

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner

v.

PORTSMOUTH NETWORK CORP.,
Patent Owner

Case No. IPR2024-01450

U.S. Patent No. 7,596,088

PATENT OWNER'S SUPPLEMENTAL BRIEF

Pursuant to the Board’s Order authorizing additional briefing (Paper 31), Patent Owner submits this Supplemental Brief on the meaning of “other connections” as used in independent claims 1, 8, 15, and 17 of U.S. Patent No. 7,596,088 (the “’088 patent”).

The ’088 patent’s claims are directed to establishing a new connection and considering the bandwidth allocations for “one or more other connections” when doing so. *See, e.g.*, EX1001, cls. 1, 8, 15, 17. The ’088 patent is clear that these “other connections” are existing connections in the network that already have bandwidth allocated to them and that this sharing differentiates the ’088 patent from prior art reservation protocols. *See, e.g., id.* at 5:20-39. That bandwidth is already allocated to these “other connections” is clear from both the plain language of the claims and the specification.

First, the claims recite that the “one or more other connections” “have respective bandwidths” and “are permitted to share a bandwidth allocation with the new connection.” *See, e.g.*, EX1001, cl. 1. For the “other connections” to be able to share a bandwidth allocation with the new connection, as is expressly required, the “other connection” must already have bandwidth allocated to it.

The specification further supports this. For example, it explains that the field of invention is “selecting routes for communication connections that **share**

bandwidth allocations in a ring configuration.”¹ EX1001, 1:7-9. It further explains that “[e]mbodiments of the present invention provide improved methods and systems for establishing a connection through a communication network, taking into account the ability **to share bandwidth between the new connection and existing connections.**” *Id.* at 2:13-17.

An example of this is shown and discussed with respect to Figure 1. When discussing Figure 1, the '088 patent explains that connection 36 is the “existing connection” and that it has 100 Mbps allocated in the segments along its route. *Id.* at 4:44-48; 5:4-5. It then explains that a new connection needs to be established through the network and that “the new connection may share its 50 Mbps bandwidth allocation in the segments along its route with the 100 Mbps bandwidth allocation of existing connection 36.” *Id.* at 5:15-19. “In other words,” the '088 patent explains, “shared bandwidth may be allocated simultaneously to two or more connections, assuming that not all of these connections will actually use all of the allocated bandwidth simultaneously.” *Id.* at 5:9-13. In this way, the '088 patent explains, the disclosed methods and systems, unlike known reservation protocols, “take into account the ability to share bandwidth between the new connection and existing connections.” *Id.* at 5:36-39; *see also* EX2008, ¶58. Accordingly, the '088 patent is clear that the “other connections” recited in its independent claims are established

¹ All emphasis added unless otherwise noted.

connections that already have bandwidth allocated to them.

Petitioner points to claims 5 and 12 and the '088 patent's discussion of failure protection to support its argument that bandwidth can be reserved for, and not actually allocated to, the "other connections." Paper 22 at 8. Petitioner is incorrect. When claims 5 and 12 are viewed as a whole, it is clear they claim the purpose for which the new and "other connections" are established. Specifically, claims 5 and 12 limit the purpose to "protect[ing] one another against a failure in at least one of a network segment and a network node." *See, e.g.*, EX1001, cl. 5. This is in line with the specification, which explains that "the new connection may be set up to protect the existing connection against failure of a node or segment along its route." *Id.* at 5:5-8. In other words, the independent claims of the '088 patent require the "other connections" to be established connections for which bandwidth has been allocated and dependent claims 5 and 12 recite one purpose that the new and "other connections" could be established for—to protect against failure. That the "other connections" may provide failure protection, however, does not change the fact that they are established connections for which bandwidth has been allocated.

For all of the above reasons, and as discussed in Patent Owner's Patent Owner Response and Sur-Reply, Patent Owner submits that "other connections" means "existing" or "established" connections for which bandwidth has already been allocated.

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Respectfully submitted,

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CERTIFICATION UNDER 37 C.F.R. § 42.24(d)

This Preliminary Response complies with 37 C.F.R. § 42.24(b)(2). As calculated by the “Word Count” feature of Microsoft Word 2010, it contains 701 words, excluding the words contained in the following: Table of Contents, Table of Authorities, List of Exhibits, Certification Under 37 C.F.R. § 42.24(d), and Certificate of Service.

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies service of
PATENT OWNER'S SUPPLEMENTAL BRIEFING ON CLAIM
CONSTRUCTION on the counsel of record for the Petitioner by filing this
document through P-TACTS system on February 20, 2026 and served a true and
correct copy of the foregoing by electronic mail on the following counsel:

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