

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CISCO SYSTEMS, INC.,  
Petitioner,

v.

PORTSMOUTH NETWORK CORP.,  
Patent Owner.

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IPR2024-01450  
Patent 7,596,088 B2

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Before JUSTIN T. ARBES, CHARLES J. BOUDREAU, and  
PETER D. SHAPIRO, *Administrative Patent Judges*.

SHAPIRO, *Administrative Patent Judge*.

ORDER  
Authorizing Additional Briefing  
*37 C.F.R. § 42.20(d)*

On February 9, 2026, the Board held a hearing in this proceeding. During the hearing, the parties presented arguments regarding the meaning of the term “other connections” in the independent claims of the challenged patent.

Patent Owner argues that term means “existing” or “established” connections and does not include “potential connections.” *See* Paper 16 (Patent Owner’s Response), 8 (“[T]he one or more [other] connections’ specified by the sharing definition are existing connections, rather than potential connections that can be formed to carry traffic in the event of a failure.”) (quotations and citations omitted), 9 (asserting the ’088 Patent is directed to “sharing of resources between active, existing connections . . . rather than failure protection that draws on reserved bandwidth when an active link fails.”). *See also* Paper 23 (Patent Owner’s Sur-Reply), 2–5.

Petitioner disagrees, arguing that the term “other connections” is not limited to existing connections but also includes connections that have had bandwidth reserved but not allocated. *See* Paper 22 (Petitioner’s Reply to Patent Owner’s Response), 7–8 (“[N]owhere does the claim language limit the ‘connections’ to ‘active,’ ‘working,’ or ‘primary’ connections.”).

To ensure a clear record and due consideration of the parties’ arguments, we request additional briefing as to the meaning of the term “other connections.” *See* 37 C.F.R. § 42.20(d). The briefing shall be directed solely to the issue of whether the term “other connections” is limited to established connections with bandwidth already allocated as Patent Owner contends or can also include connections that have bandwidth reserved but not allocated for transmission until a link failure. The briefing should primarily focus on identifying support for the parties’ respective interpretations in the Specification and the claims, including the term’s use in dependent claims 5 and 12. If necessary, the briefing may also identify supporting extrinsic evidence of record. The briefing may not discuss

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the asserted prior art references or whether they teach or suggest the limitations of the claims. No new evidence may be submitted.

Accordingly, it is

ORDERED that the parties shall each file a supplemental brief, limited to three pages and addressing only the claim interpretation of the term “other connections” in accordance with this order, by February 20, 2026.

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