IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,

Petitioner,

v.

FOCAL IP, LLC,

Patent Owner

Case IPR2016-01257 Patent 8,457,113 B2

PETITIONERS' REPLY TO PATENT OWNER'S RESPONSE

DOCKET A L A R M Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

DOCKET

TABLE OF CONTENTS

			Page
I.	INTI	RODUCTION	1
II.	BURGER (GROUND 1), BURGER IN VIEW OF ALEXANDER (GROUND 2), AND ARCHER (GROUND 3) DISCLOSE EACH LIMITATION OF THE CHALLENGED CLAIMS		3
	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	4
	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	6
	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 and Without any Technical Differences	8
	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	13
	E.	Conclusion: Burger (Ground 1), Burger in view of Alexander (Ground 2), and Archer (Ground 3) and Archer Disclose All of the Limitations of the Challenged Claims Even Under PO's Constructions.	15
III.	BEC UNN "SW	CHALLENGED CLAIMS ARE ALSO OBVIOUS AUSE APPLICANT DID NOT CLEARLY AND IISTAKABLY DISCLAIM THE CLAIM SCOPE OF ITCHING FACILITY" AS ASSERTED BY PATENT NER	15
	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 Patent Owner	16

Reply to Patent Owner's Response Case IPR2016-01257 U.S. Patent No. 8,457,113

IV.

Reply to Patent Owner's Response Case IPR2016-01257 U.S. Patent No. 8,457,113

DOCKET

PETITIONERS' REPLY EXHIBIT LIST

Exhibit Number	Document
1101	U.S. Patent No. 8,457,113 ("the '113 Patent")
1102	Declaration of Dean Willis
1103	U.S. Patent No. 6,353,660 to Burger
1104	U.S. Patent No. 6,683,870 to Archer
1105	U.S. Patent No. 5,958,016 to Chang
1106	U.S. Patent No. 6,798,767 to Alexander
1107	File history of U.S. Patent No. 8,457,113
1108	File history of U.S. Patent No. 7,764,777
1146	U.S. Patent No. 6,442,169 to Lewis
1147	U.S. Patent No. $6,\underline{3}633,931$ to LaPier
1148	May 8, 2017 Transcript of Deposition of Regis "Bud" Bates
1149	May 9, 2017 Transcript of Deposition of Regis "Bud" Bates
1150	March 1, 2017 Transcript of Deposition of Mr. Willis in IPR2016-01254, IPR2016-01257
1151	U.S. Patent No. 5,164,879 (Honeywell v. ITT)
1152	U.S. Patent No. 6,618,707 (Chi. Bd. Options)
1153	U.S. Patent No. 4,893,306 (Telcordia Techs.)
1154	U.S. Patent No. 7,764,777 to Wood
1155	U.S. Patent No. 8,115,298 to Wood
1156	Expert Declaration of Dr. Thomas F. La Porta for IPR 2016-01259, -01261, -01262, and -01263
1157	Expert Declaration of Dr. Thomas F. La Porta ISO Petitioner's Opposition to PO's Motion to Amend
1158	CV of Dr. Thomas F. La Porta
1159	U.S. Patent No. 6,574,328 to Wood
1160	U.S. Patent No. 7,324,635 to Wood

A L A R M Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

Reply to Patent Owner's Response Case IPR2016-01257 U.S. Patent No. 8,457,113

Exhibit Number	Document
2019 <u>1161</u>	Deposition Transcript of Dr. La Porta, Feb. 24, 2017, for IPR 2016-01259, -01261, -01262, and -01263
<u>1162</u>	Petitioner's Redlined Reply to PO Response
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
2040	Declaration of Regis J. "Bud" Bates in Support of PO's Contingent Motion to Amend in IPR2016-01261

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.