

Cloudflare, Splunk v. Sable Networks

IPR2021-00909
U.S. Patent No. 8,243,593 B2
Oral Argument: September 7, 2022

Sable Networks, Inc.

Weatherwax
Stein & Weatherwax LLP

EXHIBIT - NOT EVIDENCE

Slide 1

Proceeding Is Now Limited To Part Of Grounds 1-3

Claim(s) Challenged	Alleged Obviousness References
1, 2, 4-7 , 17, 18, 25-27 , 37, 38	Yung
9-13, 19-24, 29-33, 39-44	Yung + Copeland
3	Yung + Four-Steps Whitepaper
8, 14-16, 28, 34-36	Yung + Copeland + Ye

TIVE EXHIBIT - NOT EVIDENCE

Slide 2

of Contents

of Contents

timed Invention

ounds 1-2: No Typographical Error Shown

ound 2: No “Badness Factor” Shown

ound 2: No Motivation Shown

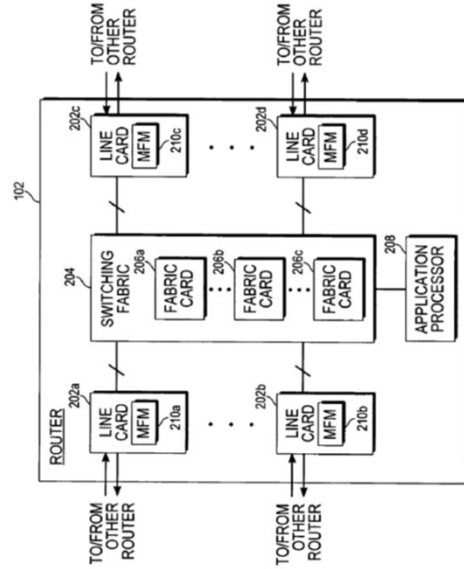
ound 3: No Public Availability Shown

TIVE EXHIBIT - NOT EVIDENCE

Slide 3

Med Invention

Method for Identifying and Penalizing Misbehaving Flows In A Network
Method for identification of undesirable behavior of individual flows
Such as peer-to-peer traffic, which uses a disproportionate amount of bandwidth
Method identifies misbehavior using each flow's "observed behavior" in form of "behavioral statistics"
Method imposes penalty ("increased drop rate") that may rehabilitate flow's ongoing behavior



EVIDENCE EXHIBIT - NOT EVIDENCE

POR, 6-8; ID, 5-6

Slide 4

nds 1-2, Claims 17, 18, 37, 38: Is No Basis To Deviate From The Grounds In The Petition

ion Decision (37-38) correctly found:

Ground 1 fails as to Claims 17, 18, 37, 38

(*id.* at 13:45–52, 14:9–10, 14:14). Petitioner does not demonstrate that Yung teaches or suggests “computing . . . a badness factor for the flow,” as required by claim 9, or “means for computing . . . a badness factor for the flow,” as required by claim 29. *Cf.* Pet. 49–52 (relying on Copeland for these limitations). Thus, Petitioner does not demonstrate that Yung teaches or suggests all limitations of dependent claims 17, 18, 37, and 38.

dence suggests Ground 1’s challenge to Claims 17, 18, 37 and 38 was a “typographical or that these claims were intended to be in Ground 2

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