

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARISTA NETWORKS, INC.,
Petitioner,

v.

CORRIGENT CORPORATION,
Patent Owner.

IPR2023-00805
Patent 7,593,400 B2

Before KRISTEN L. DROESCH, NATHAN A. ENGELS, and
CHRISTOPHER L. OGDEN, *Administrative Patent Judges*.

ENGELS, *Administrative Patent Judge*.

DECISION
Denying Petitioner's Request for Rehearing
37 C.F.R. § 42.71(d)(2)

I. INTRODUCTION

Arista Networks, Inc. (“Petitioner”) filed a Petition (Paper 2, “Pet.”) requesting *inter partes* review of claims 1–20 of U.S. Patent No. 7,593,400 B2 (Ex. 1001, “the ’400 patent”). Patent Owner Corrigent Corporation filed a Preliminary Response. Paper 7 (“Prelim. Resp.”). The Board entered a Decision Denying Institution of *Inter Partes* Review, determining that Petitioner has not adequately shown that Smith¹ satisfies certain limitations required by each challenged claim. Paper 10 (“Decision” or “Dec.”). Petitioner filed a Request for Rehearing Under 37 C.F.R. § 42.71(d). Paper 11 (“Req. Reh’g”).

Under 37 C.F.R. § 42.71(d), Petitioner bears the burden to show that we misapprehended or overlooked matters that warrant reconsideration of our Decision. For the reasons explained below, Petitioner’s Request for Rehearing is *denied*.

II. DISCUSSION

The Board’s Decision explains that the Petition does not adequately show that Smith satisfies limitations 1[d] and 11[d], which recite “receiving a data packet on an ingress port of said network node from a MAC source address, said data packet specifying a MAC destination address on said Layer 2 data network.” Dec. 9. Petitioner’s Request for Rehearing argues:

the Board’s Decision misapprehended or overlooked (1) portions of the Petition establishing that Smith is based on a Layer 2 network architecture that requires routing data packets ***based on their MAC addresses***; (2) the knowledge of a [person of ordinary skill in the art] that supports a finding that data packets in Layer 2 ***specify a MAC destination address***; and (3) Patent Owner’s admission that Smith’s data packets specify a

¹ US 2005/0198371 A1; published Sept. 8, 2005. Ex. 1004.

MAC source address, which is inconsistent with the findings that Smith's data packets do not specify a MAC destination address.

Req. Reh'g 1; *see id.* at 3–9.

As the Decision explains, however, the Petition's contentions regarding limitations 1[d] and 11[d] cite Smith's "destination logical identifier," which is not a MAC destination address. Dec. 8–9. Thus, the Board did not overlook or misapprehend the arguments and evidence presented in the Petition. Pet. 25 (citing Ex. 1004 ¶¶ 60, 62).

III. CONCLUSION

For the reasons set forth above, Petitioner has not persuaded us that the outcome of our Decision should be modified.

IV. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that Petitioner's Request for Rehearing is *denied*.

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Patent 7,593,400 B2

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