UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CHARTER COMMUNICATIONS INC.,

Petitioners

v.

IARNACH TECHNOLOGIES LIMITED,

Patent Owner

Case IPR2024-01287
Patent 9,287,982

PATENT OWNER'S SUR-REPLY TO PETITIONER'S REPLY TO THEIR PETITION FOR INTER PARTES REVIEW OF U.S. PATENT NO. 9,287,982

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EXHIBIT LIST

Exhibit	Description
EX2001	Declaration in support of motion for pro hac vice admission of Eric J. Enger
EX2002	Declaration in support of motion for pro hac vice admission of William B. Collier, Jr.
EX2003	Excerpts from Data-Over-Cable Service Interface Specifications DOCSIS 3.0, Operations Support System Interface Specification (Apr. 3, 2014) *available at https://www.cablelabs.com/specifications/CM-SP-OSSIv3.0?v=I23*.
EX2004	Texas Eastern, U.S. District Court—Judicial Case Load Profile excerpt from Federal Court Management Statistics (June 30, 2024), *available at* https://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile0630.2024.pdf
EX2005	Defendant's Preliminary Invalidity Contentions Cover Pleading, *Iarnach Technologies Ltd. v. Charter Communications, Inc. et al.*, No. 2:23-cv-00230-JRG (E.D. Tex. served Sept. 5, 2024)
EX2006	Declaration of Eric J. Enger in Support of Patent Owner's Preliminary Response
EX2007	Disclaimer of '982 Patent Claim 4
EX2008	Declaration of Dr. Kerry Litvin in Support of Patent Owner's Response
EX2009	Defendants' Preliminary Claim Constructions And Identification Of Extrinsic Evidence, *Iarnach Technologies Ltd. v. Charter Communications, Inc. et al.*, No. 2:23-cv-00230-JRG (E.D. Tex. served Apr. 28, 2025)
EX2010	Iarnach Technologies Ltd.'s Local Patent Rule 4-2 Statement, *Iarnach Technologies Ltd. v. Charter Communications, Inc. et al.*, No. 2:23-cv-00230-JRG (E.D. Tex. served Apr. 28, 2025)

Exhibit	Description
EX2011	Excerpts from Data-Over-Cable Service Interface Specifications DOCSIS® 3.1 MAC and Upper Layer Protocols Interface Specification, Annex D (April 19, 2023)
EX2012	Excerpts from DOCSIS® Provisioning of EPON Specifications DPoEv2.0, DPoE MAC and Upper Layer Protocols Interface Specification, Annex C (Feb. 28, 2018)

TABLE OF CONTENTS

I. Introduction 1
II. Legal Standard 1
III. Petitioner's New Arguments Are The Type Of "Unfair Surprise" Expressly Prohibited In Reply. 4
IV. Grounds 1 and 2 5
A. Petitioner's New Arguments Cannot Show That Bernstein Renders Obvious "A Service Auto-Configuration" Method Or Network. (Claims 1 and 6) 5
B. Petitioner's New Arguments On "Analyzing The Acquired Configuration File" Should Not Be Considered. (Claims 1, 5, 6, and 11) 8
C. Petitioner Asserts Improper New Arguments Related To "Services Opened By The ONU" That Are Not Permitted. (Claims 2, 8, and 9) 10
V. Grounds 3 and 4 11
A. Petitioner's New Arguments Cannot Show That Tsuge Renders Obvious "A Service Auto-Configuration" Method Or Network. (Claims 1 and 6) 11
B. Petitioner's Reliance On Other, Bare-Bones Disclosure In The Petition Does Not Render "Convert[ing] The Configuration Information" Obvious. (Claims 1 and 5) 12
C. Petitioner Refuses To Acknowledge Its Proposed Construction Of "Back-Office Management System." (Claims 1, 5, 6 and 7) 14
D. Even Now, The Reply Fails To Specify How Tsuge Describes "The Back-Office Management System Is Configured To: Save The Configuration File." (Claim 6) 14
E. The Reply Cannot Argue That Tsuge Describes "Configuration Information Related To Services Opened By The ONU." (Claims 2, 8, and 9) 15
VI. Conclusion 17

