

Filed on behalf of: Samsung Electronics Co., Ltd.

By: Steven L. Park (stevenpark@paulhastings.com)
Naveen Modi (naveenmodi@paulhastings.com)
Paul Hastings LLP

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.
Petitioner

v.

ELBRUS INTERNATIONAL LIMITED
Patent Owner

U.S. Patent No. 6,366,130

**PETITION FOR *INTER PARTES* REVIEW OF
U.S. PATENT NO. 6,366,130**

TABLE OF CONTENTS

| | | |
|-------|--|----|
| I. | INTRODUCTION | 1 |
| II. | MANDATORY NOTICES UNDER 37 C.F.R. § 42.8..... | 1 |
| III. | PAYMENT OF FEES UNDER 37 C.F.R. §§ 42.15 AND 42.103 | 2 |
| IV. | GROUND FOR STANDING AND IDENTIFICATION OF CHALLENGE | 2 |
| V. | BACKGROUND | 4 |
| | A. The '130 Patent | 4 |
| | B. Prosecution History of the '130 Patent | 6 |
| | C. Reexamination History of the '130 Patent | 7 |
| | D. Prior Art Raised in This Petition | 7 |
| VI. | CLAIM CONSTRUCTION | 8 |
| | A. Latching Sense Amplifier (Claims 1, 3) | 9 |
| | B. Stage (Claims 1, 3, 9)..... | 10 |
| VII. | DETAILED EXPLANATION OF UNPATENTABILITY | 11 |
| | A. Brief Description of the Prior Art | 11 |
| | B. Ground 1: <i>Ternullo</i> Anticipates Claims 1, 3, 5, and 6 | 13 |
| | 1. Claim 1 | 13 |
| | 2. Claim 2 | 28 |
| | 3. Claim 3 | 29 |
| | 4. Claim 5 | 41 |
| | 5. Claim 6 | 42 |
| | C. Ground 2: <i>Ternullo</i> and <i>Hardee</i> Render Claim 7 Obvious | 44 |
| | D. Ground 3: <i>Ternullo</i> and <i>Sukegawa</i> Render Claim 9 Obvious..... | 46 |
| VIII. | STATEMENT REGARDING OTHER PETITION | 49 |
| IX. | CONCLUSION..... | 50 |

TABLE OF AUTHORITIES

| | Page(s) |
|---|----------------|
| Cases | |
| <i>KSR Int’l Co. v. Teleflex Inc.</i> , 550 U.S. 398 (2007)..... | 46, 49 |
| <i>Phillips v. AWH Corp.</i> , 415 F.3d 1303 (Fed. Cir. 2005) (<i>en banc</i>) | 8 |
| <i>In re Translogic Tech., Inc.</i> , 504 F.3d 1249 (Fed. Cir. 2007) | 8 |
| <i>In re Yamamoto</i> , 740 F.2d 1569 (Fed. Cir. 1984) | 8 |
| Statutes | |
| 35 U.S.C. §§ 102 | 1 |
| 35 U.S.C. § 102(a) | 3 |
| 35 U.S.C. §102(e) | 3 |
| 35 U.S.C. § 103(a) | 3, 4 |
| 35 U.S.C. § 112..... | 3, 7 |
| Other Authorities | |
| 37 C.F.R. § 42.1(b) | 50 |
| 37 C.F.R. § 42.8(b)(1)..... | 1 |
| 37 C.F.R. § 42.8(b)(2)..... | 1 |
| 77 Fed. Reg. 48,756 (Aug. 14, 2012)..... | 8 |
| 77 Fed. Reg. 48,764 (Aug. 14, 2012)..... | 8 |
| Modern Dictionary of Electronics (7th ed. 1999)..... | 11 |

LIST OF EXHIBITS

| Exhibit No. | Description |
|--------------------|--|
| 1001 | U.S. Patent No. 6,366,130 (“the ’130 Patent”) to Podlesny et al. |
| 1002 | Declaration of Dr. R. Jacob Baker |
| 1003 | File History of the ’130 Patent |
| 1004 | Excerpts from File History of the <i>Inter Partes</i> Reexamination of the ’130 Patent |
| 1005 | U.S. Patent No. 6,052,328 to Ternullo et al. |
| 1006 | U.S. Patent No. 5,828,241 to Sukegawa |
| 1007 | U.S. Patent No. 6,249,469 to Hardee |
| 1008 | Excerpts from the Modern Dictionary of Electronics (7th ed. 1999) |

I. INTRODUCTION

Samsung Electronics Co., Ltd. (“Petitioner”) requests *inter partes* review of claims 1-3, 5-7, and 9 of U.S. Patent No. 6,366,130 (“the ’130 Patent”) (Ex. 1001), which Petitioner understands is assigned to Elbrus International Limited (“Patent Owner”).¹ This Petition shows that there is a reasonable likelihood that Petitioner will prevail with respect to at least one of the challenged claims, and thus a trial should be instituted. This Petition also establishes by a preponderance of the evidence that the challenged claims are unpatentable under 35 U.S.C. §§ 102 and/or 103. These claims should be canceled.

II. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8

Real Party-in-Interest: Pursuant to 37 C.F.R. § 42.8(b)(1), Petitioner identifies Samsung Electronics Co., Ltd. as the real party-in-interest.

Related Matters: In accordance with 37 C.F.R. § 42.8(b)(2), Petitioner identifies the following related matters. Patent Owner asserted the ’130 Patent against Petitioner in a patent litigation filed on July 24, 2014, in the Northern District of Illinois (case no. 1:14-cv-05691), which remains pending. Patent Owner also asserted the ’130 Patent against Hynix Semiconductor, Inc. and SK Hynix Inc.

¹ Petitioner understands that the ’130 Patent is exclusively licensed to Cascades Computer Innovation, LLC.

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.