

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HP INC., DELL TECHNOLOGIES INC., DELL INC., AND
LENOVO (UNITED STATES) INC.,

Petitioners,

v.

UNIVERSAL CONNECTIVITY TECHNOLOGIES INC.,

Patent Owner.

Case IPR2024-01429
U.S. Patent No. 7,187,307

**PATENT OWNER'S SUR-REPLY
TO PETITIONERS' REPLY**

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TABLE OF EXHIBITS

Exhibit No.	Description
2001	Declaration of Dr. William H. Mangione-Smith In Support of Patent Owner’s Preliminary Response
2002	Docket Control Order, <i>Universal Connectivity Technologies Inc. v. Lenovo Group Limited</i> , No. 2:23-cv-00449-JRG (E.D. Tex. June 12, 2024)
2003	Civil Minutes, <i>Universal Connectivity Technologies Inc. v. HP Inc.</i> , No. 4:24-cv-04097-YGR (N.D. Cal. Nov. 4, 2024)
2004	Order, <i>Universal Connectivity Technologies Inc. v. Dell Inc.</i> , No. 1:23-cv-01506-RP (W.D. Tex. Dec. 12, 2024)
2005	Defendant’s Invalidity and Eligibility Contentions, <i>Universal Connectivity Technologies Inc. v. Lenovo Group Limited</i> , No. 2:23-cv-00449-JRG (E.D. Tex. July 24, 2024)
2006	Defendants Dell Technologies Inc. and Dell Inc.’s Preliminary Invalidity Contentions, <i>Universal Connectivity Technologies Inc. v. Dell Inc.</i> , No. 1:23-cv-01506-RP (W.D. Tex. July 24, 2024)
2007	HP’s Invalidity Contentions, <i>Universal Connectivity Technologies Inc. v. HP Inc.</i> , No. 4:24-cv-04097-YGR (N.D. Cal. Dec. 5, 2024)
2008	U.S. District Courts—Federal Court Management Statistics—Profiles—During the 12-Month Periods Ending September 30, 2019 through 2024
2009	Memorandum Opinion and Order, <i>Universal Connectivity Technologies Inc. v. Lenovo Group Limited</i> , No. 2:23-cv-00449-JRG (E.D. Tex. Oct. 17, 2024)
2010	Order, <i>Universal Connectivity Technologies Inc. v. Lenovo Group Limited</i> , No. 2:23-cv-00449-JRG (E.D. Tex. Oct. 2, 2024)

I. PATENT OWNER RELIES ON THE PLAIN AND ORDINARY MEANING OF “ENCODED DATA”

Contrary to Petitioners’ assertions, Patent Owner relies on the plain and ordinary meaning of “encoded data” as recited in the claims.

For example, independent claim 1 recites, in relevant part:

“... wherein the first endpoint is ***configured to generate encoded data*** in accordance with a line code... [and] wherein the physical and link layer circuitry of the second endpoint is coupled to the link and ***configured to decode the encoded data to recover application data and control bits...***”

EX1001, cl. 1; *see also* cl. 23 (“... the first endpoint is configured to encode M-bit input words... the input words of each said cell are indicative of application data and control bits...”); cl. 53 (“... decode the encoded data to recover application data and control bits...”); cl. 68 (“... wherein the input words are indicative of application data and control bits...”). Accordingly, “encoded data” must include both application data bits and control bits. *See* POPR at 24-27. This plain and ordinary meaning of “encoded data” is confirmed by the specification. For example:

Another aspect of the invention is an endpoint device... configured to generate ***encoded data*** in accordance with a line code (where the line code specifies a block code ***for encoding cells of application data and control bits***, and typically also specifies special characters that are distinguishable from bits of encoded cells)[.]

EX1001 at 8:47-55 (emphasis added); *id.* at 8:60-67 (same); *id.* at 4:33-38 (“application data and control bits are encoded in accordance with a line code to generate sequences of code words that, when decoded, are indicative (at a ‘link’ level of communication protocol functionality) of cells of the application data and control bits.”); *id.* at 4:53-56, 4:59-63, 5:15-19; *id.* at 13:37-41, 13:48-56 (explaining how the receiver end of the communications system performs decoding to recover *both* application data and control bits). This is also confirmed by the ’307 Patent Figures, such as Figure 1, which shows that both the data and control information are sent through Packetizer **31** and then, both are sent through the Encoder **32**. For at least these reasons, “encoded data” must include both application data bits and control bits. As explained in the POPR, Shin does not disclose encoding control bits *at all*, much less encoding both application data bits and control bits.

