IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,

Petitioners,

V.

FOCAL IP, LLC,

Patent Owner

Case IPR2016-01254 Patent 8,457,113 B2

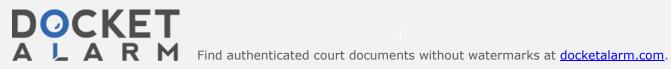
PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE

Table of Contents

INTF	RODUCTION
BURGER (GROUNDS 1/2) AND ARCHER (GROUNDS 3/4) DISCLOSE EACH LIMITATION	
A.	Burger (Ground 1) Discloses Interconnecting an Enhanced Services Platform (e.g. "web-enabled processing system") on an IP Network to a Tandem Switch in the PSTN
B.	Archer (Ground 3) Discloses a Gateway Interconnecting a Controller (e.g. "web-enabled processing system") on an IP Network to a Tandem Switch in the PSTN
C.	A POSA Understood that an IP Network Converging with the PSTN Could Be Connected to Either a PSTN Tandem Switch or PSTN Edge Switch
D.	Burger in view of Alexander (Ground 2) Discloses a Gateway Interconnecting (e.g. "web-enabled processing system") on an IP Network to a Tandem Switch in the PSTN
E.	Archer in view of Chang (Ground 4) Discloses a Gateway Interconnecting a Controller (e.g. "Web-enabled Processing System") on an IP Network to a Tandem Switch in the PSTN
F.	Burger Discloses Establishing a Voice Communication Across Both the Circuit-Switched Network and the Packet Network
G.	Archer Discloses a Web-Enabled Processing System Establishing the Voice Communication
Н.	Conclusion: Burger (Ground 1), Burger in view of Alexander (Ground 2), Archer (Ground 3) and Archer in View of Chang (Ground 4) Disclose All of the Limitations Even Under PO's Constructions



A.	Applicant's Introduction of "Switching Facilities" for the First Time During Prosecution of the '777 Patent Distinguishes this Case from All but One of the Cases Relied Upon by PO	19
B.	PO's Alleged Evidence of Disclaimer in the Shared Specification is Inapposite as it Refers to "Preferred" Embodiments or Systems Rather Than "the Invention" or the "Present Invention"	20
C.	Applicant's Broad Definition During Prosecution, and Varied Location and Function Between Claims, Confirms that the Scope of the Claimed "Switching Facilities" is Not Limited to the Preferred Embodiment of a PSTN Tandem Switch	22
D.	"Switching Facility" / "Tandem Switch" (Resp. 30-35) Are Not Limited to a "PSTN Tandem Switch"	26
E.	"Coupled to" Is Not Limited to "Connected to Without an Intervening Edge Switch"	26
F.	"Tandem Access Controller" / "Call Processing System" (Resp. 63, EX2022, ¶99-100) is Not Limited to a Controller Connected to a PSTN Tandem Switch Without an Intervening Edge Switch	27
G.	Conclusion: Burger (Ground 1), Burger in View of Alexander (Ground 2), Archer (Ground 3), and Archer in View of Chang (Ground 4) Disclose All of the Limitations of the Challenged Claims Under the Broadest Reasonable Interpretation of the Claims or PO's Constructions	28



PETITIONERS' REPLY EXHIBIT LIST

Exhibit Number	Document
1001	U.S. Patent No. 8,457,113 ("the '113 Patent")
1002	Declaration of Dean Willis
1003	U.S. Patent No. 6,353,660 to Burger
1004	U.S. Patent No. 6,683,870 to Archer
1005	U.S. Patent No. 5,958,016 to Chang
1006	U.S. Patent No. 6,798,767 to Alexander
1007	File history of U.S. Patent No. 8,457,113
1008	File history of U.S. Patent No. 7,764,777
1046	U.S. Patent No. 6,442,169 to Lewis
1047	U.S. Patent No. 6,333,931 to LaPier
1048	May 8, 2017 Transcript of Deposition of Regis "Bud" Bates
1049	May 9, 2017 Transcript of Deposition of Regis "Bud" Bates
1050	March 1, 2017 Transcript of Deposition of Mr. Willis in IPR2016-01254, IPR2016-01257
1051	U.S. Patent No. 5,164,879 (Honeywell v. ITT)
1052	U.S. Patent No. 6,618,707 (Chi. Bd. Options)
1053	U.S. Patent No. 4,893,306 (Telcordia Techs.)
1054	U.S. Patent No. 7,764,777 ("the '777 patent")
1055	U.S. Patent No. 8,115,298 ("the '298 patent")
1056	U.S. Patent No. 6,574,328 to Wood
1057	U.S. Patent No. 7,324,635 to Wood
1058	Deposition Transcript of Dr. La Porta, Feb. 24, 2017, for IPR 2016-01259, -01261, -01262, and -01263.
1059	Petitioner's Redlined Reply to PO Response



Case IPR2016-01254 U.S. Patent No. 8,457,113

Exhibit Number	Document
2020	Deposition Transcript of Dr. La Porta, Feb. 23, 2017, for IPR
	2016-01259, -01261, -01262, and -01263.
2022	Declaration of Regis J. "Bud" Bates in Support of Patent
	Owner's Response



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.

