

EXHIBIT D7

Summary of Invalidity Analysis of U.S. Patent No. 6,839,751 (“’751 Patent”) in view of U.S. Patent No. 6,412,000 (“Riddle”), further in view of WO 92/19054 (“Ferdinand”), and further in view of U.S. Patent No. 6,625,150 (“Yu”)

U.S. Patent No. 6,412,000, issued on June 25, 2002, qualifies as prior art to the ’751 Patent under at least § 102(e) because it was filed on November 23, 1998, before the June 30, 1999 filing date of the provisional application of the ’751 Patent claims priority. Riddle further qualifies as prior art to the ’751 Patent under at least Pre-AIA 35 U.S.C. § 102(e) because it has an effective prior art date under pre-AIA 35 U.S.C. § 102(e) based on the filing date of an earlier-filed application if the patent’s relevant subject matter is described in the earlier-filed application, and at least one of the patent’s claims is supported by the earlier-filed application’s written description in compliance with pre-AIA 35 U.S.C. § 112, first sentence. Riddle claims priority to U.S. Provisional Patent Application No. 60/066,864 (“’864 Provisional”), which was filed on November 25, 1997.

Riddle and the related ’864 Provisional incorporate-by-reference the following patent applications in their entirety:

- U.S. Patent Application No. 09/198,051 (“’051 Application”);
- U.S. Patent Application No. 08/762,828, issued as U.S. Patent No. 5,802,106;
- U.S. Patent Application No. 08/977,642 (“Packer Application”), having attorney docket number 08-000001, issued as U.S. Patent No. 6,046,980 (“Packer”); and
- U.S. Patent Application No. 08/742,994, issued as U.S. Patent No. 6,038,216.

WO 92/19054 (“Ferdinand”), published on October 29, 1992, qualifies as prior art to the ’751 Patent under 35 U.S.C. § 102(b) because it was published more than one year before the June 30, 1999 filing date of the provisional application of the ’751 Patent claims priority.

U.S. Patent No. 6,625,150 (“Yu”), issued on September 23, 2003, qualifies as prior art to the ’751 Patent under 35 U.S.C. § 102(e) since a U.S. patent has an effective prior art date under pre-AIA 35 U.S.C. § 102(e) based on the filing date of an earlier-filed patent application if the patent’s relevant subject matter is described in the earlier-filed application, and at least one of the patent’s claims is supported by the earlier-filed application’s written description in compliance with pre-AIA 35 U.S.C. § 112, first sentence. The application that issued as Yu was filed on December 16, 1999. Yu claims priority to U.S. Provisional Patent Application No. 60/112,859 (“’859 Provisional”), which was filed on December 17, 1998.

EXHIBIT D7

Invalidity of U.S. PATENT NO. 6,839,751 in view of Riddle et al.	
CLAIM LANGUAGE	Exemplary Citations to Riddle et al.
INDEPENDENT CLAIM 1	
<p>1</p> <p>A method of analyzing a flow of packets passing through a connection point on a computer network, the method comprising:</p>	<p>U.S. Patent No. 6,412,000 (“Riddle”) discloses a packet processing system including a policy engine having a classification unit that anticipates or predicts a particular traffic class and implements the claimed method of analyzing a flow of packets passing through a connection point on a computer network.</p> <p>For example:</p> <p>“In a packet communication environment, a method is provided for automatically classifying packet flows for use in allocating bandwidth resources and the like by a rule of assignment of a service level. The method comprises applying individual instances of traffic classification paradigms to packet network flows based on selectable information obtained from a plurality of layers of a multi-layered communication protocol in order to define a characteristic class, then mapping the flow to the defined traffic class. It is useful to note that the automatic classification is sufficiently robust to classify a complete enumeration of the possible traffic.” Riddle, 4:6-17.</p> <p>“3.2 Automatic Traffic Classification Processing FIG. 3 depicts components of a system for automatically classifying traffic according to the invention. A traffic tree 302 in which new traffic will be added to a particular member class node. A traffic classifier 304 detects incoming traffic. Alternatively, the classifier may start with a service assignment and detect traffic using it. A knowledge base 306 contains heuristics for determining traffic classes.” Riddle, 4:6-17.</p>

EXHIBIT D7

knowledge base may be embodied in a file or a relational database. In one embodiment, the knowledge is contained within a data structure. A plurality of saved lists 308 stores classified traffic pending in a tree 302. In select embodiments, entries for each instance of an alternate embodiment, a copy of an entry and a count of duplicates is maintained.” Riddle, 12:27-41.

