

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LIST OF EXHIBITS

Ex. No.	Exhibit Name
Sony-1001	U.S. Patent No. 7,296,121 ("the '121 Patent")
Sony-1002	File History for U.S. Pat. App. No. 10/966,161
Sony-1003	U.S. Patent No. 7,003,633 ("the '633 Patent")
Sony-1004	Comparison of '121 Patent and '633 Patent Specifications
Sony-1005	U.S. Patent No. 7,698,509 to Koster ("Koster")
Sony-1006	Jeffrey Kuskin, et al., *The Stanford FLASH Multiprocessor*, PROCEEDINGS ON THE 21ST ANNUAL INTERNATIONAL SYMPOSIUM ON COMPUTER ARCHITECTURE, IEEE (1994) ("Kuskin")
Sony-1007	S. Park et al., *Verification of Cache Coherence Protocols by Aggregation of Distributed Transactions*, Theory of Computing Systems 31 (1998) ("Park")
Sony-1008	U.S. Patent No. 6,088,769 to Luick ("Luick")
Sony-1009	U.S. Pat. Pub. 2002/0073261 ("Kosaraju")
Sony-1010	AUTHORITATIVE DICTIONARY OF IEEE STANDARDS TERMS (2000)
Sony-1011	Jeffrey L. Hilbert, APPLICATION SPECIFIC INTEGRATED CIRCUIT (ASIC) TECHNOLOGY (Academic Press 1991)
Sony-1012	Ronald Sass, Andrew G. Schmidt, EMBEDDED SYSTEMS DESIGN WITH PLATFORM FPGAS: PRINCIPLES AND PRACTICES (Morgan Kaufmann 2010)
Sony-1013	Expert Declaration of Daniel J. Sorin
Sony-1014	Curriculum Vitae of Daniel J. Sorin
Sony-1015	Supplemental Expert Declaration of Daniel J. Sorin
Sony-1016	Deposition Transcript of Vojin Oklobdzija (November 23–24, 2015)
Sony-1017	David E. Culler et al., Parallel Computer Architecture: A Hardware/software Approach (1st Ed.) (1998)
Sony-1018	James Laudon and Daniel Lenoski, Proceedings of the 24th Annual International Symposium on Computer Architecture, "The SGI Origin: A ccNUMA Highly Scalable Server" (1997)

Ex. No.	Exhibit Name
Sony-1019	Michael John Sebastian Smith, APPLICATION-SPECIFIC INTEGRATED CIRCUITS (1997) ("Smith")
Sony-1020	Motion to Amend Opposition Declaration of Dr. Robert Horst

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I. Introduction

Petitioners submit this Opposition to Memory Integrity's ("MI") Motion to Amend ("MTA") (Paper 18). The MTA should be denied for three primary reasons. First, MI failed to meet its burden of proof under 37 C.F.R. § 42.20(c) by failing to identify how the features in the proposed substitute claims are distinguished from the prior art of record. Second, the substitute claims are not enabled. Third, the prior art combination discussed below render the substitute claims obvious.

II. MI's Motion to Amend Fails to Comply with 37 C.F.R. § 42.20(c)

MI "has the burden of proof to establish that it is entitled to the requested relief." *See* 37 C.F.R. § 42.20(c). Section 42.20(c) "places the burden on the patent owner to show a patentable distinction of each proposed substitute claim over the prior art." *Idle Free Sys., Inc. v. Bergstrom, Inc.*, Case IPR2012-00027, slip op. at 7 (PTAB June 11, 2013) (Paper 26); *Microsoft Corp. v. Proxyconn, Inc.*, No. 2014-1542, 2015 WL 3747257, at *13-14 (Fed. Cir. June 16, 2015) (affirming denial where patent owner failed to establish the patentability over the prior art of record).

Here, MI failed to meet the burden imposed by § 42.20(c) for at least three reasons. First, MI argues that, "all of the substitute claims find support in the '347 Application, [thus] the Koster reference is not prior art to any of the proposed substitute claims." MTA, p. 22. MI provides no discussion comparing Koster's

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