

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

CENTRIPETAL NETWORKS, INC.,
Patent Owner.

Case IPR 2018-01513
Patent 9,560,077 B2

RECORD OF ORAL HEARING
Held: January 9, 2020

Before J. JOHN LEE, BRIAN J. MCNAMARA,
and JOHN P. PINKERTON, *Administrative Patent Judges*.

Case IPR 2018-01513
Patent 9,560,077 B2

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The above-entitled matter came on for hearing on Thursday, January 9, 2020, commencing at 10:02 a.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

PROCEEDINGS

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MR. EASTON: All rise.

JUDGE LEE: Good morning. Take your seats. Give us a moment to power up and all of that. You know, I don't see Judge Pinkerton. I think Judge Pinkerton's been delayed for a couple of minutes, so let's give him a moment here. There he is. Judge Pinkerton, can you hear us okay?

JUDGE PINKERTON: I can.

JUDGE LEE: Fantastic.

JUDGE PINKERTON: Can you hear me?

JUDGE LEE: Yes, we can.

JUDGE PINKERTON: Okay. Good morning.

JUDGE LEE: All right; I think we can begin. This is the oral hearing for IPR2018-01513, Cisco Systems, Inc. v. Centripetal Networks, Inc., concerning U.S. Patent No. 9,560,077. We'll start with appearances by Counsel. Petitioner?

MR. MCDONALD: Good morning, Your Honors. This is Daniel McDonald. I'll be arguing today; with me is Jeffrey Blake.

JUDGE LEE: Good morning.

MR. PRICE: Good morning, Your Honor. Jeffrey Price; I will be arguing for the Patent Owner, and with me is Jeffrey Eng.

JUDGE LEE: Thank you. Just a few reminders before we start. Of course, Judge Pinkerton is attending remotely, so please make sure to speak into the microphone at the lectern to make sure he can hear you. And to the extent that you use visual aids, other than the demonstratives, please make sure to identify what you're talking about to make sure that he has the materials, he can follow along with you. Even with the demonstratives, we

1 would appreciate it for clarity of the record if you could identify the slide
2 number or page number so that we can all follow along. So with that, unless
3 there are any preliminary matters anyone wants to raise, Mr. McDonald, you
4 can proceed when you're ready.

5 MR. MCDONALD: Thank you, Judge Lee. Good morning, Judge
6 McNamara and Judge Pinkerton. I've got three copies of our demonstrative
7 exhibits. Would you like me to hand those out?

8 JUDGE LEE: Have you provided one to the court reporter?

9 MR. MCDONALD: No, I have not.

10 JUDGE LEE: I would ask that you'd provide one to the court
11 reporter. I, personally, don't need a copy.

12 MR. MCDONALD: I'll comply with that. Thank you.

13 JUDGE LEE: Thank you.

14 JUDGE PINKERTON: Judge Lee, I'm not sure his microphone is on.

15 JUDGE LEE: Can you make sure your microphone light is on.

16 MR. MCDONALD: I didn't see a light.

17 JUDGE PINKERTON: Because I can't hear him either.

18 MR. MCDONALD: How's that? Is that better?

19 JUDGE PINKERTON: Much better. Thank you very much.

20 JUDGE LEE: And also, Mr. McDonald, before we proceed, are you
21 going to be reserving time for rebuttal?

22 MR. MCDONALD: Ten minutes, please. Our understanding is we've
23 got 45, total, is that right?

24 JUDGE LEE: That's right. Both sides have 45 minutes of total
25 argument time.

26 MR. MCDONALD: All right; thank you. So I'll be referring to the
27 Petitioner's slides, and then for the actual exhibits, the evidence, I'll refer to

1 Exhibit 1001, which is the '077 Patent; Exhibit 1008, which is the -- I'll call
2 it the Jungck reference at the risk of self-deprivation, we'll pronounce the J;
3 and some reference to the Rogers declaration, Exhibit 2016, as well. Those
4 will be the ones we'll be putting up on the screen anyway.

5 So here we have, with the '077 Patent, a little different claiming than
6 in some of the other ones we've been talking about over the last few weeks.
7 So we'll put up slide 1 which is the first several elements of claim 1 of the
8 '077. That claim, everyone has agreed, is representative here. There's a
9 claims 1, 7, and 13 that are all independent but are different forms of,
10 essentially, the same substantive claim elements. And so we'll be talking, as
11 did the briefing, primarily, about claim 1 today.

12 So here we've got a method about provisioning each of a plurality of
13 devices with one or more rules generated based on a boundary, basically,
14 between networks. I'll talk about the details more a little later; but, certainly,
15 the rules generated based on a boundary is an issue either we maybe have
16 not talked about as much in some of the other matters. Also, this indicates
17 that the devices configured to be located at that boundary area, essentially.

18 And then the configuring step, each device receives packets via a
19 communication interface on the device that does not have a network layer
20 address; and this one also has a provision that's responsive to a
21 determination drop. The packets, which is something we've talked about a
22 fair amount in the other matters; and then if we go to slide 5, which has the
23 final element of this claim, this is the modifying a switching matrix of a
24 Local Area Network switch associated with the device that's configured to
25 drop the portion of the packets there indicated that should be dropped which,
26 again, dropping packets we've talked about before but not in the context of

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