

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NVIDIA CORPORATION,
Petitioner,

v.

POLARIS INNOVATIONS LIMITED,
Patent Owner.

Cases
IPR2017-01346
IPR2017-01781
Patent 8,161,344 B2

Before MINN CHUNG, DANIEL J. GALLIGAN, and
JOHN A. HUDALLA, *Administrative Patent Judges*.

GALLIGAN, *Administrative Patent Judge*.

ORDER
Authorizing Additional Briefing
37 C.F.R. § 42.5(a)

IPR2017-01346
IPR2017-01781
Patent 8,161,344 B2

The parties disagree about the scope of “data arrangement alteration,” which is recited in every independent claim of U.S. Patent 8,161,344 B2 (“the ’344 patent”). Patent Owner contends the following: “[A] ‘data arrangement alteration device’ should be interpreted as a device that can alter the arrangement of data in a data block. Similarly, a ‘data arrangement alteration algorithm’ should be construed as an algorithm that specifies how the arrangement of data in a data block is altered.” IPR2017-01346, Paper 14, 8–9. During oral argument, Petitioner stated that data arrangement alteration is “taking [data and] . . . converting it to a different form in a way that’s understandable, in a way that can be brought back.” IPR2017-01346, Paper 25, 10:18–23.

The construction of “data arrangement alteration” is an important issue in this case, and we determine that further development of the record is warranted. Accordingly, we authorize each party to file one brief limited to five pages addressing its proposed interpretation of “data arrangement alteration.” The parties may not introduce new evidence. Rather, the briefs should specifically identify the intrinsic evidence that supports the proposed interpretation, focusing especially on the specification of the ’344 patent.

Accordingly, it is

ORDERED that each party is authorized to file, no later than September 28, 2018, one brief limited to five pages, with no new evidence, addressing its proposed interpretation of “data arrangement alteration”; and

FURTHER ORDERED that each party’s brief shall be filed in both IPR2017-01346 and IPR2017-01781 using a single caption for both cases.

IPR2017-01346
IPR2017-01781
Patent 8,161,344 B2

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