TABLE OF AUTHORITIES

Cases

Ariosa Diagnostics v. Verinata Health, Inc.,
805 F.3d 1359 (Fed. Cir. 2015) 2

Arthrex Inc. v. Smith & Nephew, Inc.,
935 F.3d 1319 (Fed. Cir. 2019) 3

Corephotonics, Ltd. v. Apple Inc.,
84 F.4th 990 (Fed. Cir. 2023) 1, 2, 3

EmeraChem Holdings, LLC v. Volkswagen Grp. of Am., Inc.,
859 F.3d 1341 (Fed. Cir. 2017) 4

Harmonic Inc. v. Avid Tech., Inc.,
815 F.3d 1356 (Fed. Cir. 2016) 2

Henny Penny Corp. v. Frymaster LLC,
938 F.3d 1324 (Fed. Cir. 2019) 3, 4

Iarnach Techs. Ltd. v. Charter Comms Inc.,
No. 2:24-cv-00230; Dkt. No. 132 (E.D. Tex, May 30, 2025) 5, 14

In re Magnum Oil Tools Int'l, Ltd.,
829 F.3d 1364 (Fed. Cir. 2016) 4, 10

Intelligent Bio-Sys., Inc. v. Illumina Cambridge Ltd.,
821 F.3d 1359 (Fed. Cir. 2016) 2

Koninklijke Philips N.V. v. Google LLC,
948 F.3d 1330 (Fed. Cir. 2020) 3

Microsoft Corp. v. FG SRC, LLC,
860 F. App'x 708 (Fed. Cir. 2021) 16

Phillips v. AWH Corp.,
415 F.3d 1303 (Fed. Cir. 2005) 7

SAS Inst., Inc. v. Iancu,
584 U.S. 357, 138 S. Ct. 1348, 200 L. Ed. 2d 695 (2018) 1

Sirona Dental Sys. GmbH v. Institut Straumann AG,
892 F.3d 1349 (Fed. Cir. 2018) 3

Unified Patents, LLC v. Voice Tech Corp.,
IPR2020-01018, Paper 46 (P.T.A.B. December 13, 2021) 13

Wasica Fin. GmbH v. Cont'l Auto. Sys., Inc.,
853 F.3d 1272 (Fed. Cir. 2017) 2

Statutes

35 U.S.C. § 311 1

35 U.S.C. § 312(a)(3).....2

Regulations

37 C.F.R. § 42.104(b)(2)..... 3, 8, 12

37 C.F.R. § 42.104(b)(3)-(4).....2

37 C.F.R. § 42.22(a)(2).....2

I. Introduction

The Petition failed to set forth all of Petitioner's obviousness contentions with specificity. In its Reply (Paper 23), Petitioner now resorts to gamesmanship to cover for this failure. For each of the failures of proof identified in Patent Owner's Response (Paper 20, the "Response"), Petitioner resorts to new arguments, invents new and inconsistent claim construction issues, relies on uncited evidence, attempts to shift the burden of proof to Patent Owner or some combination of all four. These arguments are nothing more than shallow covers for the failure of the Petition and cannot be considered now.

II. Legal Standard

As the Federal Circuit has explained, "IPR proceedings are creations of the America Invents Act (AIA), 35 U.S.C. § 311, and must also proceed according to the requirements set out by that statute." *Corephotonics, Ltd. v. Apple Inc.*, 84 F.4th 990, 1001-02 (Fed. Cir. 2023). Accordingly, in an IPR "the petitioner's contentions, not the Director's discretion, define the scope of the litigation all the way from institution through to conclusion." *SAS Inst., Inc. v. Iancu*, 584 U.S. 357, 138 S. Ct. 1348, 1357, 200 L. Ed. 2d 695 (2018). Thus, both the AIA and the rules governing this proceeding require that the IPR petition "provide an understandable explanation of the element-by-element specifics of the patentability challenges, including the identification of particular portions of prior art on which the

petitioner is relying." *Corephotonics, Ltd. v. Apple Inc.*, 84 F.4th 990, 1001-02 (Fed. Cir. 2023) (citing 35 U.S.C. § 312(a)(3); 37 C.F.R. §§ 42.22(a)(2), 42.104(b)(3)-(4); *Harmonic Inc. v. Avid Tech., Inc.*, 815 F.3d 1356, 1363-64 (Fed. Cir. 2016); *Ariosa Diagnostics v. Verinata Health, Inc.*, 805 F.3d 1359, 1367 (Fed. Cir. 2015)). "It is of the utmost importance that petitioners in the IPR proceedings adhere to the requirement that the initial petition identify ***with particularity*** the evidence that supports the grounds for the challenge to each claim." *Id.* (quoting *Intelligent Bio-Sys., Inc. v. Illumina Cambridge Ltd.*, 821 F.3d 1359, 1369 (Fed. Cir. 2016; 35 U.S.C. § 312(a)(3)) (cleaned up) (emphasis added).

