

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PACT XPP SCHWEIZ AG,)	
)	
Plaintiff,)	C.A. No. 19-1006-RGA
)	
v.)	
)	
INTEL CORPORATION,)	
)	
Defendant.)	

INTEL CORPORATION’S INITIAL INVALIDITY CONTENTIONS

VIII. THE '605 PATENT

Claims 1-2 and 4-6 of the '605 Patent (the "Asserted '605 Patent Claims") have been asserted by Plaintiff in this litigation.

A. Identification of Prior Art, Basis for Invalidity Under 35 U.S.C. §§ 102, 103 and Claim Charts

1. Anticipation

Based on Plaintiff's October 11, 2019 Disclosure of Asserted Claims and Infringement Contentions, Intel identifies prior art below and in Exhibit H, which contains charts disclosing the identity of each item of prior art that anticipates each claim and/or renders it obvious. As shown in Exhibit H and below, Intel has identified each prior art patent by its number, country of origin, and date of issue. To the extent feasible, Intel has identified each prior art publication by its title, date of publication, author, and publisher. Intel notes that it has applied the prior art in accordance with Plaintiff's improper assertions of infringement and improper applications of the claims. Intel does not agree with Plaintiff's application of the claims and denies infringement.

As set forth in Exhibit H and below, each of the following references, and any products, devices, or processes used in the prior art that embody the subject matter disclosed in the references, anticipates one or more asserted claims of the '605 Patent by expressly or inherently disclosing each and every limitation of those claims. To the extent PACT contends that any of the following anticipatory references do not anticipate any asserted claim, Intel reserves the right to contend that each of the anticipatory references renders the claims obvious either in view of the reference alone or in combination with other references. A corresponding claim chart for each reference is attached hereto in Exhibit H as indicated in the "Exh. No." column.

While Intel has identified at least one citation per element or limitation for each reference identified in the charts contained in Exhibit H, each and every disclosure of the same element or

limitation in the same reference is not necessarily identified. In an effort to focus the issues, Intel cites exemplary relevant portions of identified references, even where a reference may contain additional disclosure for a particular claim element or limitation, and reserves all rights to rely on other portions of the identified references to support its claims and/or defenses. Persons of ordinary skill in the art generally read a prior art reference as a whole and in the context of other publications and literature. Intel may rely on uncited portions of the prior art references and on other publications and expert testimony to provide context and as aids to understanding and interpreting the portions of the prior art references that are cited. Disclosures relating to initial elements of dependent claims are disclosed in connection with the independent claims from which they depend. Intel may also rely on uncited portions of the prior art references, other publications, and the testimony of experts to establish that a person of ordinary skill in the art would have been motivated to modify or combine certain of the cited references so as to render the claims obvious. Where Intel cites to a particular figure in a prior art reference, the citation should be understood to encompass the caption and description of the figure and any text relating to the figure in addition to the figure itself. Conversely, where a cited portion of text refers to a figure, the citation should be understood to include the figure as well.

a. Prior Art Patents and Domestic and Foreign Patent Applications Under 35 U.S.C. § 102

Exh. No.	Patent / Publication No.	Country	Inventor(s)	Date of Issue
H1	6,535,798	US	Rakesh Bhatia, Dennis Reinhardt, Barnes Cooper	March 18, 2003
H2	5,996,084	US	Vaughn Watts	November 30, 1999

Exh. No.	Patent / Publication No.	Country	Inventor(s)	Date of Issue
H3	6,397,343	US	Ian Williams, Phillip Cheng	May 28, 2002
H4	6,367,023	US	Ralph M. Kling, Edward T. Grochowski	April 2, 2002
H5	6,704,877	US	Leslie E. Cline, Varghese George, David Wyatt	March 9, 2004
H6	6,119,241	US	Michel Salib Michail, Wilbur David Pricer, Sebastian Theodore Ventrone	September 12, 2000
H7	6,715,089	US	Andrej Zdravkovic	March 30, 2004

b. Prior Art Product

Exh. No.	Product Name	Date¹²
H8	Tualatin	1999
H9	TMS320C80	1996
H10	IXP2800	1999

2. Obviousness

See obviousness discussion *supra* Section I.A.2.

¹² See 93613DOC0000003-4. Intel reserves the right to modify and supplement this information in the event that additional data is identified.

Rev 0.5 at 32; Almador-M GMCH-M Component Specification at 32; TMS320C8x System-Level Synopsis at Fig. 2-1; Intel IXP2800 Network Processor Product Brief at 1; Bhatia '798 at 2:45-62; Watts '084 at 1:8-14; Williams '343 at 2:30-44; Kling '023 at 2:42-54; Cline '877 at 3:32-38; Michail '241 at 3:64-4:26; Zdravkovic '089 at Abstract. Moreover, several of the relevant references contain overlapping assignness. *See e.g.*, Tualatin, IXP2800, Kling '023, Cline '877, Bhatia '798; TMS320C80 and Watts '084.

Primary Reference	In Combination With
Tualatin	Bhatia '798
Tualatin	Watts '084
Tualatin	Williams '343
Tualatin	Kling '023
Tualatin	Cline '877
Tualatin	Michail '241
Tualatin	Zdravkovic '089
TMS320C80	Bhatia '798
TMS320C80	Watts '084
TMS320C80	Williams '343
TMS320C80	Kling '023
TMS320C80	Cline '877
TMS320C80	Michail '241
TMS320C80	Zdravkovic '089

Primary Reference	In Combination With
IXP2800	Bhatia '798
IXP2800	Watts '084
IXP2800	Williams '343
IXP2800	Kling '023
IXP2800	Cline '877
IXP2800	Michail '241
IXP2800	Zdravkovic '089
Michail '241	Bhatia '798
Michail '241	Watts '084
Michail '241	Williams '343
Michail '241	Kling '023
Michail '241	Cline '877
Michail '241	Zdravkovic '089
Williams '343	Kling '023
Zdravkovic '089	Kling '023
Bhatia '798	Watts '084
Cline '877	Watts '084
Above combinations in further combination with the Admitted Prior Art (e.g., '605 patent at pages 1-17)	