Second, by Petitioners’ own dictionary definitions, encapsulation, as described in Yusairi, is not encoding as described in the ’307 Patent. See POPR at 39 (citing EX1023 describing encapsulation) & 40 (citing EX1020 describing 8b/10b encoding).

II. PATENT OWNER DOES NOT IGNORE PETITIONERS' ARGUMENTS

Petitioners allege that Patent Owner ignores its argument that application data and “m” control bits are encoded together in line code that is transmitted and then decoded. Reply at 2-3. Patent Owner did address this argument, specifically, explaining that parsing primitives, is *not* the same as decoding which is made clear in Shin because those two functions are entirely separate. POPR at 30-33.

III. PETITIONERS IGNORE PATENT OWNER'S ADDITIONAL ARGUMENTS AGAINST GROUND 3

Petitioners are correct that Patent Owner relies on the fact that Shin does not “encode or decode control bits,” (Reply, 4) but Petitioners fail to acknowledge that Patent Owner *also* explains that “[i]f Shin’s encoding scheme were applied to the ‘transaction code’ and ‘field type’ values [as Petitioners assert it would be], then they would no longer be 0xA and 0x0080 respectively.” POPR at 48. This is problematic because those pre-fixed values in Yusairi are checked as whole, and if they are divided into individual bits or if bits are added, their values change, and the datagram would be ignored or discarded. *Id.* Indeed, they would not be decoded into “application data” and “control bits” as claimed.

Petitioners overlook Patent Owner’s additional argument that a POSITA would not be motivated to add Shin’s encoding scheme to Yusairi because neither Shin nor Yusairi ever contemplate encoding “control bits” in the first place. Rather, a POSITA would not be motivated to combine Yusairi in Shin as described by Petitioners because Shin expressly teaches that control bits are *not* encoded but instead, are added to the transmission sequence *after* encoding. POPR at 49-50.

IV. DISCRETIONARY DENIAL IS FAVORED IN THIS CASE

Factor 1: Petitioners’ argument that this factor is neutral or disfavors denial is flawed. There is no dispute that the LGL Case has not been stayed, nor is there any evidence that a stay would be granted if a proceeding is instituted. This factor favors denial.

Factor 2: Petitioners provide no support for their statement that the trial date of the LGL Case is “speculative.” Reply, 5. Both the scheduled trial date and the date of trial based on median time-to-trial statistics occur months before a final written decision would be expected here. In addition, the *Sotera* stipulations do not remove concerns regarding the timing of trial with respect to a final written decision.

Factor 3: Petitioners do not dispute the substantial investment in resources already devoted to the LGL Case. Indeed, claim construction is ongoing. Opening briefs are due on March 28th , and responsive briefs are due on April 11th. Petitioners' *Sotera* stipulations do not eliminate the investments the parties have already made in district court.

Factor 4: Petitioners do not dispute the substantial overlap in the arguments and evidence presented here and in district court. The *Sotera* stipulations do not remove all concerns regarding this overlap. In fact, as shown by the *Sotera* stipulations (*see, e.g.*, EX1028 at 2 n.1) and the district court invalidity contentions (*see, e.g.*, EX2005 at 29), Petitioners have expressly reserved the right to challenge invalidity at the district court based on the same references relied upon here in combination with “any system, product, or public knowledge or use that embodies” any of the identified prior art patents or printed publications. Thus, it appears that Petitioners will present the same arguments in district court that they have presented here under the guise of a “system art” combination whose only purpose is to avoid their commitment under the stipulations.

Factor 6: As explained *supra*, Patent Owner does not rely on an implicit claim construction or ignore Petitioners' theories.

Date: March 17, 2025

Respectfully submitted,

/Brett Cooper/

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Lead counsel for Patent Owner

CERTIFICATION REGARDING WORD COUNT

Pursuant to 37 C.F.R. § 42.24(d), Patent Owner certifies that there are no more than 1,030 words in the paper excluding the portions exempted under 37 C.F.R. § 42.24(a)(1).

Dated: March 17, 2025

/s/ Brett Cooper

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned hereby certifies that the above document was served on March 17, 2025, by filing this document through the Patent Trial and Appeal Case Tracking System as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioner:

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