

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ORACLE CORPORATION, NETAPP INC., and HUAWEI
TECHNOLOGIES CO., LTD.,
Petitioners,

v.

CROSSROADS SYSTEMS, INC.,
Patent Owner.

Case IPR2014-01177
Patent 7,934,041 B2

Before HYUN J. JUNG, NEIL T. POWELL, and
KRISTINA M. KALAN, *Administrative Patent Judges*.

POWELL, *Administrative Patent Judge*.

DECISION
Denying Institution of *Inter Partes* Review
37 C.F.R. § 42.108

CROSSROADS EXHIBIT 2141
Oracle Corp. v. Crossroads Systems, Inc.
IPR2014-01177

I. INTRODUCTION

Oracle Corporation, NetApp Inc., and Huawei Technologies Co., Ltd. (“Petitioners”) filed a Corrected Petition requesting *inter partes* review of claims 1–53 of U.S. Patent No. 7,934,041 B2 (Ex. 1001, “the ’041 Patent”). Paper 5 (“Pet.”). Crossroads Systems, Inc. (“Patent Owner”) filed a Preliminary Response. Paper 12. We have jurisdiction under 35 U.S.C. § 314(a), which provides that an *inter partes* review may not be instituted “unless . . . there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.”

We determine that the information presented in the Petition does not show that there is a reasonable likelihood that Petitioners would prevail with respect to any challenged claim. Accordingly, we do not institute an *inter partes* review of claims 1–53 of the ’041 Patent.

A. *Related Proceedings*

The ’041 Patent has been asserted against Petitioners in the following district court proceedings: *Crossroads Systems, Inc. v. Oracle Corporation*, Case No. 1-13-cv-00895 (W.D.Tex.); *Crossroads Systems, Inc. v. Huawei Technologies Co. Ltd. et al.*, Case No. 1-13-cv-01025 (W.D.Tex.); and *Crossroads Systems, Inc. v. NetApp, Inc.*, Case No. 1-14-cv-00149 (W.D.Tex.). Pet. 3; Exs. 1034, 1035, 1036. The ’041 Patent is also the subject of other district court proceedings. *Id.* at 3; Ex. 1026; Paper 10, 1. The ’041 Patent is also involved in Case IPR2014-01463, and belongs to a family of patents that are the subject of multiple petitions for *inter partes* review, including IPR2014-01197, IPR2014-01207, IPR2014-01209, IPR2014-01226, and IPR2014-01233.

B. The '041 Patent (Ex. 1001)

The '041 Patent discloses “[a] storage router and storage network [that] provide virtual local storage on remote storage devices.” Ex. 1001, Abstract. One embodiment of the storage network appears in Figure 3, reproduced below. *Id.* at col. 3, ll. 19–21, col. 4, ll. 25–27.