"Unlike district court litigation — where parties have greater freedom to revise and develop their arguments over time and in response to newly discovered material — the expedited nature of IPRs bring with it an obligation for petitioners to make their case in their petition to institute." *Intelligent Bio-Sys.*, 821 F.3d 1369. Accordingly, the Federal Circuit has repeatedly emphasized that, "[g]iven these strict requirements, the Board is not permitted to entertain shifting arguments but must, instead, reject any entirely new theory of prima facie obviousness absent from the petition, if the petitioner attempts to inject such a theory into the proceeding post-petition." *Corephotonics*, 84 F.4th at 1001 (quoting *Intelligent Bio-Sys.*, 821 F.3d 1369; *Wasica Fin. GmbH v. Cont'l Auto. Sys., Inc.*, 853 F.3d 1272, 1286 (Fed. Cir. 2017)) (cleaned up); *see also Sirona Dental Sys. GmbH v.*

Institut Straumann AG, 892 F.3d 1349, 1356 (Fed. Cir. 2018) (stating Board is not permitted "to deviate from the grounds in the petition and raise its own obviousness theory"); *Koninklijke Philips N.V. v. Google LLC*, 948 F.3d 1330, 1336 (Fed. Cir. 2020) (holding Board erred by raising its own obviousness theory based on combination of references not provided in petition).

As applied here, the process that Petitioner should have followed is clear. "The petition [should have] specif[ied] where each element of the claim is found in the prior art patents or printed publications relied upon…." 37 C.F.R. § 42.104(b)(2). "[P]etitioner may not raise in reply an entirely new rationale for why a claim would have been obvious" that it did not specify in the Petition. *Corephotonics*, 84 F.4th 1002 (quoting *Henny Penny Corp. v. Frymaster LLC*, 938 F.3d 1324, 1330-31 (Fed. Cir. 2019)) (internal quotation marks omitted). "Any marked departure from the grounds identified with particularity in the petition would impose 'unfair surprise' on the patent owner and, consequently, violate both the APA and the IPR statute." *Id.* (citing *Arthrex Inc. v. Smith & Nephew, Inc.*, 935 F.3d 1319, 1328 (Fed. Cir. 2019).

III. Petitioner's New Arguments Are The Type Of "Unfair Surprise" Expressly Prohibited In Reply.

As detailed in Patent Owner's Response, the Petition failed to address various claim elements with any specificity. So in Reply, Petitioner now points to new obviousness theories not described in its Petition. Often, Petitioner points to entirely different embodiments from those that form the basis of the Petition's grounds. At other times, Petitioner raises entirely new obviousness theories. All the while, Petitioner attempts to place the burden on Patent Owner to disprove obviousness.

Petitioner's new arguments deprive Patent Owner of its "chance to respond." *In re Magnum Oil Tools Int'l, Ltd*., 829 F.3d 1364, 1381 (Fed. Cir. 2016) ("[T]he Board must base its decision on arguments that were advanced by a party, and to which the opposing party was given a chance to respond.") "Because of the expedited nature of IPR proceedings, it is of the utmost importance that petitioners in the IPR proceedings adhere to the requirement that the initial petition identify with particularity the evidence that supports the grounds for the challenge to each claim." *Henny Penny Corp. v. Frymaster LLC*, 938 F.3d 1324, 1330 (Fed. Cir. 2019) (cleaned up); *cf EmeraChem Holdings, LLC v. Volkswagen Grp. of Am., Inc.*, 859 F.3d 1341, 1349 (Fed. Cir. 2017) ("Where the petitioner uses certain prior art references to target specific claims with precision, or the Board does the same

in its decision to institute, the patent owner is directed to particular bases for alleged obviousness."). None of these tactics can overcome the failure of the Petition to disclose its theories of obviousness with specificity. Accordingly, the new arguments in the Reply must not be considered by the Board.

