Paper No. 26 Filed: May 26, 2021

### UNITED STATES PATENT AND TRADEMARK OFFICE

### BEFORE THE PATENT TRIAL AND APPEAL BOARD

### INTEL CORPORATION,

Petitioner,

v.

FG SRC LLC,

Patent Owner.

IPR2020-01449 Patent No. 7,149,867

PATENT OWNER FG SRC LLC'S MOTION TO AMEND

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### **LIST OF EXHIBITS**

Exhibit No.	Descriptions
2001	Declaration of Dr. Vojin Oklobdzija
2002	Cray, Britannica Online Encyclopedia
2003	Declaration of Brandon Freeman dated 10/25/18 SRC Labs LLC and Saint Regis Mohawk Tribe v. Microsoft Corporation, No. 2:18-cv-00321-JLR, Dkt. 125 (W.D. Wash. Oct. 25, 2018)
2004	Plaintiff's Original Complaint For Patent Infringement in FG SRC LLC v. Intel Corp., No. 6:20-cv-00315-ADA (W.D. Texas), filed April 24, 2020
2005	Plaintiff's First Amended Complaint For Patent Infringement in <i>FG SRC LLC v. Intel Corp.</i> , No. 6:20-cv-00315-ADA (W.D. Texas), filed April 24, 2020
2006	Declaration of Mark Wollgast dated 09/10/18 Xilinx, Inc. v. Saint Regis Mohawk Tribe, IPR2018-0195
2007	COTS Journal, UAVs Lead Push for Embedded Supercomputing
2008	Press Release: SRC Computers Chosen by Lockheed Martin for U.S. Army Program
2009	Declaration of Henning Schmidt
2009-1	Declaration of Henning Schmidt, Exhibit A, IEEE Xplore: Advanced Search
2009-2	Declaration of Henning Schmidt, Exhibit B, IEEE Xplore: Advanced Search Results
2010	Declaration Of Ryan Kastner, Ph.D. In Support Of FG SRC LLC's Opening Claim Construction Brief in <i>FG SRC LLC v. Intel</i> <i>Corp.</i> , No. 6:20-cv-00315-ADA (W.D. Texas), filed April 24, 2020
2011	Peter McMahon, High Performance Reconfigurable Computing for Science and Engineering Applications (Thesis Oct. 2006).
2012	Caliga, Delivering Acceleration: The Potential for Increased HPC Application Performance Using Reconfigurable Logic
2013	D. A. Buell, D. Caliga, J. P. Davis, G. Quan, "The DARPA boolean equation benchmark on a reconfigurable computer," Proceedings of the Military and Aerospace Programmable Logic Devices (MAPLD) Conference, Washington, DC, 8-10 September 2004

Exhibit No.	Descriptions
2014	El-Araby, The Promise of High-Performance Reconfigurable Computing
2015	FG SRC LLC's Opening Claim Construction Brief in FG SRC LLC v. Intel Corp., No. 6:20-cv-00315-ADA (W.D. Texas), filed April 24, 2020
2016	<i>Kerr Machine Co. d/b/a Kerr Pumps v. Vulcan Industrial</i> <i>Holdings, LLC</i> , No. 6:20-cv-00200, Text Order dated Aug. 2, 2020 (W.D. Tex.)
2017	MultiMedia Content Mgmt LLC v. Dish Network L.L.C., No. 6:18- cv-00207, Dkt. 73 (W.D. Tex.)
2018	Solas OLED v. Dell Techs. Inc., No. 6:19-cv-00514, Text Order dated June 23, 2020
2019	Kerr Machine Co. v. Vulcan Indus. Holdings, LLC, No. 6:20-cv-200, Dkt. 28 (W.D. Tex. July 31, 2020)
2020	Kerr Machine Co. v. Vulcan Indus. Holdings, LLC, No. 6:20-cv-200, Dkt. 24 (W.D. Tex. June 14, 2020)
2021	Kerr Machine Co. v. Vulcan Indus. Holdings, LLC, No. 6:20-cv-200, Dkt. 12 (W.D. Tex., June 14, 2020)
2022	Email from J. Yi to Counsel (Aug. 3, 2020)
2023	FG SRC LLC v. Intel Corp., No. 1:20-cv-00834, Dkt. 48 (W.D. Tex. Nov. 23, 2020) (Amended Schedule)
2024	<i>Continental Intermodal Group - Trucking LLC v. Sand Revolution LLC</i> , No. 7:18-cv-00147, Text Order dated July 22, 2020 (W.D. Tex.)
2025	Solas OLED v. Dell Techs. Inc., No. 6:19-cv-00515, Text Order dated Jun. 23, 2020
2026	2019-07-11 - DirectStream MSFT - Huppenthal Declaration
2027	Declaration of William Mangione-Smith, Ph.D., In Support of FG SRC LLC's Motion to Amend

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# **TABLE OF AUTHORITIES**

### CASES:

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<i>Ariad Pharms., Inc. v. Eli Lilly &amp; Co.,</i> 598 F.3d 1336 (Fed. Cir. 2010)
STATUTES:
35 U.S.C. § 101
35 U.S.C. § 103
35 U.S.C. § 112
35 U.S.C. § 316
<b>REGULATIONS:</b>
37 CFR § 42.121passim
OTHER AUTHORITIES:
<i>Lectrosonics, Inc. v. Zaxcom, Inc.</i> , IPR2018-01129, Paper 15 at 4-5 (PTAB, February 25, 2019)2, 3, 5
Nichia Corp. v. Emcore Corp., IPR2012-00005, Paper 27 at 3 (PTAB June 3, 2013)

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