

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KINGSTON TECHNOLOGY COMPANY, INC.,

Petitioner

v.

POLARIS INNOVATIONS LTD.,

Patent Owner

Case IPR2016-01622

Patent 6,850,414 B2

Priority July 2, 2002

Issued February 1, 2005

Title: ELECTRONIC PRINTED CIRCUIT BOARD HAVING A PLURALITY
OF IDENTICALLY DESIGNED, HOUSING-ENCAPSULATED
SEMICONDUCTOR MEMORIES

PATENT OWNER'S MOTION TO AMEND

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TABLE OF AUTHORITIES

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Statutes

35 U.S.C. § 3141
35 U.S.C. § 316(a)(9)4

Regulations

37 C.F.R. § 42.1211
37 C.F.R. § 42.121(a)1
37 C.F.R. § 42.121(b)2, 4

EXHIBIT LIST

Exhibit 2001	Cara Garretson. "More DRAM vendors involved in Justice Department probe." <i>IDG News Service</i> July 21, 2002. Computer World, Inc. November 21, 2016.
Exhibit 2002	"Error Correction Code in SoC FPGA-Based Memory Systems." <i>Altera Corporation</i> April 2012.
Exhibit 2003	"133 MHz PC SDRAM 64-Bit Non-ECC/Parity 144 Pin UNBUFFERED SO-DIMM SPECIFICATION." <i>Intel</i> , Revision 1.0C. August 2000
Exhibit 2004	"PC SDRAM Serial Presence Detect (SPD) Specification." <i>Intel</i> , Revision 1.2B. November 1999.
Exhibit 2005	Declaration of Nathan Nobu Lowenstein in support of Motion for Admission <i>Pro Hac Vice</i>

I. INTRODUCTION AND STATEMENT OF RELIEF REQUESTED

Patent Owner hereby respectfully moves to amend U.S. Patent No. 6,850,414 B2 (Ex. 1001) (the “’414 Patent”) under 37 C.F.R. § 42.121, by cancelling all challenged claims that have been instituted for review and proposing one substitute claim for challenged claim 8 which incorporates both the limitations of claim 8 and the limitations of non-instituted claim 4, which the Board has already determined has not been shown to have a reasonable likelihood of being unpatentable by Petitioner in this case. Paper 7; Paper 16.

Specifically, Petitioner challenged claims 1–8 of the ’414 Patent. Pet. at 1. In its Institution Decision in this case, this Board instituted review under 35 U.S.C. § 314 for challenged claims 1 and 5–8, but not for challenged claims 2–4. Paper 7 at 17, 18, 21, 22. In its Decision Denying Petitioner’s Request for Rehearing, this Board adhered to its determination to deny institution of an *inter partes* review of claim 4. Paper 16 at 3–7. As discussed in detail below, the substitute claim is the same as challenged claim 8 in every respect, except that it simply adds the limitations of claim 4, which the Board has already repeatedly determined has not been shown by Petitioner in this case to have a reasonable likelihood of being unpatentable. Paper 7 at 17, 18, 21, 22; Paper 16 at 3–7.

Patent Owner has satisfied 37 C.F.R. § 42.121(a) for this motion. Paper 17.

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