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.
_____

Case IPR2015-00172
Patent 7,296,121
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**PETITIONER'S REQUEST FOR REHEARING
PURSUANT TO 37 C.F.R. § 42.71**

I. **Introduction**

Apple Inc., HTC Corporation, HTC America, Inc., Samsung Electronics Co.
Ltd, Samsung Electronics America, Inc., and Amazon.com, Inc. ("Petitioners")
hereby respectfully request rehearing of the May 11, 2015 Decision ("Decision"),
denying institution of trial. In particular, Petitioners request rehearing of the
Board's decision not to institute review with regard to Grounds 1 and 3-5 due to
misapprehension by the Board of the Petition's application of DASH to the
language of independent claims 1 and 16.

As explained in detail below, the Board diverges from Petitioner's offered
grouping of "processing nodes" in DASH, and consequently, arrives at the
erroneous conclusion that DASH does not disclose the "probe filtering unit"
recited in claims 1 and 16.

In particular, when comparing the disclosure of DASH to claims 1 and 16,
the Board includes the home cluster among the recited "plurality of processing
nodes," and the Board distinguishes DASH on this basis. In doing so, the Board
diverges materially from the Petition, as the Petition is careful to relate the
disclosure of DASH to the claims in a manner that excludes the home cluster from
among the recited "plurality of processing nodes."

Accordingly, misapprehension and oversight led the Board to deny
institution of the proposed grounds for unpatentability of claims 1-3, 8, 11, 12, 16,

19, 20 and 22 (Ground 1), claim 7 (Ground 3), claim 9 (Ground 4) and claims 17-

24 (Ground 5).

II.   **Applicable Rules**

37 C.F.R. § 42.71 (d) states:

> (d) Rehearing. A party dissatisfied with a decision may file a request
> for rehearing, without prior authorization from the Board. The burden
> of showing a decision should be modified lies with the party
> challenging the decision. The request must specifically identify all
> matters the party believes the Board misapprehended or overlooked,
> and the place where each matter was previously addressed in a
> motion, an opposition, or a reply. A request for rehearing does not toll
> times for taking action. Any request must be filed:
> (1) Within 14 days of the entry of a non-final decision or a decision
> to institute a trial as to at least one ground of unpatentability asserted
> in the petition; or
> (2) Within 30 days of the entry of a final decision or a decision not to
> institute a trial.

> In accordance with 37 C.F.R. § 42.71 (d)(2), this request is being filed

within 30 days of the entry of a decision not to institute a trial.

III.   **Requested Relief**

Petitioners respectfully request reconsideration of the Board's Decision not

to institute Grounds 1 and 3-5 of the Petition.

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IV. **Claims**

Claims 1 and 16 are reproduced below with the significant language highlighted:

1. A computer system comprising <u>a plurality of processing nodes</u> interconnected by a first point-to-point architecture, each processing node having a cache memory associated therewith, the computer system further comprising a probe filtering unit which is operable to receive probes corresponding to memory lines from the processing nodes <u>and to transmit the probes only to selected ones of the processing nodes with reference to probe filtering information</u> representative of states associated with selected ones of the cache memories.

16. A probe filtering unit for use in a computer system comprising <u>a plurality of processing nodes</u> interconnected by a first point-to-point architecture, each processing node having a cache memory associated therewith, the probe filtering unit being operable to receive probes corresponding to memory lines from the processing nodes <u>and to transmit the probes only to selected ones of the processing nodes with reference to probe filtering information</u> representative of states associated with selected ones of the cache memories.

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(emphasis added).

V.   **Argument**

In rejecting Grounds 1 and 3-5, the Board's Decision misapprehends the

Petition's application of DASH to the "plurality of processing nodes" feature of

claims 1 and 16, and, in doing so, arrives at the erroneous conclusion that DASH

does not disclose the "probe filtering unit" recited by those claims. Decision at pp.

14, 18 and 19. In particular, in relating DASH to the claims, the Decision includes

all clusters of DASH's system, including its home cluster, among the recited

"plurality of processing nodes." Decision at p. 14. By including DASH's home

cluster among the "plurality," the Decision concludes that DASH's home cluster

directory board, which is asserted in the Petition as corresponding to the recited

"probe filtering unit," fails to satisfy the features of claims 1 and 16 because it is

not "operable … to transmit probes *only* to selected ones of the [plurality of]

processing nodes with reference to probe filtering information." *Id*.

The Board arrives at this conclusion by recognizing that the directory board

of the home cluster of DASH does *not* consult its directory memory (probe

filtering information) to filter requests (probes) when it issues read and read-

exclusive requests on the home cluster's bus. *Id*. As such, while the directory

board may transmit received requests to selected ones of remote clusters

(processing nodes) with reference its directory memory (probe filtering

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