DECLARATION OF RICH SEIFERT IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 9,019,838



TABLE OF CONTENTS

I. Introduction	1			
II. Background/Qualifications	1			
III. Documents and Materials Considered	2			
IV. Legal Principles	2			
V. State of the Art	9			
VI. Claim Construction				
VII. Person of Ordinary Skill in the Art	12			
VIII. Prior Art	12			
A. De Nicolo References	12			
1. Overview	13			
2. Reasons to Combine the De Nicolo References	13			
B. Auto-Negotiation and Wakeup References	16			
1. Overview	16			
2. Reasons to Combine the Auto-Negotiation and Wakeup References	17			
IX. '838 Patent	19			
A. Summary of the '838 Patent	19			
B. Challenged Claims	20			
X. Invalidity Analysis of '838 Patent	23			
A. The challenged claims are invalid based on the De Nicolo references	23			
1. Independent Claim 1	23			
a. "A central piece of network equipment"	23			



	 b. "at least one Ethernet connector comprising first and second pairs of contacts used to 			
	carry BaseT Ethernet communication signals"	25		
	c. "the central piece of network equipment to detect different magnitudes of DC current flow via at least one of the contacts of the first and second pairs of contacts"	27		
	d. "[the central piece of network equipment] to control application of at least one electrical condition to at least one of the contacts of the first and second pairs of contacts in response to at least one of the magnitudes of the DC current flow"	31		
2.	Claim 2: "wherein the different magnitudes of DC current flow are part of a detection protocol"			
3.	Claim 7: "wherein the central piece of network equipment to provide at least one DC current via at least one of the contacts of the first and second pairs of contacts and to detect distinguishing information within the DC current via the at least one of the contacts of the first and second pairs of contacts"			
4.	Claim 26: "wherein the central piece of network equipment to distinguish one end device from at least one other end device based on at least one of the magnitudes of the DC current flow"			
5.	Claim 29: "wherein the central piece of network equipment to distinguish one network object from at least one other network object based on at least one of the magnitudes of the DC current flow"	36		
6.	Claim 38: "wherein the central piece of network equipment comprises at least one DC supply"	37		



	7. (Claim 40: "wherein the central piece of network equipment to control application of the at least one DC power signal"	38
	8. (Claim 47: "wherein the at least one electrical condition comprises at least one voltage condition"	39
	9. (Claim 55: "wherein the different magnitudes of DC current flow comprise a first magnitude followed by a second magnitude"	39
	10.	Claim 69: "wherein the at least one magnitude of DC current flow is used by the central piece of network equipment to control application of at least one DC power signal"	40
В.		allenged claims are invalid based on the Auto-Negotiation Wakeup references.	40
	1. I	Independent Claim 1	40
		a. "A central piece of network equipment"	40
		b. "at least one Ethernet connector comprising first and second pairs of contacts used to carry BaseT Ethernet communication signals"	41
		c. "the central piece of network equipment to detect different magnitudes of DC current flow via at least one of the contacts of the first and second pairs of contacts"	43
		" 47	
		d. 47	
	2. (Claim 2: "wherein the different magnitudes of DC current flow are part of a detection protocol"	50
	3. (Claim 7: "wherein the central piece of network equipment to provide at least one DC current via at least one of the contacts of the first and second pairs of contacts and to	



		via the at least one of the contacts of the first and second pairs of contacts"	52
	4.	Claim 26: "wherein the central piece of network equipment to distinguish one end device from at least one other end device based on at least one of the magnitudes of the DC current flow"	54
	5.	Claim 29: "wherein the central piece of network equipment to distinguish one network object from at least one other network object based on at least one of the magnitudes of the DC current flow"	55
	6.	Claim 38: "wherein the central piece of network equipment comprises at least one DC supply"	55
	7.	Claim 40: "wherein the central piece of network equipment to control application of the at least one DC power signal"	57
	8.	Claim 47: "wherein the at least one electrical condition comprises at least one voltage condition"	58
	9.	Claim 55: "wherein the different magnitudes of DC current flow comprise a first magnitude followed by a second magnitude"	59
	10.	Claim 69: "wherein the at least one magnitude of DC current flow is used by the central piece of network equipment to control application of at least one DC power signal"	59
XI. Analy	ysis of	Provisional Application No. 60/081,279	61



DOCKET A L A R M

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.