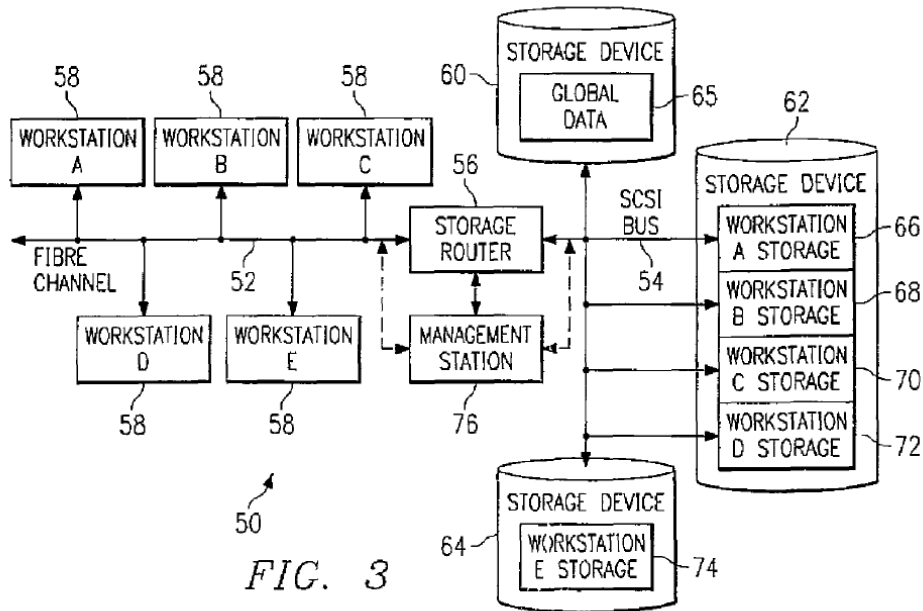


Figure 3 of the '041 Patent shows storage network 50, which includes storage router 56 bridging Fibre Channel high speed serial interconnect 52 and SCSI bus 54. *Id.* at col. 4, ll. 25–30. Storage router 56 allows a number of workstations 58 to interconnect on a common storage transport and “access common storage devices 60, 62 and 64 through native low level, block protocols.” *Id.* at col. 4, ll. 30–33. Storage router 56 also implements security controls to allow each workstation 58 to access a specific subset of data stored in storage devices 60, 62, and 64. *Id.* at col. 4, ll. 35–39.

The '041 Patent shows more details of one embodiment of storage router 56 in Figure 4, reproduced below. *Id.* at col. 3, ll. 22–23, col. 5, ll. 34–35.

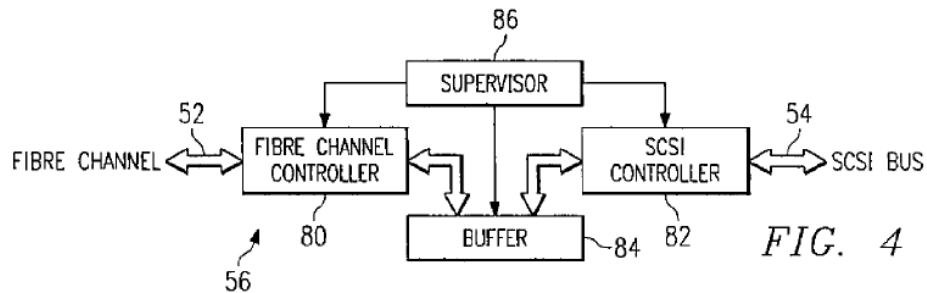


Figure 4 of the '041 Patent shows components of storage router 56, including supervisor 86, buffer 84, Fibre Channel controller 80, and SCSI controller 82. *Id.* at col. 5, ll. 35–41. Buffer 84 connects to Fibre Channel controller 80 and SCSI controller 82. *Id.* at col. 5, ll. 37–39. Memory work space is provided by buffer 84. *Id.* Supervisor unit 86 includes a microprocessor for controlling storage router 56. *Id.* at col. 5, ll. 41–43. The microprocessor of supervisor unit 86 also processes mapping and security access for requests between Fibre Channel 52 and SCSI bus 54. *Id.* at col. 5, ll. 41–44.

C. Illustrative Claim

Petitioners challenge claims 1–53 of the '041 Patent. Claims 1, 20, and 37 are independent. Each of claims 2–19, 21–36, and 38–53 depends directly or indirectly from one of claims 1, 20, and 37. Claim 1 is illustrative and is reproduced below:

1. A storage router for providing virtual local storage on remote storage devices, comprising:

a first controller operable to interface with a first transport medium, wherein the first medium is a serial transport media; and

a processing device coupled to the first controller, wherein the processing device is configured to:

maintain a map to allocate storage space on the remote storage devices to devices connected to the first transport medium by associating representations of the devices connected to the first transport medium with representations of storage space on the remote storage devices, wherein each representation of a device connected to the first transport medium is associated with one or more representations of storage space on the remote storage devices;

control access from the devices connected to the first transport medium to the storage space on the remote storage devices in accordance with the map; and

allow access from devices connected to the first transport medium to the remote storage devices using native low level block protocol.

Ex. 1001, col. 9, ll. 35–56.

D. The Prior Art

Petitioners rely on the following references and Declaration in support of their grounds for challenging the identified claims of the '041 Patent (Pet. iv–vi, 5–6):

Exhibit Nos.	References and Declaration
1003	CMD Technology, Inc., CRD-5500 SCSI RAID Controller User's Manual, (1996) ("CRD-5500 User Manual")
1004	CRD-5500 RAID Disk Array Controller, (Dec. 4, 1996), http://web.archive.org/web/19961226091552/http://www.cmd.com/brochure/crd5500.htm (last visited July 23, 2014) ("CRD-5500 Data Sheet")
1005	Judith A. Smith and Meryem Primmer, <i>Tachyon: A Gigabit Fibre Channel Protocol Chip</i> , Hewlett-Packard J., 1–17 (1996) ("Smith")
1006	U.S. Pat. No. 6,219,771 B1, issued Apr. 17, 2001 ("Kikuchi")

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