IV. Grounds 1 and 2

A. Petitioner's New Arguments Cannot Show That Bernstein Renders Obvious "A Service Auto-Configuration" Method Or Network. (Claims 1 and 6)

Petitioner continues to argue that the entirety of preambles to claims 1 and 6 are not limiting, despite ***agreeing*** in the underlying litigation that the entire preamble is, in fact, limiting. *Iarnach Techs. Ltd. v. Charter Comms Inc.*, No. 2:24-cv-00230; Dkt. No. 132 at 1-2 (E.D. Tex, May 30, 2025) ("The parties have agreed to the following constructions: 'service auto-configuration method of a DOCSIS Provisioning of EPON (DPoE) System' '982 claims 1, 6: the preamble is limiting."). Petitioner does not even acknowledge its agreed construction. The issue has been decided, and Petitioner's gamesmanship should not be allowed.

Next, Petitioner fabricates an argument that Patent Owner never asserted. *See* Reply at 22. Petitioner contends that Patent Owner's "arguments specify the *service auto-configuration* has three characteristics…." *Id.* But Petitioner only cites to its own expert's new declaration for this position and cannot point to anything in

the Response. *Id.* In his new declaration, Petitioner's expert asserts his own opinion that the "service auto-configuration" method/network has three characteristics. EX1016 ¶ 9. This additional attempt at gamesmanship to cover for the Petition's complete failure to address this claim limitation with any specificity should be rejected.[1]

Moreover, Petitioner's new construction of "service auto-configuration" does not appear to encompass anything that a "service auto-configuration" must include. Petitioner argues that "service auto-configuration has three characteristics: (1) configuration by the DPOE system of both the ONU and OLT at the same time; (2) using a configuration file that includes configuration information of both the ONU and OLT; and, (3) configuration of the ONU and OLT occurs during ONU

[1] Petitioner also contends that Patent Owner's expert "agreed that the steps recited in Claim 1 'comprise a service auto-configuration method.'" Reply at 4. This is incorrect. Patent Owner's expert did not opine on the definition of "service auto-configuration method" (which Petitioner agrees requires no construction) and only opined that the Petition did not cite anything in the references that could possibly render obvious the limiting preamble of claims 1 and 6. EX2008 ¶¶ 39-42; EX1017, 100:22-103:3; 104:1-24. Petitioner's deposition questioning repeatedly went beyond the scope of the opinions provided by Patent Owner's expert and should be excluded.

initialization." Reply at 3. But, none of Petitioner's proposed components include auto-configuration or service configuration, the actual terms used in the claim. Instead, Petitioner's construction attempts to improperly read this element out of the claim by arguing that it is "already reflected in the bodies of both Claims 1 and 6." *See Phillips v. AWH Corp.*, 415 F.3d 1303, 1314 (Fed. Cir. 2005). This construction, which is inconsistent with Petitioner's agreed construction in the District Court Litigation, should be rejected.

Based on its incorrect construction, Petitioner next argues that even if the preambles of claims 1 and 6 are limiting, the Petition sufficiently set forth Petitioner's obviousness arguments. Tellingly, the section of the Reply does not even cite the relevant sections of the Petition. Reply at 5-7. (citing only Petition §§ VIII(A)(1)(b-g) and VIII(A)(5)(b-g)).

The entirety of the Petition's allegations in relation to the preamble are below:

> To the extent the preamble is limiting, Bernstein discloses this element. Bernstein discloses "A Data Over Cable Service Interface Specifications (DOCSIS) Passive Optical Network (PON) system[.]" EX1005, ¶59 (citing EX1006, Abstract). Bernstein also explains that his system is implemented on an "Ethernet PON (EPON)." *Id.*, (citing

> EX1006, 2:2-5, 2:44-3:36). In Figure 3, Bernstein depicts a DPoE system comprising OLT 18 including DPON 40 and Cable Modem Proxy 60 (a virtual cable modem.) *Id.* (citing EX1006, 3:37-46).

Pet. at 24. Claim 6 is worse:

> Bernstein discloses "A service auto-configuration network of a DOCSIS Provisioning Of EPON (DPoE) system." *See* element 1[preamble]; EX1005, ¶113.