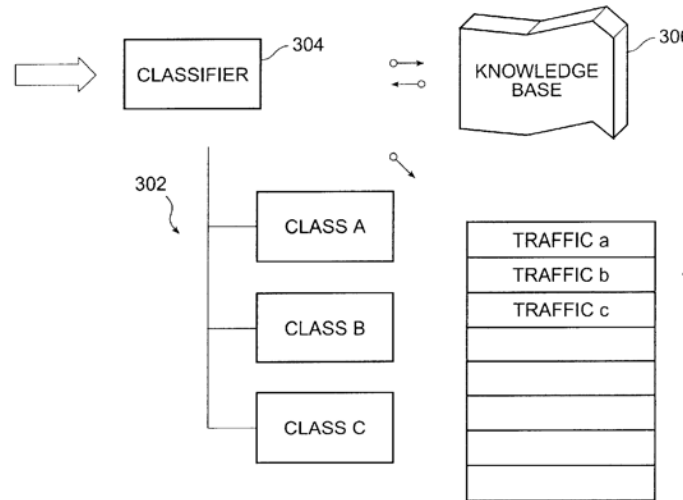


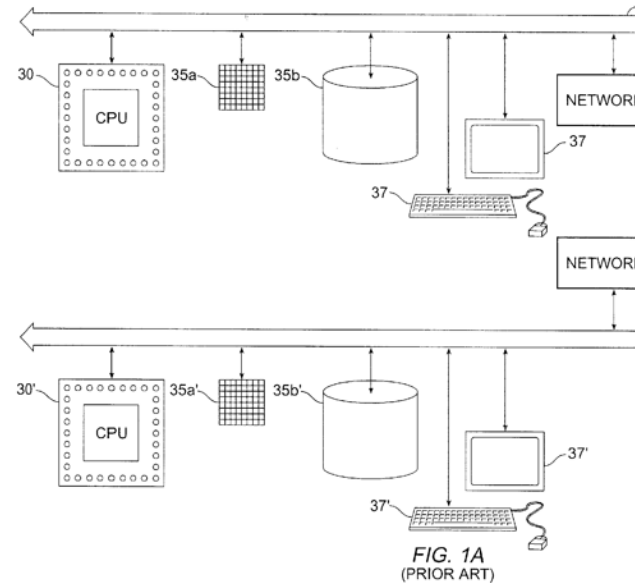
FIG. 3

Riddle, Fig. 3.

“The method for automatically classifying heterogeneous packet traffic in a telecommunications environment of the present invention is implemented in a programming language and is operational on a computer system 1A. This invention may be implemented in a client-server environment. A server environment is not essential. This figure shows a conventional computer system which includes a server 20 and numerous clients 25. The use of the term "server" is used in the context of a client-server environment wherein the server receives queries from (typically remote) clients and performs all the processing necessary to formulate responses to the queries. The server 20 returns responses to the clients. However, server 20 may itself act in

