UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CISCO SYSTEMS, INC.,
Petitioner,

v.

ORCKIT CORPORATION,
Patent Owner.

_____

Case IPR2023-00554
U.S. Patent No. 10,652,111

_____

PATENT OWNER'S RESPONSE PURSUANT TO 37 C.F.R. § 42.120

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1. *[1.0]* Lin and Swenson do not disclose or render obvious the claimed controller under either Patent Owner's or Petitioner's proposed constructions. 19

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a. Lin does not disclose or render obvious a controller configured to perform or capable of controlling DPI.....20

b. Swenson does not disclose or render obvious a controller configured to perform or capable of controlling DPI.....23

c. A POSA would not have combined Swenson's controller with Lin's or adapted such a combination to practice the claimed controller in Lin's system in any event.....32

2. [1.5] – [1.6]: Lin does not disclose sending the packet to the second entity "responsive to the packet not satisfying the criterion" or sending the packet to an entity other than the second entity "responsive to the packet satisfying the criterion."....39

B. Claim 1: Petitioner's Ground 2 fails.....42

1. Shieh does not disclose the claimed "packet-applicable criterion" responsive to which a packet is sent either to a second entity or to another entity that is different from the second entity.....42

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D. Claims 4 and 5: The prior art does not disclose sending the packet to an entity that is other than the second entity *and* to the *controller*.....49

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G. Claim 16: The prior art does not disclose "the packet comprises distinct header and payload fields, the header comprises one or more flag bits, and wherein the packet-applicable criterion is that one or more of the flag bits is set" 54

H. Claim 30: The prior art does not disclose "receiving…one or more additional packets" as claimed 57

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