UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Intel Corporation

Petitioner

v.

ACQIS LLC Patent Owner

Case IPR2021-01111

PETITION FOR INTER PARTES REVIEW OF U.S. PATENT NO. 9,703,750

CHALLENGING CLAIMS 5-13, 18-20, 25-28, 35-38, and 46-47 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



Petition for *Inter Partes* Review of U.S. Patent No. 9,703,750 Claims 5-13, 18-20, 25-28, 35-38, and 46-47

TABLE OF CONTENTS

I.	Intro	oduction			
II.	Mand	Mandatory Notices			
	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.	Grou	unds for Standing10			
V.	Identification of Challenge and Relief Requested				
	A.	Identification of Prior Art	10		
	B.	Statutory Grounds of Unpatentability	11		
VI.	Over	rview of the '750 Patent11			
VII.		750 Patent Is Not Entitled To A Priority Date Before April 15,	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		
	В.	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]"	25		



Petition for *Inter Partes* Review

U.S. Patent No. 9,703,750 (claims 5-13, 18-20, 25-28, 35-38, and 46-47)

		2.	The '436 Patent's Parent Applications Never Incorporated By Reference the '886 Provisional	26			
	C.		Challenged Claims Are Not Entitled To A Priority Date er Than The Filing Date Of The '436 Patent	30			
VIII.	Prose	cution	History of the '750 Patent	31			
IX.	Level	of Or	dinary Skill in the Art	32			
X.	Clain	laim Construction32					
XI.	Speci	pecific Grounds for Challenge					
	A.		nd I: Chu330 in combination with Cupps Render Obvious ns 5-13, 18-20, 25-28, 35-38, and 46-47	35			
		1.	Prior Art	35			
		2.	Claim 5	54			
		3.	Claim 6	91			
		4.	Claim 7	98			
		5.	Claim 8	.102			
		6.	Claim 9	.103			
		7.	Claim 10	.103			
		8.	Claim 11	.106			
		9.	Claim 12	.106			
		10.	Claim 13	.107			
		11.	Claim 18	.108			
		12.	Claim 19	.115			



Petition for Inter Partes Review

U.S. Patent No. 9,703,750 (claims 5-13, 18-20, 25-28, 35-38, and 46-47)

		13.	Claim 20	115			
		14.	Claim 25	115			
		15.	Claim 26	124			
		16.	Claim 27	124			
		17.	Claim 28	128			
		18.	Claim 35	128			
		19.	Claim 36	130			
		20.	Claims 37 and 38	130			
		21.	Claim 46	133			
		22.	Claim 47	137			
XII.	Discr	etiona	ry Factors	137			
	A.	35 U.	S.C. § 325(d) – Prosecution History	137			
	B.		S.C. § 314(a) – General Plastic (GP) Factors and Valve	139			
	C.	35 U.	35 U.S.C. § 314(a) – Fintiv Factors1				
		1.	Factor 1	141			
		2.	Factor 2	141			
		3.	Factor 3	142			
		4.	Factor 4	142			
		5.	Factor 5	144			
		6.	Factor 6	.144			
XIII.	Conc	lusion		144			

TABLE OF AUTHORITIES

$\underline{\mathbf{Page}(\mathbf{s})}$
<u>Cases</u>
Advanced Bionics, LLC v. Med-El Elektromedizinische Gerate GmbH, IPR2019-01469, Paper 6 (PTAB Feb. 13, 2020)
Advanced Display System, Inc. v. Kent State University, 212 F.3d 1272 (Fed. Cir. 2000)
ALZA Corp. v. Andrx Pharms., LLC, 603 F.3d 935 (Fed. Cir. 2010)31
Apple Inc. v. Fintiv, Inc., IPR2020-00019, Paper 11 (PTAB March 20, 2020) 141, 144
Ariad Pharms., Inc. v. Eli Lilly & Co., 598 F.3d 1336 (Fed. Cir. 2010)31
Auto. Techs. Int'l, Inc. v. BMW of N. Am., Inc., 501 F.3d 1274 (Fed. Cir. 2007)
Droplets, Inc., v. E*Trade Bank, 887 F.3d 1309 (Fed. Cir. 2018)26
Genentech, Inc. v. Novo Nordisk A/S, 108 F.3d 1361 (Fed. Cir. 1997)31
Google Inc. v. Uniloc 2017, IPR2020-00396, Paper 11 (PTAB Aug. 03, 2020)
Harari v. Hollmer, 602 F.3d 1348 (Fed. Cir. 2010)26
Hollmer v. Harari, 681 F.3d 1351 (Fed. Cir. 2012)
In re NTP, Inc., 654 F.3d, 1278 (Fed. Cir. 2011)
Navistar, Inc. v. Fatigue Fracture Tech., LLC, IPR2018-00853, Paper 13 (PTAB Sept. 12, 2018)
PowerOasis, Inc. v. T-Mobile USA, Inc., 522 F.3d 1299 (Fed. Cir. 2008)



DOCKET

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.