Pet. 50. Other than quoting the claim language, the Petition fails to even explain how the system described by Bernstein is a configuration method or network, much less an automatic one. As explained above, Petitioner's attempt to obscure its complete failure to "specify where each element of the claim is found in the prior art" should be rejected. 37 C.F.R. § 42.104(b)(2); *supra* §§ II-III.

B. Petitioner's New Arguments On "Analyzing The Acquired Configuration File" Should Not Be Considered. (Claims 1, 5, 6, and 11)

Petitioner implicitly acknowledges its Petition did not identify "analyzing the acquired configuration" in Bernstein. Instead, Petitioner raises the new argument that converting a file necessarily discloses analyzing a file.

This is an entirely new argument. *See supra* §§ II-III The Petition ***only*** argued that Bernstein's disclosure of a DOCIS-to-PON translator that converts

parameters obtained by the cable modem proxy teaches the claimed "analyzing" (as described at EX1006 3:53-63):

> Bernstein discloses that its DPoE system analyzes the acquired configuration file and obtains both configuration information for the ONU and configuration information for the OLT. Following downloading of the configuration file, Bernstein describes that DPON 40 includes a "DOCSIS-to-PON translator 84" that analyzes the configuration file, obtaining configuration information of both the OLT and ONU, that it then converts "into associated PON parameters 63 that can be used by the OLT 18 and ONU 24." *Id.*, ¶66 (citing EX1006, 3:53-63).

Pet. at 28. The remainder of the discussion of this element argues that Bernstein's discussion of PON parameters renders obvious the claimed configuration information of the ONU and OLT. Pet. 28-29. As explained in the Response, the cited section of Bernstein only describes that, after some functions are performed by a CMTS stack and CM stack, "[a] DOCSIS-to-PON translator 84 is then used for converting…." Response at 25 (quoting EX1006 3:53-63). This does not describe any of the claimed analyzing, which necessarily includes something other than converting, as explained in the Response.

Petitioner now points to entirely separate embodiments of Bernstein, namely figure 4 and the discussion at column 5 lines 31-32, and arguments in other parts of the Petition. Reply 8-9. Petitioner's arguments in reply are new grounds of obviousness. *Supra* §§II-III. None of these separate embodiments formed the basis of Petitioner's argument in the Petition and cannot be presented for the first time here. *In re Magnum Oil Tools Int'l, Ltd*., 829 F.3d at 1381) ("[T]he Board must base its decision on arguments that were advanced by a party, and to which the opposing party was given a chance to respond."); *supra* §§ II-III.

C. Petitioner Asserts Improper New Arguments Related To "Services Opened By The ONU" That Are Not Permitted. (Claims 2, 8, and 9)

Petitioner newly contends that the phrase "services opened by the ONU" must be construed and attempts to place the burden on Patent Owner to disprove obviousness. Reply at 10-13. These arguments should be rejected.

First, regardless of the meaning of "services opened by the ONU," the Petition simply did not address the claim element.[2] Second, Petitioner here, and

[2] Petitioner also contends that Patent Owner's expert defined this term. Reply at 10-11. This is incorrect. Patent Owner's expert did not opine on the definition of "services opened by the ONU" (which requires no construction). EX2008, ¶¶ 54-57; EX1017, 100:22-103:3. Instead, he testified that the Petition did not cite

throughout its Reply, admittedly relies on disclosure hidden in other parts of the Petition, not claims 2, 8 and 9. Reply at 12-13 (citing exclusively to discussion of claim 1). For example, Petitioner's block quote does not even cite a single part of the Petition's discussion of element 1[c], the only discussion cross referenced in claims 2 , 8 and 9.[3] Again, this is not permitted. *Supra* §§ II-III.

V. Grounds 3 and 4

A. Petitioner's New Arguments Cannot Show That Tsuge Renders Obvious "A Service Auto-Configuration" Method Or Network. (Claims 1 and 6)

As explained above, Petitioner's three prong construction of "Service Auto-Configuration" attempts to read this element out of the claims to cover up Petitioner's failure to address anything related to "service auto-configuration" in its Petition. *See supra* § IV.A. Petitioner now argues that its citation to more than 40 lines of Tsuge with no explanation "specif[ies] where each element of the claim is

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anything in the references that could possibly render obvious claims 2, 8 and 9. *Id.* Petitioner's deposition questioning repeatedly went beyond the scope of the opinions provided by Patent Owner's expert and should be excluded.

