

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CANON INC.; CANON USA, INC.;
CANON FINANCIAL SERVICES, INC.; FUJIFILM CORPORATION;
FUJIFILM HOLDINGS AMERICA CORPORATION;
FUJIFILM NORTH AMERICA CORPORATION; JVC KENWOOD
CORPORATION; JVCKENWOOD USA CORPORATION;
NIKON CORPORATION; NIKON INC.; OLYMPUS CORPORATION;
OLYMPUS AMERICA INC.; PANASONIC CORPORATION;
PANASONIC CORPORATION OF NORTH AMERICA;
SAMSUNG ELECTRONICS CO., LTD., AND
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

PAPST LICENSING GMBH & CO. KG
Patent Owner.

Case IPR2016-01211¹
Patent 8,504,746

**PAPST LICENSING GMBH & CO. KG'S ITEMIZED LISTING OF
OBJECTIONABLE ARGUMENTS AND EVIDENCE FILED WITH
PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE**

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¹ Case IPR2017-00678, filed by LG Electronics, Inc., and Case IPR2017-00710, filed by Huawei Device Co., Ltd., have been joined with this proceeding.

Pursuant to the Board's order (Paper 25), Patent Owner Papst Licensing ("Papst") submits the following listing of arguments and evidence submitted with Petitioner's Reply of June 15, 2017 (Paper 22) that are beyond the proper scope of a reply under 37 C.F.R. 42.23(b) and Office Trial Practice Guide, Section II(I), 77 Fed. Reg. 48756, 48767:

1. "[I]t was well known and customary for hard disks in microcomputers to use a file system." Reply, p. 4, l. 14- p. 5, l. 11, citing Ex. 1204C, pp. 30, 51, 54, 85, and 93 and Reynolds' 2nd Declaration, Ex. 1215, ¶2.
2. "[T]he MS-DOS Encyclopedia supports and corroborates Dr. Reynolds' original testimony." Reply, p. 6, l. 17- p. 7, l. 7, citing Ex. 1204C, p. 86.
3. New Annotated FIG. 1, Reply, p. 8.
4. "This arrangement would have allowed concurrent write-access to the data reading unit . . . making using a file system with Kawaguchi an attractive . . . choice to a POSITA." Reply p. 8, lines 5-9, citing Ex. 1215, ¶¶18-19, 5-11.
5. New Annotated FIG. 1, Reply, p. 9.
6. "The well-understood flexibility provided by a file system would have motivated a POSITA . . ." Reply, p. 9, lines 4-8, citing Ex. 1215, ¶ 19.
7. "This arrangement enables the local buffers of the peripherals to process other jobs . . ." Reply, p. 9, l. 12- p. 10, l. 6, citing Ex. 1215, ¶¶19-21, 10, 14.

8. “[A] POSITA would have been motivated to use a file system . . . impart[ing] a significant system-flexibility improvement . . .” Reply, p. 10, l. 15- p. 11, l. 8, citing Ex. 1215, ¶¶5-15, 18.
9. “[Papst’s] system would be unable to accommodate asynchronous and overlapped data requests . . . rendering the data in the buffer useless.” Reply, p. 12, l. 7- p. 13, l. 6, citing Ex. 1215, ¶¶3, 5-15.
10. “A POSITA would have been motivated to avoid such issues by using a file system . . . to accommodate asynchronous and overlapped I/O is basic computer architecture design. . .” Reply, p. 13, lines 7-18, citing Ex. 1215, ¶¶2, 12-14.
11. “[M]ultiple secondary references . . . would have motivated a POSITA to use a file system. . .” Reply, p. 14, lines 8-15, citing Ex. 1215, ¶¶2, 18-21.
12. “It would have been obvious. . . to use simultaneous acquisition of data from multiple analog channels. . .” Reply, p. 26, l. 12- p. 27, l. 1, Ex. 1215, ¶¶ 5-11, 18.
13. “A POSITA would have been well aware of this temporary storage paradigm because it is exactly the configuration described in Matsumoto . . .” Reply, p. 28, l. 14- p. 29, l. 5, citing Ex. 1215, ¶¶ 15, 18-21.
14. Exs. 1217 and 1218 in their entirety. Neither are cited in the Reply, but Ex. 1217 is cited in Ex. 1215 at ¶¶2, 15, 18 and Ex. 1217 is cited in Ex. 1215 at ¶¶2, 5-14, and 17-19.

Respectfully submitted,

Dated: August 9, 2017

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on August 9, 2017, a complete and entire copy of the foregoing paper has been served in its entirety by e-mail on the following addresses of record for Petitioner:

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