

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

VMware, Inc.  
Petitioner,

v.

Intellectual Ventures I LLC,  
Patent Owner.

---

Case No. IPR2020-00470  
U.S. Patent No. 7,949,752

---

**PETITION FOR *INTER PARTES* REVIEW OF CLAIMS  
1–4, 6, 9–11, 13–14, and 22–26 OF U.S. PATENT NO. 7,949,752**

## TABLE OF CONTENTS

Table of Contents .....	ii
Petitioner’s Exhibit List .....	vi
I. Introduction .....	1
II. VMware Has Standing and the ’752 Patent is Eligible for <i>Inter Partes</i> Review.....	1
III. Background .....	1
IV. The ’752 Patent .....	2
A. Specification.....	2
B. Prosecution History.....	7
C. Effective Filing Date and Date of Invention.....	11
D. Level of Ordinary Skill in the Art.....	12
V. Claim Construction .....	12
A. “Means” limitations .....	14
B. “Service” and “Service resource” .....	15
C. “Agent” .....	16
D. “URL defining a type of event and identifying the network-based agent” ..	17
E. “Consumed” .....	18
F. “Exhausted” .....	18
G. “Event Handler” .....	20
H. “Service wrapper” .....	20
VI. Precise Relief Requested.....	21
A. Proposed Grounds and Prior Art.....	21
B. The Proposed Grounds Are Not Cumulative or Redundant.....	23
VII. Detailed Explanation of Grounds for Institution.....	24
A. Ground 1: Chow Rendered Claims 1–4, 9, 13–14, 22, and 24–26 Obvious. 24	
1. Summary of Chow.....	24
2. Claim 1 .....	28
a. Preamble.....	29
b. “Means for receiving...” .....	29

c.	“Means for invoking...”	30
d.	“Means ... for using...”	33
e.	“Means for communicating...”	35
3.	Claim 2	36
4.	Claim 3	37
5.	Claim 4	38
6.	Claim 9	39
a.	Preamble	40
b.	“Processor”	40
c.	“Memory storing instructions”	40
7.	Claim 13	42
8.	Claim 14	43
a.	Identifying	44
b.	Determining	44
9.	Claim 22	45
10.	Claim 24	46
a.	Preamble	46
b.	“Receiving...”	47
c.	“Invoking...”	47
d.	“Communicating...”	48
11.	Claim 25	48
12.	Claim 26	50
B.	Ground 2: Chow and Bauer Rendered Claims 6, 10, 11, and 23 Obvious.	51
1.	Summary of Chow	51
2.	Summary of Bauer	51
3.	A POSITA would have combined Chow and Bauer	52
4.	Claim 6	53
5.	Claim 10	54
6.	Claim 11	55
7.	Claim 23	55

C.	Ground 3: Chow and White Rendered Claims 1–4, 9, 13–14, 22, and 24–26	
	Obvious.....	56
1.	Summary of Chow.....	57
2.	Summary of White .....	57
3.	A POSITA would have combined Chow and White.....	58
4.	Claims 1–4, 9, 13–14, 22, and 24–26.....	59
D.	Ground 4: Chow, Bauer, and White Rendered Claims 6, 10, 11, and 23	
	Obvious.....	60
1.	Summary of Chow.....	60
2.	Summary of Bauer.....	60
3.	Summary of White .....	60
4.	A POSITA would have combined Chow, Bauer, and White.....	61
5.	Claims 6, 10, 11, and 23.....	61
E.	Secondary considerations.....	61
VIII.	Mandatory Notices.....	62
A.	Real Parties-in-Interest.....	62
B.	Related Proceedings.....	62
C.	Lead and backup counsel.....	63
D.	Electronic Service .....	63
IX.	Institution of This <i>Inter Partes</i> Review Would Be Equitable.....	63
X.	Fees.....	65
XI.	Conclusion.....	65

## TABLE OF AUTHORITIES

Page(s)

### Cases

<i>Cuozzo Speed Techs., LLC v. Lee</i> , 136 S. Ct. 2131 (2016).....	16
<i>Gen. Plastic Indus. Co., Ltd. v. Canon Kabushiki Kaisha</i> , No. IPR2016-01357, 2017 WL 3917706 (P.T.A.B. Sept. 6, 2017) .....	64
<i>NHK Spring Co., Ltd. v. Intri-Plex Technologies, Inc.</i> IPR2018-00752, Paper No. 8, 19–20 (P.T.A.B. Sep. 12, 2018).....	64
<i>Philips v. AWH Corp.</i> , 415 F.3d 1303 (Fed. Cir. 2005) .....	19
<i>Verizon Services Corp. v. Vonage Holdings Corp.</i> , 503 F.3d 1295 (Fed. Cir. 2007) .....	19

### Statutes

35 U.S.C. § 102.....	23
35 U.S.C. § 103.....	<i>passim</i>
35 U.S.C. § 112.....	14

### Other Authorities

83 FED. REG. 51340 (Oct. 11, 2018).....	12
Rule 42.104(a).....	1

# 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.