

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Marvell Semiconductor, Inc.,

Petitioner,

v.

Credo Technology Group Ltd.,

Patent Owner.

IPR2025-01220

U.S. Patent No. 11,032,111

**PETITIONER'S OPPOSITION TO
PATENT OWNER'S MOTION TO STRIKE**

PO mischaracterizes the prior art in its Response and now seeks to prevent Petitioner from correcting the record. The motion should be denied. Paragraphs 9 and 11 of Dr. Chen's reply declaration (Ex-1051) are proper under 37 C.F.R. § 42.23(b) on two independent bases: they directly rebut PO's arguments, and they elaborate on theories already presented in the Petition.

A. Paragraph 9 rebuts PO's mischaracterization of Cornelius and elaborates on the Petition's obviousness theory for Ground 1.

As explained for Ground 1, Berke teaches serial communications techniques, including equalization training. Pet., 21-27. Cornelius teaches a serial chip-to-module communications link. Pet., 32-33. The Petition explains that it would have been obvious to apply Berke's serial communications techniques to Cornelius's link (Pet., 34-35), which PO disputes (POR, 28-32).

Paragraph 9 directly rebuts PO's assertion that Berke and Cornelius are directed to "fundamentally different cable architecture[s]." POR, 30. Based on cols. 6:43-57 and 7:7-17 of Cornelius, PO and Dr. Williams conclude that Cornelius's "communication pathways" are not for "carrying iterative equalization coefficient training instructions" that Berke uses for equalization training. POR, 30; Ex-2017, ¶70. Dr. Chen examines those very portions of Cornelius and exposes the flaw in Dr. Williams's opinion: col. 6:50-57 teaches that Cornelius's channel is used for communicating "operational parameters" allowing "cables to adapt to new hosts," which a POSITA would have understood to include equalization settings.

Ex-1051, ¶9; Reply, 14; *see Anacor Pharms., Inc. v. Iancu*, 889 F.3d 1372, 1380–81 (Fed. Cir. 2018) (holding new evidence “to document the knowledge that skilled artisans would bring to bear” is permissible). Accordingly, Cornelius contemplates transmitting equalization adaptation instructions such as those taught by Berke. *Id.* Paragraph 9 is proper direct rebuttal of PO’s mischaracterization of Cornelius under § 42.23(b). *Anacor*, 889 F.3d at 1380–81 (“[The] petitioner ... may introduce new evidence after the petition stage if the evidence is a legitimate reply to evidence introduced by the patent owner.”). PO fails to show otherwise—its argument that “[p]aragraph 9 stretches beyond mere rebuttal” never even addresses the POR argument that is rebutted. Mot., 2-3.

Dr. Chen’s explanation that Cornelius’s channel is suitable for transmitting equalization adaptation instructions, such as that taught by Berke, directly supports the Petition’s explanation that “[b]oth references apply their teachings to similar devices” and “Cornelius’s active cable includes precisely the types of traces/cables that Berke applied its teachings to.” Pet., 34-35. Moreover, the Petition cites Cornelius’s teaching at col. 6:50-57, the very passage PO now complains about, to support its argument that “Cornelius teaches *pre-equalization*.” Pet., 34 (emphasis added). Dr. Chen’s explanation that Cornelius’s operational parameters include *equalization settings* falls squarely within the scope of that argument. Paragraph 9 introduces no new theory; it reinforces the Petition’s application of Berke’s serial

communications techniques to Cornelius’s link without relying on any new references or previously unidentified portions of existing references. *Chamberlain Grp., Inc. v. One World Techs., Inc.*, 944 F.3d 919, 925 (Fed. Cir. 2019) (“Parties are not barred from elaborating on their arguments on issues previously raised.”); *Ericsson Inc. v. Intellectual Ventures I LLC*, 901 F.3d 1374, 1381 (Fed. Cir. 2018) (vacating the Board’s decision for failing to consider reply arguments that “expand[ed] the same argument made in its Petition”). PO’s *Luminex* and *Colas* cases are inapposite because both involved changing the theory of how the prior art renders obvious the claimed features, which Petitioner has not done here.

B. Paragraph 11 rebuts PO’s mischaracterization of Berke and elaborates on the Petition’s obviousness theory for Ground 2.

