

PGR2020-00037
Patent 10,003,553

Paper No. 27
Patent Owner's Objections to Evidence

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FLEX LOGIX TECHNOLOGIES INC,

Petitioner

V.

VENKAT KONDA,

Patent Owner

Case PGR2019-00037

Patent 10,003,553 B2

**PATENT OWNER'S OBJECTIONS TO EVIDENCE
PURSUANT TO 37 C.F.R. §42.64**

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PATENT OWNER'S EXHIBIT LIST 1

Exhibit No.	Description	Previously Submitted
Ex. 2001	CMOS Circuit Design Layout and Simulation, 3 rd Edition	X
Ex. 2002	PGR2019-00037 Petition – Paper 1	X
Ex. 2003	PGR2019-00042 Petition – Paper 1	X
Ex. 2004	Venkat Konda Declaration in support of Revised Motion to Amend	X
Ex. 2005	IPR2020-00260 Petition – Paper 1	
Ex. 2006	Dr. Baker's Declaration in support of the Petition IPR2020-00260 – Ex. 1002	
Ex. 2007	Dr. Baker's CV in support of the Petition IPR2020-00260 – Ex. 1003	
Ex. 2008	IPR2020-00260 Patent Owner's Preliminary Response – Paper 8	

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Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Venkat Konda ("Patent Owner") submits the following objections to evidence served with the Petition for Post Grant review ("PGR") PGR2019-00037¹ by Flex Logix Technologies Inc. ("Flex Logix" or "Petitioner"). Prior to this, Petitioner filed PGR2019-00037 filed on March 18, 2019 Paper 1 ("Petition"). After Patent Owner submitted Patent Owner's Preliminary response (Paper 5), Board instituted PGR2019-00037 on September 19, 2019 (Paper 13). On May 15, 2020, Patent Owner submitted Revised Motion to Amend (Paper 25).

In the Petition, Petitioner proposes that "A person of ordinary skill in the art ("POSITA") at the time of the alleged invention of the '523 Patent would have had a master's degree in electrical engineering or a similar field, and at least two to three years of experience with integrated circuits and **networks**. (Ex. 1002, ¶¶18) Petitioner acknowledges that "[M]ore education can supplement practical experience and vice versa. (*Id.*)". (Petition, at 6)

However Petitioner's witness, Dr. Baker states "All of my opinions stated in this declaration are based on my own personal knowledge and professional

¹ In addition to this PGR, the Board instituted another PGR2019-00042 filed by the same Petitioner concurrently on the '553 Patent.

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judgment. In forming my opinions, I have relied on my knowledge and experience in designing, developing, researching, and teaching regarding circuit design and **memory devices** referenced in this declaration. (Ex. 1002, ¶3). Notably Petitioner's witness by his own admission has no experience in **networks**.

Furthermore, in a related Petition IPR2020-00260 filed on December 16, 2019 by Petitioner on a related US Patent No. 8,269,523 ("the '523 patent") owned by the Patent Owner (Ex. 2005), the same declarant Dr. Baker submitted his declaration (Ex. 2006) and CV (Ex. 2007) in support of the Petition IPR2020-00260. In response to the petition IPR2020-00260, Patent owner submitted his Preliminary response on May 6, 2020 (Ex. 2008).

In Section III of Ex. 2007, Patent Owner with the support of Patent Owner Venkat Konda's Declaration submitted that the Petitioner presented a flawed Definition of a Person Of Ordinary Skill In The Art to accommodate its unqualified witness (Ex. 2008, at 11-20) with illustration of several errors made by Dr. Baker.

Accordingly, Patent Owner objects to Ex. 1002, Ex. 1003 and all the support presented in the Petition by Ex. 1002 and Ex. 1003. Pursuant to 37 C.F.R. § 42.11 and 37 C.F.R. § 42.51(b)(iii), Patent Owner requests the Board to exclude Ex.

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1002, Ex. 1003 and all the support presented in the Petition by Ex. 1002 and Ex.
1003.

Date: May 20, 2020

Respectfully submitted,

/Venkat Konda/

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