[3] To the extent the reply does cite element 1[c], the cited section only discusses configuring the OLT and does not expressly describe any services "opened by" the ONU, as explained in the Response. Response at 29.

found in the prior art patents or printed publications." *See* 37 C.F.R. § 42.104(b)(2). But, as the Reply highlights, Petitioner only stated that "Tsuge discloses a method for provisioning DOCSIS services on ONU/OLT hardware in a "GE-PON" (i.e., Gigabyte Ethernet PON), or any other type of PON." Reply at 14. There is no discussion of "auto-configuration." As with Grounds 1 and 2, Petitioner's new Reply arguments cannot correct the failure of the Petition to "specify where each element of the claim is found in the prior art," and they should be rejected. 37 C.F.R. § 42.104(b)(2); *Supra* §§ II-III.

B. Petitioner's Reliance On Other, Bare-Bones Disclosure In The Petition Does Not Render "Convert[ing] The Configuration Information" Obvious. (Claims 1 and 5)

In its Reply, Petitioner relies on an entirely different, previously un-cited section of Tsuge to cover its failure to explain in the Petition how Tsuge teaches the claimed "converting." Reply at 15-16 (citing Pet. 60, Petitioner claims it intended to cite Tsuge at column 14, line 62 to column 15 line 22 not column 4, lines 46-51. Reply at 15-16. But neither the Petition ***nor Petitioner's expert*** cited 14:62-15:22 in relation to these claim elements. As with the Petitioner's other arguments, Petitioner attempts to fabricate an excuse for the total failure of the Petition to address this element.

Petitioner contends that the Board may correct this "typographical error." Reply at 16 n.6 (citing *Unified Patents, LLC v. Voice Tech Corp.*, IPR2020-01018, Paper 46 at 13 n.4 (P.T.A.B. December 13, 2021)). In *Voice Tech*, the citation was simply to the wrong exhibit and "[t]he subject matter Patent Owner describes, however, could be found in" the correct exhibit at the same page number. *Voice Tech*, IPR2020-01018, Paper 46 at 13 n.4. Here, Patent Owner had no notice that Petitioner may have intended to cite was on a different page of Tsuge. Instead, Petitioner directly quotes 4:46-50 of Tsuge. Reply at 72 ("EX1008, 4:46-50 ('the OLT … makes initial setting corresponding to its contents to the ONU by using the protocol of the PON interval[.]'"). If Petitioner intended to rely on Tsuge at 14:62-15:22, it or its expert would have quoted that section. In other words, Petitioner did not make a "typographical error"—it intended to cite column 4. This effort to change the Petition is yet another attempt to game the system and deprive Patent Owner and its expert of the ability to respond to Petitioner's arguments. *Supra* §§ II-III. The Board should not consider this new argument.

As for the remainder of Petitioner's argument, Petitioner again points to sections of the Petition that did not discuss element 1[f] or claim 5 and were not cited in reference to those claims. Reply at 15 (citing Pet. pages 60, 62-63, 65-66). And Petitioner's expert merely mimics the Petition and Reply. Failing to even cite

these other sections of the Petition in relation to the claim element at issue does not meet Petitioner's burden. *Supra* §§ II-III.

C. Petitioner Refuses To Acknowledge Its Proposed Construction Of "Back-Office Management System." (Claims 1, 5, 6 and 7)

Petitioner continues to play games with claim construction. Between the filing of Patent Owner's response and Petitioner's Reply, Petitioner dropped its proposed construction of a "back-office management system."[4] *See Iarnach Techs. Ltd. v. Charter Comms Inc.*, No. 2:24-cv-00230; Dkt. No. 132 at 1-2 (E.D. Tex, May 30, 2025). Regardless, at the time of the Petition, Petitioner proposed a construction of "back-office management system" that it failed to address in the Petition. Apparently realizing this error, Petitioner now agrees with Patent Owner that no construction is necessary.

