

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DELL INC., EMC CORPORATION, HEWLETT-PACKARD
ENTERPRISE CO., AND HP ENTERPRISE SERVICES, LLC
Petitioner,

v.

REALTIME DATA LLC d/b/a IXO
Patent Owner.

Case: IPR2017-00176

**PETITION FOR *INTER PARTES* REVIEW OF
U.S. PATENT NO. 7,161,506**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
PO Box 1450
Alexandria, Virginia 22313-1450
Submitted Electronically via the Patent Review Processing System

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	MANDATORY NOTICES – 37 C.F.R. § 42.8	3
	A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1)	3
	B. Related Matters Under 37 C.F.R. § 42.8(b)(2)	4
	C. Lead and Back-Up Counsel Under 37 C.F.R. § 42.8(b)(3)	4
	D. Service Information Under 37 C.F.R. § 42.8(b)(4).....	5
III.	The '506 Patent	5
IV.	Identification of the challenge and summary of the prior art rendering the claims unpatentable.....	7
	A. Identification of the Challenge.....	7
	B. Franaszek Teaches Nearly All Aspects of the Challenged Claims.....	7
	C. Hsu Teaches A Data Compression System that Examines Data Within the Block Itself To Select An Encoder.....	8
	D. Sebastian Teaches a Data Compression System with a Single Data Compression Encoder	10
V.	petitioner has standing to bring this proceeding	10
VI.	Claim Construction Under 37 C.F.R. §§ 42.100(b), 42.104(b)(3).....	11
VII.	DETAILED EXPLANATION UNDER 37 C.F.R. § 42.104(b).....	11
	A. The Grounds for Trial Are Based on Prior Art Patents and Printed Publications	11
	1. The Effective Filing Date of the Claimed Subject Matter Is No Earlier Than October 29, 2001.....	11
	2. Franaszek is a Prior Art Patent.....	12
	3. Hsu is a Prior Art Printed Publication	12
	4. Sebastian is a Prior Art Patent	13
	B. Level of Ordinary Skill in the Art.....	14
	C. Ground 1: Claims 104 and 105 Would Have Been Obvious Under § 103(a) Over Franaszek in View of Hsu, or in the Alternative, Franaszek in View of Hsu and Sebastian.....	14

1.	Claim 104 Would Have Been Obvious Over Franaszek in View of Hsu or, in the Alternative, Franaszek in View of Hsu and Sebastian	15
a.	Claim 104, Preamble: “A computer implemented method for compressing data”	15
b.	Claim 104: “analyzing data within a data block of an input data stream to identify one or more data types of the data block, the input data stream comprising a plurality of disparate data types”	17
c.	Claim 104: “performing content dependent data compression with a content dependent data compression encoder if a data type of the data block is identified”	20
i.	Content Dependent Data Compression Encoder	20
ii.	Performing Content Dependent Data Compression with a Content Dependent Data Compression Encoder if a Data Type of the Data Block is Identified	23
d.	Claim 104: “performing data compression with a single data compression encoder, if a data type of the data block is not identified”	24
e.	Claim 104: “wherein the analyzing of the data within the data block to identify one or more data types excludes analyzing based only on a descriptor that is indicative of the data type of the data within the data block”	31
i.	Teachings of the Prior Art.....	32
i.	Reasons a POSITA Would Have Found it Obvious to Analyze Something Other Than “Solely” a Descriptor	33
2.	Claim 105 Would Have Been Obvious Over Franaszek in View of Hsu or, in the Alternative, Franaszek in View of Hsu and Sebastian	36
a.	Claim 105, Preamble: “A computer implemented method”	36
b.	Claim 105: “receiving a data block in an uncompressed form, said data block being included in a data stream”	37
c.	Claim 105: “analyzing data within the data block to determine a type of said data block”	38
d.	Claim 105: “compressing said data block to provide a compressed data block”	38

	e. Claim 105: “wherein if one or more encoders are associated to said type, compressing said data block with at least one of said one or more encoders, otherwise compressing said data block with a default data compression encoder, and”	39
	f. Claim 105: “wherein the analyzing of the data within the data block to identify one or more data types excludes analyzing based only on a descriptor that is indicative of the data type of the data within the data block.”	43
VIII.	PAYMENT OF FEES – 37 C.F.R. § 42.103	44
IX.	CONCLUSION	44

LIST OF ABBREVIATIONS

'506 Patent	U.S. Patent No. 7,161,506
Abst.	Abstract
OA	Office Action
NIRC	Notice of Intent to Issue Reexamination Certificate
Cert.	Reexamination Certificate

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.