

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Smethurst et al.
U.S. Patent No.: 7,224,668
Issue Date: May 29, 2007 Atty Docket No.: 40963-0006IP1
Appl. Serial No.: 10/307,154 PTAB Dkt. No.: IPR2015-00974
Filing Date: Nov. 27, 2002
Title: CONTROL PLANE SECURITY AND TRAFFIC FLOW
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**PETITION FOR *INTER PARTES* REVIEW OF UNITED STATES PATENT
NO. 7,224,668 PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42**

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A-8.	“means for applying distributed control plane port services only to the packets received from the specific, pre-determined physical ports” (cl. 43)	13

A-9. “means for applying port services to the control plane port additionally comprises means for applying services selected from a group consisting of Quality of Service functions, packet classification, packet marking, packet queuing, packet rate limiting, flow control, and other access policies for packets destined to the control plane port” (cl. 53)13

A-10. “means for configuring the control plane port services as an entity separate from physical port services” (cl. 54)14

VI. MANNER OF APPLYING CITED PRIOR ART TO EVERY CLAIM FOR WHICH IPR IS REQUESTED, THUS ESTABLISHING A REASONABLE LIKELIHOOD THAT AT LEAST ONE CLAIM OF THE ’668 PATENT IS UNPATENTABLE15

A. [Ground 1A] — Claims 1-6, 8, 9, 15-22, 24-27, 33-40, 42, 45-47, 51-58, 60-63, and 69-72 are anticipated by Amara under 35 U.S.C. § 102.....15

B. [Ground 2A] — Claims 7, 23, 41, 59 are obvious over Amara in view of Moberg under 35 U.S.C. § 10338

C. [Ground 3A] — Claims 10, 12, 13, 28, 30, 31, 43, 48, 49, 64, 66, and 67 are obvious over Amara in view of Subramanian under 35 U.S.C. § 10340

D. [Ground 4A] — Claims 10, 12, 13, 28, 30, 31, 43, 48, 49, 64, 66, and 67 are obvious over Amara in view of Hendel under 35 U.S.C. § 10350

E. [Grounds 1B, 2B, 3B, and 4B] — All Challenged Claims58

VII. CONCLUSION60

EXHIBITS

ARISTA-1001	U.S. Patent No. 7,224,668 to Smethurst et al. (“the ’668 Patent”)
ARISTA-1002	Declaration of Dr. Bill Lin
ARISTA-1003	Curriculum Vitae of Dr. Bill Lin
ARISTA-1004	U.S. Patent No. 6,674,743 (“Amara”)
ARISTA-1005	U.S. Patent No. 6,460,146 (“Moberg”)
ARISTA-1006	U.S. Patent No. 6,970,943 (“Subramanian”)
ARISTA-1007	U.S. Patent No. 6,115,378 (“Hendel”)
ARISTA-1008	IETF RFC 2661, “Layer Two Tunneling Protocol ‘L2TP’” (“IETF RFC 2661”)
ARISTA-1009	IETF RFC 792, “Internet Control Message Protocol” (“IETF RFC 792”)
ARISTA-1010	Joe Habraken, Practical Cisco Routers, QUE Corporation, 1999 (“Habraken”)

Arista Networks, Inc. (“Petitioner” or “Arista”) petitions for *Inter Partes* Review (“IPR”) under 35 U.S.C. §§ 311–319 and 37 C.F.R. § 42 of claims 1-10, 12, 13, 15-28, 30, 31, 33-43, 45-49, 51-64, 66, 67, and 69-72 (“the Challenged Claims”) of U.S. Patent No. 7,224,668 (“the ’668 Patent”). As explained below, there exists a reasonable likelihood that Petitioner will prevail in demonstrating unpatentability of the Challenged Claims.

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)

Arista Networks, Inc. is the real party-in-interest.

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

Petitioner is not aware of any disclaimers, certificates or petitions for *inter partes* review for the ’668 Patent. The ’668 Patent is the subject of Civil Action No. 4:14-cv-5343-JSW, filed December 5, 2014 in the Northern District of California, and International Trade Commission Investigation No. 337-TA-945, instituted on January 20, 2015.

C. Lead And Back-Up Counsel and Service Information

Petitioner designates W. Karl Renner, Reg. No. 41,265, as Lead Counsel, and Kevin E. Greene, Reg. No. 46,031, as Backup Counsel, both available at 3200 RBC Plaza, 60 South Sixth Street, Minneapolis, MN 55402 (T: 202-783-5070; F: 202-783-2331), or electronically by email at IPR40963-0006IP1@fr.com.

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