D. Even Now, The Reply Fails To Specify How Tsuge Describes "The Back-Office Management System Is Configured To: Save The Configuration File." (Claim 6)

Petitioner still has not shown what in Tsuge's disclosure describes that a back office management system can perform the action of saving the configuration file. As explained in the Response, Petitioner's annotated image only shows that

[4] Patent Owner has never argued that "back-office management system" requires any construction.

the CM setting information files have file names. It does not show any act of or capability to save those files. Petitioner then goes on to describe the TFTP process, where Petitioner contends the relevant file is "retrieved." But Petitioner still has not explained how retrieving a file from the back office management system could possibly be the same as the back office management system saving that file. Petitioner has still failed to identify the claim requirement to "save the configuration file."

E. The Reply Cannot Argue That Tsuge Describes "Configuration Information Related To Services Opened By The ONU." (Claims 2, 8, and 9)

Once again, Petitioner attempts to game the IPR system to assert new obviousness positions for the first time in Reply. As an initial matter, Petitioner does not argue that anything in the Petition's discussion of claims 2, 8, or 9 expressly describes any services opened by the ONU. Instead, Petitioner relies entirely on the Petition's cross reference to element 1[c], which recites "the DPoE system configuring the OLT locally according to the configuration information of the OLT." By its plain language, this claim element focuses on the OLT and, as explained in the Response, Petitioner's arguments there only focus on the OLT.

Petitioner now suggests that a string cite in the Petition to Tsuge's discussion at column 18 lines 25-38 can save its argument. But, Petitioner quoted a

different part of that paragraph than it relies on now. *Compare* Pet. at 67-68 ("upstream communication bandwidth setting information is stored as setting for the LLID into the OLT by the OLT-ONU setting sequence 930 shown in FIG. 9 (step 1810)") (quoting EX1008, 18:25-38) *with* Reply at 21 (emphasizing "the service flow corresponding to the LLID allocated to the ONU"). Contrary to these assertions, the Petition did not discuss the "service flow" ***at all*** in the Petition. Petitioner simply did not explain its invalidity theory in the Petition, and this failure cannot be corrected now. *Supra* §§ II-III.

Petitioner next points to two figures also cited in the Petition's discussion of element 1[c]. Here, Petitioner adds new annotations (that were not in the Petition) to highlight a "CM Setting Information File." But nothing in the Petition would lead one to conclude that "CM Setting Information File" configuration information related to services opened by the ONU. Instead, Petitioner has to present extensive new analysis by its expert in order to allege that this file is equivalent to a DOCSIS configuration file.

This argument should be stricken. *Supra* §§ II-III. This new analysis relies on a third reference, EX2008, in making this argument related to the DOCSIS configuration file. The Petition did not assert obviousness over Tsuge in view of EX2008. Raising it now is impermissible. *Microsoft Corp. v. FG SRC, LLC*, 860 F. App'x 708, 713 (Fed. Cir. 2021) ("Arguments in a petition must be made with

particularity, not opacity" and "there is no plausible argument that [the] petition challenged [the claim] based on obviousness over [the art] with any particularity whatsoever.").

VI. Conclusion

Petitioner's arguments in reply attempt to game the IPR system. In many instances, Petitioner failed to explain its obviousness theories and now asserts new arguments to remedy that failure. At the same time, Petitioner attempts to place the burden on Patent Owner to disprove obviousness. And in yet another instance, Petitioner simply ignores the positions it has taken in the District Court Litigation and fabricates Patent Owner's position in this proceeding. These tactics are impermissible. Patent Owner respectfully requests that the Board reject Petitioner's arguments and confirm the patentability of the '982 Patent.

Dated: September 18, 2025

Respectfully submitted,

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CERTIFICATE OF WORD COUNT

Per § 42.24(a)–(b) the undersigned certifies that the number of words in the paper is 3,861.

The word count does not include the table of contents, table of authorities, certificate of service, word count, exhibits list, or claim listing.

To arrive at this count, the undersigned has relied upon the word count feature of the word-processing system used to prepare the paper.

Dated: September 18, 2025

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Michael F. Heim (Reg. No. 32,702)

CERTIFICATE OF SERVICE

The undersigned certifies that on the eighteenth day of September, 2025, a complete and entire copy of the foregoing "Patent Owner's Sur-Reply to Petitioner's Reply to their Petition for *Inter Partes* Review of U.S. Patent No. 9,287,982," including exhibits, if any, was served on the following counsel of record via email per Petitioner' consent to electronic service. *See* Paper 1 at 3:

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