

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

LS CLOUD STORAGE TECHNOLOGIES LLC,
Patent Owner.

IPR2023-00120
Patent 10,154,092

PATENT OWNER'S RESPONSE TO
PETITION FOR *INTER PARTES* REVIEW

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	THE '092 PATENT (EXH1001).....	1
A.	Overview.....	1
B.	Claim Construction	4
III.	THE ASSERTED PRIOR ART	5
A.	Heil (EX1006).....	5
B.	Nakayama (EX1007)	7
C.	Gulick (EX1008)	8
D.	Berman (EXH1009)	10
IV.	LEVEL OF ORDINARY SKILL IN THE ART	11
V.	THE PETITION FAILS TO DEMONSTRATE THE CHALLENGED CLAIMS ARE UNPATENTABLE.....	11
A.	Petitioner Fails to Establish in Ground 1 that Challenged Claims 1-3, 7-12, and 19-23 are Anticipated by Heil under 35 U.S.C. § 102(e)	11
1.	Claim 1.....	11
2.	Claims 2-3 and 7-12.....	19
3.	Claim 19.....	19
4.	Claims 20-23.....	20
B.	Petitioner Fails to Establish in Ground 2 that Challenged Claims 10 and 11 are Anticipated by Heil under 35 U.S.C. § 102(b).....	20
C.	Petitioner Fails to Establish in Ground 3 that Challenged Claims 1-3 and 6-24 are Obvious over Heil and Nakayama under 35 U.S.C. § 103(a)	20
1.	Claim 1.....	20
2.	Claims 2-3 and 6-12.....	21
3.	Claim 13.....	21
4.	Claims 14-18.....	22
5.	Claim 19.....	22
6.	Claims 20-23.....	23
7.	Claim 24.....	23
D.	Petitioner Fails to Establish in Ground 4 that Challenged Claim 4 is Obvious over Heil, Nakayama, and Gulick under 35 U.S.C. § 103(a)	25

E. Petitioner Fails to Establish in Ground 5 that Challenged Claim 5 is Obvious over Heil, Nakayama, and Berman under 35 U.S.C. § 103(a) ..25
VI. CONCLUSION 26

TABLE OF AUTHORITIES

Cases

In re Zletz, 893 F.2d 319, 321, 13USPQ2d 1320, 1322 (Fed. Cir. 1989)5

Chef America, Inc. v. Lamb-Weston, Inc., 358 F.3d 1371, 1372, 69 USPQ2d 1857
(Fed. Cir. 2004).....5

Graham v. John Deere Co., 383 U.S. 1, 17–18 (1966)11

Statutes

35 U.S.C. 282(b)4

Rules

37 C.F.R. § 42.100(b)4

EXHIBIT LIST

Exhibit No.	Exhibit Title
1001	Gertner (U.S. Pat. No. 10,154,092)
1006	Heil (U.S. Pat. No. 6,173,374)
1007	Nakayama (U.S. Pat. No. 5,920,893)
1008	Gulick (U.S. Pat. No. 5,692,211)
1009	Berman (U.S. Pat. No. 6,118,776)
2001	Declaration of Dr. Hassan Zeino, Ph.D.

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.