

Case No. IPR2015-00523
U.S. Patent No. 6,321,229

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SERVICENOW, INC.,

Petitioner,

v.

HEWLETT-PACKARD COMPANY,

Patent Owner.

Case No. IPR2015-00523

U.S. Patent No. 6,321,229

**PATENT OWNER'S RESPONSE
UNDER 37 C.F.R. § 42.120**

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B. Jones and Fox do not disclose that “contents” of “derived containers” be “information extracted from said information repository” as required by claims 9-10 and 19-20.25

1. Claims 9-10 and 19-20 require that “contents” of “derived containers” be “information extracted from said information repository.”26

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I. INTRODUCTION

U.S. Patent No. 6,321,229 (the “’229 patent”) is directed to a novel system that uses specialized data structures to afford users flexibility in accessing information repositories such as databases. Patent Owner Hewlett-Packard Company (“HP”) respectfully submits that the challenged claims of the ’229 patent are patentable over the cited prior art.

The Board instituted review on the three grounds in the Petition: (1) that independent claims 8-10 and 13 are obvious under 35 U.S.C. § 103(a) over U.S. Patent No. 6,199,098 to Jones (“Jones”) (Ex. 1003) in view of David Fox et al., *Web Publisher’s Construction Kit with HTML 3.2* (1996) (“Fox”) (Ex. 1004); (2) that claims 18–20 are obvious over Jones in view of Fox and U.S. Patent No. 6,151,630 to Williams (“Williams”) (Ex. 1006); and (3) that claims 15 and 17 are obvious over Jones in view of Fox and Forta, *The Cold Fusion Web Database Construction Kit* (1997) (“Forta”) (Ex. 1005). The Petitioner has not met its burden of establishing unpatentability of the challenged claims by a preponderance of the evidence (*see* 35 U.S.C. § 316(e)) for at least three reasons.

First, under the Board’s preliminary claim constructions, the Petitioner has not shown that the cited prior art meets at least two claim limitations. First, the Jones and Fox references do not disclose the “category of information” limitation of independent claims 8, 17, and 18. Instead of disclosing a “category of

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