

Petition for *Inter Partes* Review of U.S. Patent No. 9,703,750
Claims 1-2, 4, 21, 24, 31, 34, 44-45, and 48-50

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Intel Corporation
Petitioner

v.

ACQIS LLC
Patent Owner

Case IPR2021-01110

PETITION FOR *INTER PARTES* REVIEW OF
U.S. PATENT NO. 9,703,750
CHALLENGING CLAIMS 1-2, 4, 21, 24, 31, 34, 44-45, and 48-50
UNDER 35 U.S.C. § 312 AND 37 C.F.R. § 42.104

Mail Stop Patent Board
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

TABLE OF CONTENTS

I.	Introduction.....	1
II.	Mandatory Notices.....	1
	A. Related Matters.....	1
	B. Real Parties-in-Interest	8
	C. Counsel	8
	D. Service Information (37 C.F.R. § 42.8(b)(4))	9
III.	Fees	10
IV.	Grounds for Standing.....	10
V.	Identification of Challenge and Relief Requested.....	10
	A. Identification of Prior Art.....	10
	B. Statutory Grounds of Unpatentability	11
VI.	Overview of the '750 Patent.....	11
VII.	The '750 Patent Is Not Entitled To A Priority Date Before April 15, 2011	17
	A. The Challenged Claims Recite Limitations Not Supported By The '436 Patent's Parent Applications.....	19
	1. The Purported Written Description Support For The "Integrated CPU-Graphics/Controller" and "CPU- LVDS" Limitations Was First Introduced In The '436 Patent.....	22
	B. The '436 Patent Introduced Subject Matter Not Found In Its Parent Applications	24

1.	Materials Incorporated By Reference Must Be Identified “With Detailed Particularity” and “Specific[ity]”	26
2.	’436 Patent’s Parent Applications Never Incorporated By Reference the ’886 Provisional	27
C.	The Challenged Claims Are Not Entitled To A Priority Date Earlier Than The Filing Date Of The ’436 Patent	31
VIII.	Prosecution History of the ’750 Patent.....	32
IX.	Level of Ordinary Skill in the Art	32
X.	Claim Construction.....	32
XI.	Specific Grounds for Challenge	35
A.	Ground I: Chu330 in combination with Cupps Render Obvious Claims 1, 21, 24, 31, 34, 44, and 48-50	35
1.	Prior Art	35
2.	Claim 1	54
3.	Claim 21	85
4.	Claim 24.....	95
5.	Claim 31	110
6.	Claim 34.....	111
7.	Claim 44.....	112
8.	Claim 48.....	116
9.	Claim 49.....	120
10.	Claim 50.....	122

B.	Ground II: Chu330 in combination with Cupps and Helms Render Obvious Claims 2, 4, and 45.....	125
1.	Prior Art	125
2.	Claim 2	127
3.	Claim 4	135
4.	Claim 45	137
XII.	Discretionary Factors.....	137
A.	35 U.S.C. § 325(d) – Prosecution History	137
B.	35 U.S.C. § 314(a) – <i>General Plastic</i> (GP) Factors and Valve Factor.....	139
C.	35 U.S.C. § 314(a) – Fintiv Factors	140
1.	Factor 1	140
2.	Factor 2	141
3.	Factor 3	142
4.	Factor 4	142
5.	Factor 5	144
6.	Factor 6	144
XIII.	Conclusion	144

TABLE OF AUTHORITIES

Cases

<i>Advanced Bionics, LLC v. Med-El Elektromedizinische Gerate GmbH</i> , IPR2019-01469, Paper 6 (PTAB Feb. 13, 2020)	139
<i>Advanced Display System, Inc. v. Kent State University</i> , 212 F.3d 1272 (Fed. Cir. 2000)	29, 35
<i>ALZA Corp. v. Andrx Pharms., LLC</i> , 603 F.3d 935 (Fed. Cir. 2010)	32
<i>Apple Inc. v. Fintiv, Inc.</i> , IPR2020-00019, Paper 11 (PTAB March 20, 2020) ..	142, 143
<i>Ariad Pharms., Inc. v. Eli Lilly & Co.</i> , 598 F.3d 1336 (Fed. Cir. 2010)	31
<i>Auto. Techs. Int’l, Inc. v. BMW of N. Am., Inc.</i> , 501 F.3d 1274 (Fed. Cir. 2007)	31
<i>Droplets, Inc., v. E*Trade Bank</i> , 887 F.3d 1309 (Fed. Cir. 2018)	26
<i>Duodecad IT Services Luxembourg S.A.R.L, et al. v. WAG Acquisition, LLC</i> IPR2015-01036, Paper 17 (PTAB Oct. 20, 2016)	133
<i>Genentech, Inc. v. Novo Nordisk A/S</i> , 108 F.3d 1361, (Fed. Cir. 1997)	32
<i>Harari v. Hollmer</i> , 602 F.3d 1348 (Fed. Cir. 2010)	26
<i>Hollmer v. Harari</i> , 681 F.3d 1351 (Fed. Cir. 2012)	passim
<i>In re NTP, Inc</i> , 654 F.3d, 1278 (Fed. Cir. 2011)	140
<i>In re Seversky</i> , 474 F.2d 671 (CCPA 1973)	30
<i>Navistar, Inc. v. Fatigue Fracture Tech., LLC</i> , IPR2018-00853, Paper 13 (PTAB Sept. 12, 2018)	140
<i>PowerOasis, Inc. v. T-Mobile USA, Inc.</i> , 522 F.3d 1299 (Fed. Cir. 2008)	140

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.