

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BROADCOM LIMITED

Petitioner

v.

TESSERA, INC.

Patent Owner

Case No. IPR2017-00889

Patent No. 6,847,107

**PETITION FOR *INTER PARTES* REVIEW OF
U.S. PATENT NO. 6,847,107**

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	REQUIREMENTS FOR IPR	1
A.	Grounds for Standing	1
B.	Challenge and Relief Requested	1
IV.	BACKGROUND	3
A.	Overview of the '107 Patent.....	3
B.	Priority Date	4
C.	Prosecution History Summary of the '107 Patent.....	4
D.	Claim Construction	6
V.	FULL STATEMENT OF THE REASONS FOR THE RELIEF REQUESTED	7
A.	<u>Ground #1:</u> Claims 1, 2, 5, 6 and 8 are unpatentable under 35 U.S.C. § 102(b) due to anticipation by Yanagihara	7
1.	Claim 1 is unpatentable due to anticipation by Yanagihara	7
2.	Claim 2 is unpatentable due to anticipation by Yanagihara	14
3.	Claim 5 is unpatentable due to anticipation by Yanagihara	15
4.	Claim 6 is unpatentable as anticipated by Yanagihara	17
5.	Claim 8 is unpatentable as anticipated by Yanagihara.	18
B.	<u>Ground #2:</u> Claim 3 is unpatentable as obvious under 35 U.S.C. § 103 over Yanagihara in view of Harada	20
C.	<u>Ground #3:</u> Claims 4 and 7 are unpatentable as obvious under 35 U.S.C. § 103 over Yanagihara in view of Inoue	23
VI.	MANDATORY NOTICES UNDER 37 C.F.R. §42.8(A)(1)	27
A.	Real Parties-in-Interest.....	27
B.	Related Matters.....	27
C.	Fee	27
D.	Designation of Counsel	28
E.	Service Information	28

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>Cisco Sys., Inc. v. AIP Acquisition, LLC,</i> IPR2014-00247, Paper No. 17 (PTAB June 26, 2014)	6
<i>In re CSB-Sys. Int'l, Inc.,</i> 832 F.3d 1335 (Fed. Cir. 2016)	6, 7
<i>Facebook, Inc. v. Pragmatus AV, LLC,</i> 582 F. App'x 864 (Fed. Cir. 2014)	7
<i>Gardner v. TEC Sys., Inc.,</i> 725 F.2d 1338 (Fed. Cir. 1984)	22, 27
<i>IMS Tech., Inc. v. Haas Automation, Inc.,</i> 206 F.3d 1422 (Fed. Cir. 2000)	8
<i>Leapfrog Enters., Inc. v. Fisher-Price, Inc.,</i> 485 F.3d 1157 (Fed. Cir. 2007)	22, 27
<i>In re Paulsen,</i> 30 F.3d 1475 (Fed. Cir. 1994)	7
<i>Phillips v. AWH Corp.,</i> 415 F.3d 1303 (Fed. Cir. 2005)	6, 7
<i>Vivid Techs., Inc. v. Am. Sci. & Eng'g, Inc.,</i> 200 F.3d 795 (Fed. Cir. 1999)	7
<i>Webasto Roof Sys., Inc. v. UUSI, LLC,</i> IPR2014-00650, Paper No. 14, 2014 WL 5361600 (PTAB Oct. 17, 2004)	6
Statutes	
35 U.S.C. § 102(b)	1, 2, 7
35 U.S.C. § 102(e)	5
35 U.S.C. § 103	1, 20, 23

35 U.S.C. § 103(a)	5
--------------------------	---

Other Authorities

37 C.F.R. § 1.116	5
-------------------------	---

37 C.F.R. § 1.136(a).....	5
---------------------------	---

37 C.F.R. § 42.100(b)	6
-----------------------------	---

Rule 42.100(b)	7
----------------------	---

LIST OF EXHIBITS

1001	U.S. Patent No. 6,847,107 (“the ’107 Patent”)
1002	File History of U.S. Patent No. 6,847,107
1003	Japanese Patent Publication No. JPH05-144823 (“Yanagihara”) (with English translation and attendant affidavit)
1004	Japanese Patent Publication No. JPS64-1257 (“Harada”) (with English translation and attendant affidavit)
1005	Japanese Patent Publication No. JPH02-272737 (“Inoue”) (with English translation and attendant affidavit)
1006	Declaration of Dr. C. P. Wong

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.