UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC., HTC CORPORATION, HTC AMERICA, INC., SAMSUNG ELECTRONICS CO. LTD, SAMSUNG ELECTRONICS AMERICA, INC., AND AMAZON.COM, INC.,

Petitioners,

v.

MEMORY INTEGRITY, LLC,

Patent Owner

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Case IPR2015-00159
Patent 7,296,121

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PETITIONER'S MOTION FOR OBSERVATIONS

Observation #1 In the transcript of the January 8, 2016 deposition of Dr. Vojin Oklobdzija (Ex. 1032) at page 20, line 9 to page 22, line 4, Dr. Oklobdzija agreed that "it is a matter of semantics" whether "[o]ne can consider a node to be the one that contains the hub and both processors main memory or one can consider the processing node just to be the same as the processor." This testimony is relevant to paragraph 9 of Dr. Oklobdzija's Reply Declaration (Ex. 2042) and page 8 of MI's Reply in Support of Motion to Amend (Paper 37) where Dr. Oklobdzija asserts that Petitioners "are vague with respect to whether they contend that the 'hub' is outside of or is subsumed within a 'processing node.'" This testimony is relevant, because it proves that the Opposition's application of the individual R10000 processor in the Origin system to the claimed "processing node" is valid.

Observation #2 In Ex. 1032 at page 28, line 8 to page 29, line 20, Dr. Oklobdzija testified that he did not consider "where the probe in a hub-to-hub transmission originates from." This testimony is relevant to paragraph 13 of Dr. Oklobdzija's Reply Declaration and pages 9-10 of MI's Reply in Support of Motion to Amend, where Dr. Oklobdzija asserts that "there is no reason to believe from the teachings of Culler and Laudon that any message originating from a processor in a request node is the same as the alleged 'probe' received by the hub in a home node such that it could be said that the 'probe filtering unit . . . receive probes . . . from the processing nodes.'" This testimony is relevant because it demonstrates that Dr.

Oklobdzija did not identify an alternative source for a probe in the Origin system other than a requesting processor.

Observation #3 In Ex. 1032 at page 52, line 10 to page 53, line 12, Dr. Oklobdzija testified that he did "not rely[] upon any language in the '121 patent regarding the message format of a probe as supporting [his] opinion in paragraph 13" and that "the substitute claims do not recite any specific message formats of the probe." This testimony is relevant to paragraph 13 of Dr. Oklobdzija's Reply Declaration and pages 9-10 of MI's Reply in Support of Motion to Amend, where Dr. Oklobdzija cites to Culler's teaching that the Origin system relies on varying message formats to transport data to support his contention that "messaging between hubs is also significantly different from the messaging within hubs." This testimony is relevant because it demonstrates that, contrary to Dr. Oklobdzija's implication, a change in a probe's message format is not relevant to the limitations of the substitute claims.

Observation #4 In Ex. 1032 at page 73, line 18 to page 75, line 9, Dr. Oklobdzija testifies that the '121 Patent describes an embodiment in which a probe traveling between clusters traverses communication links using different protocols that require different message formats. This testimony is relevant to paragraph 13 of Dr. Oklobdzija's Reply Declaration and pages 9-10 of MI's Reply in Support of Motion to Amend, where Dr. Oklobdzija cites to Culler's teaching that the Origin system relies on varying message formats to transport data to support his contention that

"messaging between hubs is also significantly different from the messaging within hubs." This testimony is relevant because it demonstrates that, contrary to Dr. Oklobdzija's implication, a change in a probe's message format is not relevant to the limitations of the substitute claims.

Observation #5 In Ex. 1032 at page 78, lines 2 to 6, after taking time to review the Culler reference, Dr. Oklobdzija agrees that "processors issue read requests to the hub chip through the PI" (i.e., the processor interface of the hub chip). Moreover, in Ex. 1032 at page 175, lines 17 to 25 and page 176, line 9 to page 176, line 19, Dr. Oklobdzija admits that the processors issue read requests, which are passed through the hub, and numbered in order to keep track of where the read requests are in the system. This testimony is relevant to paragraph 13 of Dr. Oklobdzija's Reply Declaration and pages 9-10 of MI's Reply in Support of Motion to Amend, where Dr. Oklobdzija asserts that "it would not be reasonable to assume that requests received by a hub in a home node in SGI Origin is the same or even a modified version of a message sent by a requesting processor attached to a different hub." This testimony is relevant because Dr. Oklobdzija's Reply Declaration does not present any evidence that the read request received by the hub in the home node is substantively different from the read request sent by the processor, nor could Dr. Oklobdzija testify to any changes. *See, e.g.*, Ex. 1032 at 56:25-57:24; 65:22-66:5; 68:21-69:3; 69:12-21; 167:8-168:7.

Observation #6 In Ex. 1032 at page 59, line 5 to page 60, line 5, Dr. Oklobdzija testifies that the substitute claims' requirement that a probe received by the probe filtering unit "has to be the same probe which corresponds to memory lines from the processing node" is "not talking about a specific probe filtering format that you're talking about, but the information basically that is contained in the probe filtering message should be the same on all PFU." Moreover, at page 67, line 15 to page 68, line 4, Dr. Oklobdzija testifies that as long as any modification to a probe does not affect the response solicited from the system, it is the same probe for purposes of the substitute claims. This testimony is relevant to paragraph 13 of Dr. Oklobdzija's Reply Declaration and pages 9-10 of MI's Reply in Support of Motion to Amend, where Dr. Oklobdzija asserts that "it would not be reasonable to assume that requests received by a hub in a home node in SGI Origin is the same or even a modified version of a message sent by a requesting processor attached to a different hub." This testimony is relevant because Dr. Oklobdzija's Reply Declaration does not assert that the read request received by the hub in a home node does not solicit the same response as the read request issued by the requesting processor.

Observation #7 In Ex. 1032 at page 45, line 2 to page 47, line 5 and page 49, line 19 to page 50, line 4, Dr. Oklobdzija admits that a probe received by a cache coherence controller containing the claimed probe filtering unit from a processor in a remote cluster would "receive" that probe from the processor in accordance with

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