

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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XILINX, INC.,  
Petitioner,

v.

GODO KAISHA IP BRIDGE 1,  
Patent Owner.

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IPR2017-00843  
Patent 6,969,915 B2

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Before MICHAEL J. FITZPATRICK, JENNIFER MEYER CHAGNON,  
and SHEILA F. McSHANE, *Administrative Patent Judges*.

McSHANE, *Administrative Patent Judge*.

DECISION  
Not Instituting *Inter Partes* Review  
*37 C.F.R. §§ 42.107(e), 42.108*

## I. INTRODUCTION

### A. *Background*

Xilinx, Inc. (“Petitioner”) filed a Petition for *inter partes* review of claims 1, 2, 6, 8, and 61 (“the challenged claims”) of U.S. Patent No. 6,969,915 B2 (Ex. 1001, “the ’915 patent”). Paper 1 (“Pet.”). Godo Kaisha IP Bridge 1 (“Patent Owner”) filed a Preliminary Response to the Petition. Paper 7 (“Prelim. Resp.”).

For the reasons described below, we do not institute an *inter partes* review of any challenged claim.

### B. *Related Proceedings*

The ’915 patent is involved in related proceeding *Xilinx, Inc. v. Godo Kaisha IP Bridge 1*, Civ. No. 5:17-cv-00509 (N.D. Ca.). Pet. 1. Patent Owner also indicates that three petitions for *inter partes* review have been filed for related patents: Cases IPR2017-00841, IPR2017-00842, and IPR2017-00844. Paper 4, 1.

## II. ANALYSIS

Under 37 C.F.R. § 42.107(e), “patent owner may file a statutory disclaimer under 35 U.S.C. 253(a) in compliance with § 1.321(a) of this chapter, disclaiming one or more claims in the patent” and “[n]o *inter partes* review will be instituted based on disclaimed claims.” Under 35 U.S.C. § 253(a), the disclaimer “shall be in writing, and recorded in the Patent and Trademark Office; and it shall thereafter be considered as part of the original patent.” In its Preliminary Response, Patent Owner indicates that it has disclaimed each of the challenged claims under 35 U.S.C. § 253(a) in compliance with 37 C.F.R. § 1.321(a). Prelim. Resp. 1. In particular, claims

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1, 2, 6, 8, and 61 have been disclaimed via a statutory disclaimer filed on May 24, 2017. *See* Prelim. Resp. 1; Ex. 2001.

Accordingly, because Patent Owner has disclaimed each of the challenged claims—namely, claims 1, 2, 6, 8, and 61 of the '915 patent—*inter partes* review will not be instituted based on those claims.

### III. CONCLUSION

For the foregoing reasons, we do not institute an *inter partes* review of claims 1, 2, 6, 8, and 61 of U.S. Patent No. 6,969,915 B2.

### IV. ORDER

In consideration of the foregoing, it is hereby ORDERED that pursuant to 35 U.S.C. § 314(a), no *inter partes* review of the challenged claims of U.S. Patent No. 6,969,915 B2 is instituted.

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