UNITED STAT	TES PATENT AN	ID TRADEM	ARK OFFICI
BEFORE THE	E PATENT TRIA	L AND APPE	AL BOARD

ServiceNow, Inc.
Petitioner

٧.

Hewlett-Packard Company
Patent Owner

U.S. Patent No. 7,027,411 Filing Date: October 31, 2000 Issue Date: April 11, 2006

TITLE: METHOD AND SYSTEM FOR IDENTIFYING AND PROCESSING CHANGES TO A NETWORK TOPOLOGY

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 7,027,411

Inter Partes Review No. 2015-00717



### **Table of Contents**

			Page
l.	MAI	NDATORY NOTICES UNDER 37 C.F.R. § 42.8(A)(1)	1
	A.	Real Party-In-Interest under 37 C.F.R. § 42.8(b)(1)	1
	В.	Related Matters under 37 C.F.R. § 42.8(b)(2)	1
	C.	Lead and Back-Up Counsel under 37 C.F.R. § 42.8(b)(3)	1
	D.	Service Information	2
	E.	Power of Attorney	2
II.	PAY	MENT OF FEES - 37 C.F.R. § 42.103	2
III.		UIREMENTS FOR INTER PARTES REVIEW UNDER 37 C.F.R.	2
	A.	Grounds for Standing under 37 C.F.R. § 42.104(a)	2
	В.	Identification of Challenge under 37 C.F.R. § 42.104(b) and Statement of Precise Relief Requested	3
	C.	Requirements for Inter Partes Review 37 C.F.R. § 42.108(c)	4
IV.	BRIE	F BACKGROUND OF THE UNDERLYING TECHNOLOGY	4
V.	SUN	MMARY OF THE CLAIMED SUBJECT MATTER	5
	A.	The Specification of the '411 Patent	5
	В.	The Challenged Claims of the '411 Patent	6
VI.	CLA	IM CONSTRUCTION UNDER 37 C.F.R. § 42.104(B)(3)	7
	A.	"tuple"	8
	B.	"topology"	8
	C.	"host identifier"	9
VII.	CLA	IMS 1 AND 3 OF THE '411 PATENT ARE UNPATENTABLE	10
	A.	Brief Summary of the Prior Art	10
		1. Jones (Ex. 1003)	10
		2. Tonelli (Ex. 1004)	12
	В.	Jones and Tonelli Are Not Redundant	13



# **Table of Contents**

(continued)

				Page
	C.	Gro	und 1 – Claims 1 and 3 Are Obvious Over Jones	15
		1.	Claim 1	15
		2.	Claim 3	27
	D.	Gro	und 2 – Claims 1 and 3 Are Obvious Over Tonelli	28
		1.	Claim 1	28
		2.	Claim 3	43
<b>\</b> /	CON	וכו ו וכו	ON	11



# Petition for *Inter Partes* Review of U.S. Patent No. 7,027,411

### **List of Exhibits**

Ex. No	Description of Document
1001	U.S. Patent No. 7,027,411 to Eric A Pulsipher et al.
1002	Declaration of Tal Lavian, Ph.D.
1003	U.S. Patent No. 6,701,327 to Paul Robert Jones et al., filed on November 22, 1999 and issued on March 2, 2004
1004	U.S. Patent No. 5,821,937 to Daniel L. Tonelli et al., filed on August 12, 1996 and issued on October 13, 1998
1005	Excerpts from <i>Microsoft Computer Dictionary</i> (4th ed. 1999)



Petitioner ServiceNow, Inc. ("Petitioner") respectfully submits this Petition for *Inter Partes* Review of claims 1 and 3 of U.S. Patent No. 7,027,411 [Ex. 1001] ("the '411 patent").

### I. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(A)(1)

### A. Real Party-In-Interest under 37 C.F.R. § 42.8(b)(1)

The Petitioner, ServiceNow, Inc. is the real party-in-interest.

# B. Related Matters under 37 C.F.R. § 42.8(b)(2)

The '411 patent is the subject of one pending litigation involving the Petitioner: <u>Hewlett-Packard Company</u> v. <u>ServiceNow, Inc.</u>, Case No. 14-CV-00570 BLF (N.D. Cal. filed Feb. 6, 2014), in which the patent owner contends that the Petitioner infringes the claims of the '411 patent challenged in this Petition. The Petitioner was served with the Complaint in that action on February 7, 2014.

# C. Lead and Back-Up Counsel under 37 C.F.R. § 42.8(b)(3)

Petitioner provides the following designation of counsel.

LEAD COUNSEL	BACK-UP COUNSEL	
Heidi L. Keefe (Reg. No. 40,673)	Andrew C. Mace (Reg. No. 63,342)	
hkeefe@cooley.com	amace@cooley.com	
zpatdcdocketing@cooley.com	zpatdcdocketing@cooley.com	
COOLEY LLP	COOLEY LLP	
ATTN: Patent Group	ATTN: Patent Group	
1299 Pennsylvania Ave., NW, Suite 700	1299 Pennsylvania Ave., NW, Suite 700	
Washington, DC 20004	Washington, DC 20004	
Tel: (650) 843-5001	Tel: (650) 843-5808	
Fax: (650) 849-7400	Fax: (650) 849-7400	



# DOCKET

# 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.

