

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

SIPNET EU S.R.O.  
Petitioner

v.

INNOVATIVE COMMUNICATIONS TECHNOLOGIES, INC.  
Patent Owner

Patent No. 6,108,704  
Filing Date: September 25, 1995  
Issue Date: August 22, 2000  
Title: POINT-TO-POINT INTERNET PROTOCOL

---

*Inter Partes* Review No. Unassigned

---

**PETITION FOR *INTER PARTES* REVIEW  
UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.100 *ET SEQ.***

## TABLE OF CONTENTS

I.	Introduction.....	1
II.	Formalities .....	2
	A. Real Party in Interest .....	2
	B. Related Matters.....	3
	C. Fee .....	3
	D. Designation of Lead Counsel and Request for Authorization.....	3
	E. Service Information.....	4
	F. Power of Attorney .....	4
	G. Standing.....	4
III.	Statement of Relief Requested .....	4
IV.	Claim Construction.....	5
V.	Full Statement of the Reasons for the Relief Requested .....	8
VI.	Claim Charts .....	33
VII.	Conclusion .....	59

## LIST OF EXHIBITS

Exhibit 1001: U.S. Patent No. 6,108,704 (“the ‘704 patent”)

Exhibit 1002: Form PTO-SB/42 (“IDS”)

Exhibit 1003: NetBIOS “Technical Standard – Protocols for X/Open PC Interworking: SMB, Version 2” [includes Appendix F “RFC1001, Protocol Standard for a NetBIOS Service on a TCP/UDP Transport: Concepts and Methods” & Appendix G “RFC1002, Protocol Standard for a NETBIOS Service on a TCP/UDP Transport: Detailed Specifications.”] (“NetBIOS”)

Exhibit 1004: Windows NT 3.5 "TCP/IP User Guide, September 21, 1994 (“WINS”)

Exhibit 1005: [http://en.wikipedia.org/wiki/Windows\\_NT\\_3.5](http://en.wikipedia.org/wiki/Windows_NT_3.5) [Wikipedia entry establishing Sept. 21, 1994 as release date of Windows NT 3.5] (“WINS Release Date”)

Exhibit 1006: Susan Thomson, et al., DNS Dynamic Updates, IETF DNSIND Working Group (Jul. 14, 1994) (DNS 1)

Exhibit 1007: Susan Thomson, Yakov Rekhter, et al., DNS Dynamic Updates, Foils (July 1994) (DNS 2)

Exhibit 1008: Claim Construction Order in ICT v. Vivox and Stalker (“Claim Construction Order”)

Exhibit 1009: Joint Claim Construction Chart in Net2Phone Inc. v. eBay Inc., Skype Technologies, et al. (“Claim Construction Chart”)

Exhibit 1010: Digital Equipment Corporation Patent 5,483,652 , filed Jan 24, 1994 (“DEC ‘652”)

Exhibit 1011: Ryan, “LAN Manager 2.0," 1990 (“Messenger - Ryan”)

Exhibit 1012: Robert Cowart, et al. “Windows NT Unleashed”, March 1994 (“Messenger - NT Unleashed”) [Exhibits 1011 & 1012 together are “Messenger”].

Exhibit 1013: P. Mockapetris, “RFC1034. DOMAIN NAMES - CONCEPTS AND FACILITIES” (“DNSOrig”).

Exhibit 1014: “VocalTec ware lets users make voice calls over ‘Net,” Network World, Feb. 13, 1995 (“VocalTec”).

Exhibit 1015: Taligent Patent 5,566,278 (“Taligent ‘278”).

## **Introduction**

**Petition Eligibility.** Through counsel, real party in interest Sipnet EU S.R.O. (“Petitioner”) hereby petitions for initiation of *inter partes* review of U.S. Patent No. 6,108,704 (“the ‘704 Patent”), with an assignment from the previous owners to Innovative Communications Technologies, Inc. (all owners collectively referred to as “Patent Owner”), recorded in the U.S. Patent Office Database. The ‘704 Patent issued on August 22, 2000, more than nine months prior to the filing of this petition. The ‘704 Patent is currently asserted in a co-pending litigation, against third parties not affiliated with petitioner. *See* Exhibit 1006. Petitioner has not been served with a complaint alleging infringement of the ‘704 Patent. Thus, the ‘704 Patent is eligible for *inter partes* review.

**Summary.** The ‘704 Patent claims are directed to computers registering an internet address with a name server over a network (e.g., Internet) so they can initiate point-to-point communication (e.g., text messaging). In previous prosecution, Patent Owner acknowledged that such registration and point-to-point communication is in the prior art, but claimed that determining that the computers are online is new, by providing dynamic addressing that tracks new addresses for the same computer each time it connects to the network. In particular, the NetBIOS prior art submitted in the ex-parte reexamination was argued to not have dynamic addressing.

# 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.