

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TALARI NETWORKS, INC.
Petitioner

v.

FATPIPE NETWORKS INDIA LIMITED,
Patent Owner

Inter Partes Review Case No. 2016-00976

**PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 6,775,235
UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.100**

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PETITIONER'S EXHIBITS

Exhibit No.	Description
1001	U.S. Patent No. 6,775,235 by Sanchaita Datta and Ragula Bhaskar entitled "Tools and Techniques for Directing Packets Over Disparate Networks" ("the '235 Patent")
1002	File History for U.S. Patent No. 6,775,235
1003	U.S. Patent No. 7,406,048 by Sanchaita Datta and Ragula Bhaskar entitled "Tools and Techniques for Directing Packets Over Disparate Networks" ("the '048 Patent")
1004	File History for U.S. Patent No. 7,406,048
1005	Declaration of Dr. Kevin Negus
1006	U.S. Patent No. 6,628,617 by Mark John Karol and Malathi Veeraraghavan entitled "Technique for Internetworking Traffic on Connectionless and Connection-Oriented Networks" ("Karol")
1007	W.R. Stevens, "TCP/IP Illustrated Volume 1, the Protocols," Addison-Wesley Professional Computing Series, 1994, ISBN-0-201-63346-9 ("Stevens").
1008	February 1, 2016 Order granting Motion to Transfer to the Western Division of the Eastern District of North Carolina, D.I. 57 in 6:15-cv-00458-RWS in the Eastern District of Texas
1009	U.S. Patent No. 6,748,439 by David R. Monachello et al. entitled "System and Method for Selecting Internet Service Providers from a Workstation that is Connected to a Local Area Network" ("Monachello")
1010	FatPipe's Infringement Contentions
1011	William Stallings, "Data and Computer Communications," Prentice-Hall, 5th Edition, 1997, ISBN-81-203-1240-6, ("Stallings")
1012	Office Action dated 4/13/2012 for U.S. Application No. 10/034,197
1013	Office Action dated 2/2/2012 for U.S. Application No. 10/034,197
1014	FatPipe's Proposed Modifications to Claim Construction
1015	U.S. Patent No. 6,317,431 by Terence G. Hodgkinson and Alan W. O'Neill entitled "ATM Partial Cut-Through" ("Hodgkinson")
1016	Adaptive Private Networking Configuration Editor User's Guide, APNware Release 2.5 (FATPIPE-001374-1448)

Pursuant to 35 U.S.C. §§ 311-319 and 37 C.F.R. §§ 42.100 *et seq.*, Talari Networks, Inc. (“Petitioner”) hereby respectfully requests *inter partes* review of claims 4, 5, 7-15, and 19 (“Challenged Claims”) of U.S. Patent No. 6,775,235 (Ex. 1001; “the ’235 Patent”) which issued on August 10, 2004. As explained in this Petition, there exists a reasonable likelihood that Petitioner will prevail with respect to at least one of the Challenged Claims. The Challenged Claims are unpatentable over the prior art publications identified and applied in this Petition.

I. MANDATORY NOTICES

Pursuant to 37 C.F.R. § 42.8, Petitioner provides the following disclosures:

A. Real Party-In-Interest (37 C.F.R. § 42.8(b)(1))

Petitioner, Talari Networks, Inc., located at 1 Almaden Blvd., Suite 200, San Jose, California 95113, is the real party-in-interest for the instant petition.

B. Related Matters (37 C.F.R. § 42.8(b)(2))

The ’235 Patent is currently involved in a pending lawsuit involving Petitioner originally captioned *FatPipe, Inc. v. Talari Networks, Inc.*, United States District Court For the Eastern District Of Texas, Case No. 6:15-CV-458. On February 2, 2016, the United States District Court for the Eastern District of Texas ordered the case to be to be transferred to the Western Division of the United States District Court for the Eastern District of North Carolina, Case No. 5:16-CV-54-BO (“the District Court Litigation”). (Ex. 1008.)

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