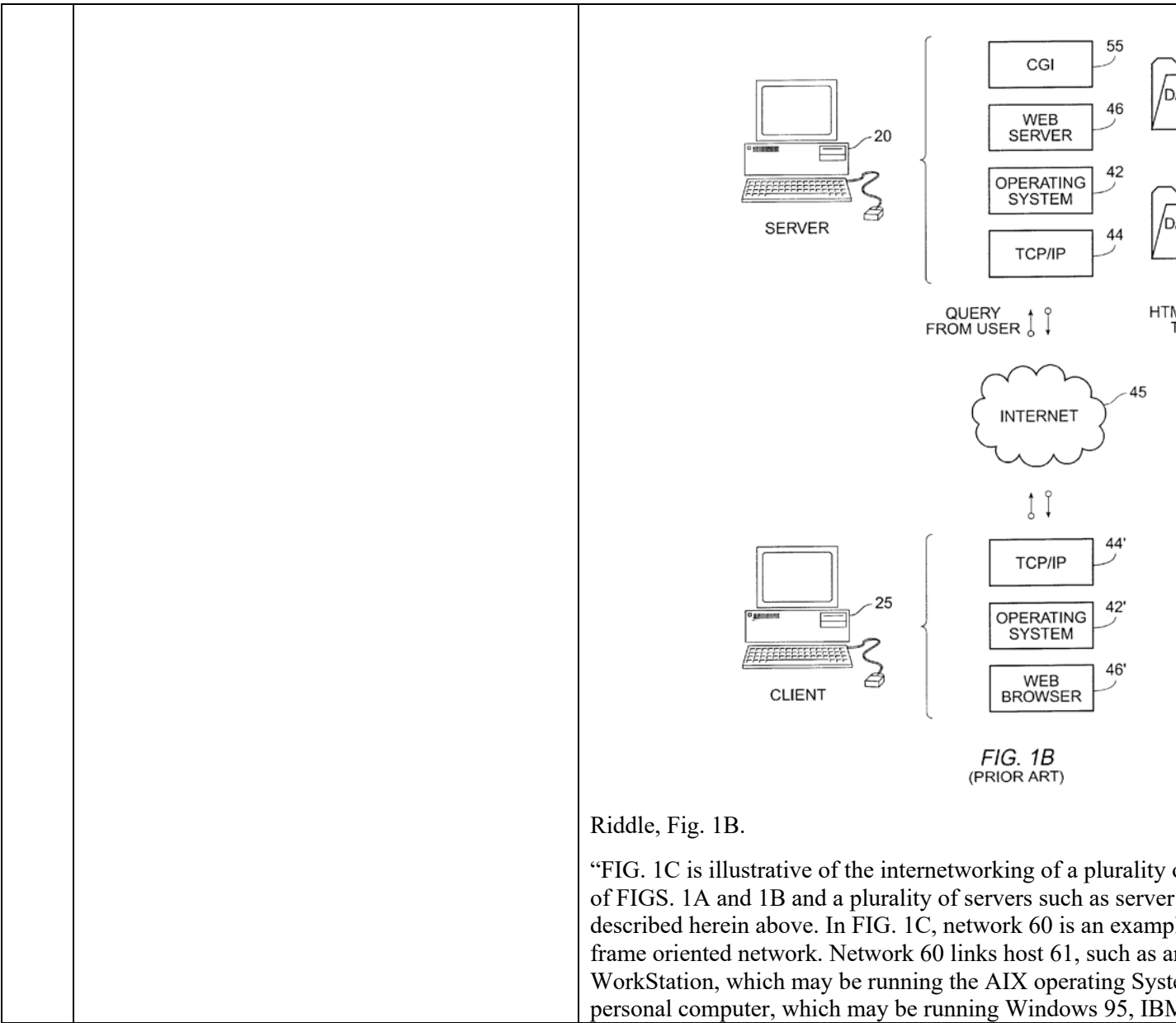
EXHIBIT D7

when it accesses remote databases located at another node ac
The hardware configurations are in general standard and wil
In accordance with known practice, server 20 includes one o
which communicate with a number of peripheral devices via
These peripheral devices typically include a Storage Subsystem
memory subsystem 35a and a file storage subsystem 35b hol
(e.g., code or instructions) and data, a set of user interface in
and an interface to outside networks, which may employ Eth
IEEE 802.3, ITU X.25, Serial Link Internet Protocol (SLIP)
telephone network. This interface is shown schematically as
block 40. It is coupled to corresponding interface devices in
network connection 45.” Riddle, 5:53-6:15.



Riddle, Fig. 1A.

EXHIBIT D7



Riddle, Fig. 1B.

“FIG. 1C is illustrative of the internetworking of a plurality of servers of FIGS. 1A and 1B and a plurality of servers such as server 20 described herein above. In FIG. 1C, network 60 is an example of a frame oriented network. Network 60 links host 61, such as an IBM WorkStation, which may be running the AIX operating System, and a personal computer, which may be running Windows 95, IBM

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