

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Michael J. Rojas
U.S. Patent No.: 7,535,890 Attorney Docket No.: 19473-0372IP2
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Appl. Serial No.: 10/740,030
Filing Date: December 18, 2003
Title: SYSTEM AND METHOD FOR INSTANT VOIP
MESSAGING

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**PETITION FOR *INTER PARTES* REVIEW OF UNITED STATES PATENT
NO. 7,535,890 PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42**

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EXHIBITS

- GOOGLE1001 U.S. Patent No. 7,535,890 to Rojas (“the ’890 patent”)
- GOOGLE1002 Prosecution History of the ‘890 patent (“the Prosecution History”)
- GOOGLE1003 Declaration of Dr. Paul S. Min, Ph.D. with CV attached
- GOOGLE1004 International Publication No. WO2001/011824 (“Zydney”)
- GOOGLE1005 Gralla, HOW THE INTERNET WORKS (6th Ed. 2001)
- GOOGLE1006 U.S. Patent No. 6,415,318 (“Aggarwal”)
- GOOGLE1007 International Publication No. WO01/71992 (“Oppenheimer”)
- GOOGLE1008 Reserved
- GOOGLE1009 THE NETWORK ENCYCLOPEDIA,
<http://www.thenetworkencyclopedia.com/entry/packet-switching/>
- GOOGLE1010 Nwana, SOFTWARE AGENTS: AN OVERVIEW (1996),
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- GOOGLE1011 Reserved
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https://www.isoc.org/inet96/proceedings/b2/b2_3.htm (retrieved via <https://web.archive.org/web/20021221131244/>)
- GOOGLE1013 Wijuntunga, LOCAL AREA NETWORKS (LANs) AND THEIR APPLICATION IN LIBRARIES (1992),

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- GOOGLE1016 Cisco, IOS SERVER LOAD BALANCING, RELEASE 12.2 S (2002),
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- GOOGLE1017 Webopedia, Definition of “CAN” (2003),
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<http://web.archive.org/web/20030201193119/>)
- GOOGLE1018 Library of Congress Online Catalog Record re HOW THE
INTERNET WORKS (Gralla)
- GOOGLE1019 Public Copyright Catalog Record re HOW THE INTERNET WORKS
(Gralla)
- GOOGLE1020 International Standard Book Number Listing re HOW THE
INTERNET WORKS (Gralla)
- GOOGLE1021 Que Corporation, Product Record re HOW THE INTERNET
WORKS (Gralla), <http://www.quepublishing.com/store/how-the-internet-works-9780789725820>
- GOOGLE1022 Declaration of Michael Cohen re HOW THE INTERNET
WORKS (Gralla)

Google Inc. (“Petitioner”) requests *Inter Partes* Review (“IPR”) of claims 14-20, 23-24, 26, 28-34, 37, 39, 51-54, 57-58, 60, 62-65, 68, and 70 (“the Challenged Claims”) of U.S. Patent No. 7,535,890 (“the ’890 patent”).

I. MANDATORY NOTICES UNDER 37 C.F.R § 42.8(a)(1)

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

Google Inc. is the Petitioner. Google is a real party-in-interest in this proceeding, along with Motorola Mobility LLC, Huawei Device Co., Ltd., Huawei Device USA, Inc., Huawei Investment & Holding Co., Ltd., Huawei Technologies Co., Ltd., and Huawei Device (Dongguan) Co., Ltd.

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

Patent Owner filed a complaint on September 6, 2016 in the U.S. District Court for the Eastern District of Texas (Case No. 2:16-cv-992) alleging that Motorola Mobility LLC infringed the ’890 patent. The complaint was served on September 13, 2016. Patent Owner also filed a complaint on September 6, 2016 (Case No. 2:16-cv-994) alleging that Huawei Device USA, Inc. and Huawei Technologies USA, Inc. infringed the ’890 patent (the complaint was also served on September 13, 2016). On October 6, 2016, Patent Owner filed an amended complaint, which eliminated Huawei Technologies USA, Inc. as a defendant and added Huawei Device Co., LTD. as a defendant.

Patent Owner filed subsequent complaints in 2017 in the Eastern District of Texas (Case Nos. 2:17-cv-465, 2:17-cv-466, 2:17-cv-467, 2:17-cv-231, 2:17-cv-

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