

UNITED STATES PATENT AND TRADEMARK OFFICE

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

A TopTech, Inc.  
Petitioner

v.

Synopsys, Inc.  
Patent Owner

---

Case IPR2014-00xxx  
Patent 6,237,127

---

**DECLARATION OF SOHEIL GHIASI, Ph.D.**

**IN SUPPORT OF  
PETITION FOR *INTER PARTES* REVIEW  
OF U.S. PATENT NO. 6,237,127**

**A TopTech Ex. 1008  
A TopTech v. Synopsys**

TABLE OF CONTENTS

**I. INTRODUCTION .....1**

**II. EXPERT QUALIFICATIONS AND CREDENTIALS.....1**

**III. BASIS FOR OPINIONS AND MATERIALS REVIEWED .....1**

**IV. SUMMARY OF MY OPINIONS.....2**

**V. LEGAL PRINCIPLES .....2**

**VI. THE PRIOR ART.....2**

**VII. BELKHALE RENDERS CLAIMS 5 AND 6 OBVIOUS .....3**

**A. The Prior Institution Decision Regarding Claim 5 .....3**

**B. Belkhale Renders Claim 5 Obvious .....4**

**C. The Prior Institution Decision Regarding Claim 6 .....7**

**D. Belkhale Renders Claim 6 Obvious .....7**

**VIII. BELKHALE IN VIEW OF TOM RENDERS CLAIMS 5 AND 6  
OBVIOUS.....8**

**A. The Prior Institution Decision Regarding Claims 5 and 6.....8**

**B. Belkhale in View of Tom Renders Claims 5 and 6 Obvious .....8**

I, Soheil Ghiasi, declare:

## **I. INTRODUCTION**

1. I previously submitted a declaration in the *inter partes* review proceeding brought by ATopTech, Inc. (“Petitioner”) regarding U.S. Patent No. 6,237,127 (“the `127 Patent”) that was assigned Case No. IPR2014-001145 (Ex. 1007). My opinions stated in that declaration remain unchanged.

2. The present declaration provides additional opinions regarding the applicability of the prior art references to claims 5 and 6 of the `127 Patent for which the Patent Trial and Appeal Board declined to institute a trial because they adopted a grammatically different claim construction for claim 5. My additional opinions concern the application of the prior art references to the Board’s claim construction in the Instituted Decision for IPR2014-001145. Accordingly, I submit this declaration in support of Petitioner’s petition for *inter partes* review of claims 5 and 6 of the `127 Patent.

3. I am being compensated for my work in this matter. My compensation in no way depends upon the outcome of this proceeding.

## **II. EXPERT QUALIFICATIONS AND CREDENTIALS**

4. My qualifications and credentials are provided in paragraphs 4-12 of my prior declaration. Ex. 1007.

## **III. BASIS FOR OPINIONS AND MATERIALS REVIEWED**

5. The opinions set forth in my declaration are based on my personal knowledge gained from my education, professional experience, and from the review of the documents and information described in this declaration.

6. In preparation of this declaration, I have studied
  - a. U.S. Patent No. 6,237,127 (Ex. 1001);
  - b. The file history of U.S. Patent No. 6,237,127 (Ex. 1002);
  - c. The reference entitled “Timing Analysis with known False Sub Graphs,” Krishna P. Belkhale and Alexander J. Suess, 1995 IEEE/ACM International Conference of Computer-Aided Design – Digest of Technical Papers, November 5-9, 1995, San Jose, California, pgs. 736-740. (“Belkhale”) (Ex. 1005);
  - d. U.S. Patent No. 5,210,700 (“Tom”) (Ex. 1006); and
  - e. Institution Decision for IPR2014-001145.

#### **IV. SUMMARY OF MY OPINIONS**

7. It is my opinion that claims 5 and 6 of the `127 Patent are rendered obvious under 35 U.S.C. § 103 by Belkhale under the Board’s construction in the Institution Decision for IPR2014-001145.

8. It is also my further opinion that claims 5 and 6 are rendered obvious under 35 U.S.C. § 103 by Belkhale in view of Tom under the Board’s construction in the Institution Decision for IPR2014-001145.

#### **V. LEGAL PRINCIPLES**

9. My understanding of the legal principles is provided in paragraphs 17-27 of my prior declaration. Ex. 1007.

#### **VI. THE PRIOR ART**

10. I discuss the scope and content of Belkhale in paragraphs 76-92 and the scope and content of Tom in paragraphs 201-205 of my prior declaration. Ex.

1007. I further explain the motivation to combine Belkhale with Tom in paragraphs 206-216 of my prior declaration. Ex. 1007.

## VII. BELKHALE RENDERS CLAIMS 5 AND 6 OBVIOUS

### A. The Prior Institution Decision Regarding Claim 5

11. I have studied the Board’s Institution Decision (“`127 Inst. Dec.”) regarding claim 5. In that decision, the Board found Petitioner had met its burden of showing that claims 1 and 4 were likely obvious in view of Belkhale. `127 Inst. Dec. p. 12. The Board also found that Petitioner had not met its burden regarding claim 5 because the Board adopted a different claim construction than petitioner and “[p]etitioner has not provided arguments indicating how Belkhale discloses the recited limitations under this construction.” `127 Inst. Dec. p. 17.

12. Claim 5 depends from claim 4 and further requires the step of “satisfying an exception, prior to comparing the first timing value, with the first label.” In my prior declaration I stated that:

I believe this claim contains a typographical error and that the phrase “with the first label” should actually be “with the first constraint value.” In the context of claim 5, it does not make sense to compare a timing value with a label like those in the `127 Patent because a label is never a timing constraint. Ex. 1007, ¶157.

13. In the institution decision the Board explained:

We are not persuaded that claim 5 requires a timing value to be compared to a first label. As written, a comma separates the phrase “prior to comparing first timing value” from the phrase “with the first label.” Thus, rather than comparing the *timing value* with the first *label*, we read claim 5 to recite “satisfying an exception . . . with the first

# 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.