

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 Number: 8,457,113

**PATENT OWNER FOCAL IP, LLC'S LISTING OF IMPROPER
REPLY/NEW ARGUMENT AND EVIDENCE**

Pursuant to the Board's Order (Paper No. 34), Patent Owner provides the following listing of statements and evidence that are beyond the proper scope of a reply, including new argument and evidence:

- (1) Petitioner's Reply at p. 1 ln. 18-p. 2 ln. 15 ("Patent Owner's first argument . . .")
- (2) Petitioner's Reply at p. 4 lns. 3-5 ("A. Burger (Ground 1) . . .")
- (3) Footnote 3 ("In his deposition . . .")
- (4) Petitioner's Reply at p. 5 lns. 3-18 ("Specifically, Burger discloses . . .")
- (5) Petitioner's Reply at p. 6 lns. 1-8 ("Moreover, even if the claim . . .")
- (6) Petitioner's Reply at p. 6 lns. 9-11 ("B. Archer (Ground 3) . . .")
- (7) Petitioner's Reply at p. 6 lns. 15-19 ("A POSA would understand . . .")
- (8) Petitioner's Reply at p. 7 lns. 1-11 (including figure on p. 12) ("Moreover, even if the claims . . .")
- (9) Petitioner's Reply at p. 8 ln. 1-p. 13 ln. 2 (including figures) ("A POSA Understood . . .")
 - a. Ex. 1146 (entirety)
 - b. Ex. 1147 (entirety)
- (10) Petitioner's Reply at p. 13 lns. 3-7 ("D. Burger in view of Alexander . . .")
- (11) Petitioner's Reply at p. 15 lns. 2-3 ("Alexander's web-enabled processor . . .")

(12) Petitioner's Reply at p. 15 lns. 4-17 ("E. Conclusion . . .")

Dated: July 14, 2017

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of July 2017, a copy of Patent Owner Focal IP, LLC's Listing of Improper Reply/New Argument and Evidence has been served in its entirety via email on the following:

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