

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

ORACLE CORPORATION

Petitioner,

v.

CROSSROADS SYSTEMS, INC.,  
Patent Owner

---

**PETITION FOR *INTER PARTES* REVIEW  
OF  
U.S. PATENT NO. 7,934,041**

## TABLE OF CONTENTS

I.	This Petition Presents the Same Grounds Which Are Presented in IPR2014-01463 .....	1
II.	Mandatory Notices .....	1
A.	Real Party-in-Interest.....	1
B.	Related Matters.....	1
C.	Lead and Back-up Counsel and Service Information .....	2
III.	Grounds for Standing .....	2
IV.	Relief Requested .....	2
V.	The Reasons for the Requested Relief.....	3
A.	The '041 Patent .....	3
1.	Overview.....	3
2.	Prosecution History .....	7
B.	Identification of Challenges .....	7
1.	Challenged Claims.....	7
2.	Statutory Grounds for Challenges .....	7
3.	Claim Construction .....	9
i.	“native low level block protocol” .....	9
ii.	“remote” .....	11
4.	Identification of How the Claims Are Unpatentable .....	12
i.	Challenge #1: Claims 1-14, 16-33, 35-50 and 53 are obvious over the CRD Manual in view of the HP Journal .....	12

ii.	Challenge #2: Claims 15, 34, 51, 52 are obvious over the CRD Manual in view of the HP Journal and in further view of the Fibre Channel Standard .....	55
VI.	Conclusion.....	59

## **I. This Petition Presents the Same Grounds Which Are Presented in IPR2014-01463**

The instant *inter partes* review petition presents challenges which are identical to those presented in IPR2014-01463. The petition in the instant case copies verbatim the challenges set forth in the petition in IPR2014-01463 (Paper No. 3) and relies upon the same evidence, including the same expert declaration. This petition is accompanied by a motion for joinder.

## **II. Mandatory Notices**

### **A. Real Party-in-Interest**

The real party-in-interest is Oracle Corporation.

### **B. Related Matters**

*Petition for Inter Partes Review*, IPR2014-01177, filed July 18, 2014; *Crossroads Systems, Inc. v. Quantum Corporation*, 1-14-cv-00150, TXWD, filed February 18, 2014; *Crossroads Systems, Inc. v. NetApp, Inc.*, 1-14-cv-00149, TXWD, filed February 18, 2014; *Crossroads Systems, Inc. v. Cisco Systems, Inc.*, 1-14-cv-00148, TXWD, filed February 18, 2014; *Crossroads Systems, Inc. v. Huawei Technologies Co. Ltd. et al*, 1-13-cv-01025, TXWD, filed November 26, 2013; *Crossroads Systems, Inc. v. Oracle Corporation*, 1-13-cv-00895, TXWD, filed October 7, 2013. Additionally, this petition refers to a claim construction order from *Crossroads Systems, Inc. v. 3PAR, Inc., et. al*, no. 1-10-cv-00652 (W.D. Tex. 2010), which is one of the district court litigations involving U.S. Patent No. 6,425,035, which is related to the '041 patent.

### C. Lead and Back-up Counsel and Service Information

Pursuant to 37 C.F.R. § 42.8(b)(3)-(4), Petitioner provides the following designation of counsel:

Greg H. Gardella (Lead Counsel) Reg. No. 46,045 Oblon LLP 1940 Duke Street Alexandria, VA 22314 cpdocketgardella@oblon.com (703) 413-3000	Scott McKeown (Backup Counsel) Reg. No. 42,866 Oblon LLP 1940 Duke Street Alexandria, VA 22314 cpdocketmckeown@oblon.com (703) 413-3000
---	---

### III. Grounds for Standing

Petitioner certifies that is not estopped or barred from requesting *inter partes* review of the '041 Patent because this petition is accompanied by a motion for joinder. The one-year time bar of 35 U.S.C. § 315(b) does not apply to a request for joinder. 35 U.S.C. § 315(b) (final sentence) (“[t]he time limitation set forth in the preceding sentence shall not apply to a request for joinder under subsection (c)”); 37 C.F.R. § 42.122(b).

### IV. Relief Requested

Petitioner asks that the Patent Trial and Appeal Board (“the Board”) review the accompanying prior art and analysis, institute a trial for *inter partes* review of claims 1-53 (all claims) of the '041 Patent, and cancel those claims as invalid.

# 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.