Paragraph 11 addresses Ground 2, which establishes the obviousness of applying Berke’s serial communications techniques to Ran’s serial link. Pet., 45-47. In response, PO argues that the combination “would change the fundamental operation of both references” because Berke and Ran are directed to “fundamentally different adaptation architectures.” POR, 39-40. PO and Dr. Williams narrowly characterize Berke’s system as “operat[ing] within a single endpoint” while “Ran’s system operates through a multi-register relay protocol.” POR, 39-40; Ex-2017, ¶113. Dr. Chen’s paragraph 11 confronts Dr. Williams’s “single endpoint” argument head-on and reveals that it egregiously mischaracterizes Berke: far from operating within a single endpoint, “Berke

expressly teaches that its back channel communication ‘can include a third party device or mechanism that provides system management ... or another embedded controller.’” Ex-1051, ¶11; Reply, 17. The combination therefore does not change either reference’s principle of operation, because Berke contemplates mechanisms such as that provided by Ran’s management entity for facilitating communication between the transmitter and the receiver. *Id.* Notably, PO does not dispute that paragraph 11 rebuts arguments in the POR (Mot., 4-5)—that concession alone warrants denying the motion. *Apple Inc. v. Andrea Elecs. Corp.*, 949 F.3d 697, 706–07 (Fed. Cir. 2020) (holding that “responsive[ness] to arguments raised in the [POR]” provides independent basis for permitting reply arguments and evidence).

PO alleges that “[p]aragraph 11 argues a brand new theory, that Berke itself *expressly* teaches the relay architecture Ran employs.” Mot., 5. That misreads the Reply. Nowhere does Petitioner or Dr. Chen advance this theory of overlapping teachings, nor is it required for showing obviousness. The Petition relies on Berke’s paragraph 19 for its broad teaching of communicating equalization adaptation instructions. Pet., 37-38. Paragraph 11’s discussion of Berke’s example communication mechanism is not required by any claim, but is necessitated by PO’s mischaracterization of Berke. By correcting PO’s overly narrow “single endpoint” characterization of Berke, paragraph 11 directly supports the Petition’s explanation that “Berke’s serial communications techniques apply to a wide

variety of channels,” “[Berke and Ran] apply their teachings to similar devices,” and “[a] POSITA would have understood Berke’s network interface to contemplate configurations ... as taught by Ran.” Pet., 45-46. Paragraph 11 is proper because it does not modify the relied-upon combination of Berke and Ran, nor does it rely on previously unidentified prior art teachings. *Chamberlain*, 944 F.3d at 925. PO’s reliance on *Intelligent Bio-Sys., Inc. v. Illumina Cambridge Ltd.* is misplaced: there, the petitioner fundamentally changed its obviousness theory by relying on teachings from references not cited in the petition and not part of the original grounds. 821 F.3d 1359, 1369 (Fed. Cir. 2016).

C. PO fails to justify its request to strike portions of the Reply.

PO offers no separate justification for striking arguments in Petitioner’s Reply (Mot., 5). “[S]triking the entirety or a portion of a party’s brief is an exceptional remedy that the Board expects will be granted rarely.” PTAB Consolidated Trial Practice Guide, 80 (Nov. 2019). Beyond the reasons set forth above with respect to Dr. Chen’s declaration, this exceptional remedy is unwarranted further because the challenged Reply arguments rest on express prior art teachings, not solely on Dr. Chen’s testimony. *See* Reply, 14-15, 17. Granting the motion would allow PO to perpetuate its mischaracterization of the prior art unchallenged, depriving the Board of a complete record on which to adjudicate this proceeding.

Date: September 14, 2026

Respectfully submitted,

/Jeffrey Liang/

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CERTIFICATE OF COMPLIANCE

The undersigned certifies that the foregoing Petitioner's Opposition to Motion to Strike complies with the 5-page limit specified by the Board's September 2, 2026 email.

Date: September 14, 2026

/Jeffrey Liang/
Jeffrey Liang (Reg. No. 69,043)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 14, 2026, a true and correct copy of Petitioner's Opposition to Patent Owner's Motion to Strike was served in its entirety via email on all parties to this proceeding at the addresses indicated:

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