

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC
Petitioner

v.

K.MIZRA LLC
Patent Owner

Case No. IPR2025-01437
Patent 9,516,048

**PETITIONER'S REPLY TO PATENT OWNER'S
PRELIMINARY RESPONSE**

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Petitioner Google LLC submits this reply to Patent Owner's Preliminary Response ("POPR") pursuant to the Board authorization (EX3001), to address mischaracterizations of the Petition's Grounds, and oversight of Director Squires's guidance.

I. Petitioner Clearly Explained Its Reliance on Pujare

Freund is a solid base reference for receiving a response as an attestation of cleanliness (i.e., compliance). EX1005, ¶¶[0077]-[0078]. *See* Pet., 28-33. Patent Owner ("PO") wrongly asserts Petitioner's added reliance on Pujare is unclear (POPR, 7-9). Pujare constitutes evidence that a POSITA would have understood that a "version" of Freund is synonymous with, and suggests, a "patch or patch level" as claimed. Pet., 14. Pujare is relied upon as evidence that Freund's disclosure of security software "versions" would have been understood as disclosing a "patch or patch level" associated with a software component. Pet., 33, 59. PO overlooks that citations to "EX1009" are to Pujare (*see, e.g.*, Pet., 33, 59).

PO complains that the Petition does not formally name Lewis (EX1013) in the Ground (POPR, 9-10), even though there is no requirement to expressly name Lewis in the Grounds. The Petition explains that the Challenged Claims are obvious over Freund, Ball, and Pujare. Pet., 8. Lewis is merely cited to demonstrate that "a specific embodiment described in the '048 Patent" was known (i.e., Lewis's disclosure relating to "intercepting DNS queries from quarantined clients." Pet., 43

quoting EX1013, 11:15-17). The claims of the '048 Patent do not expressly recite a “DNS query”. Lewis is not named in the Ground because it is merely cited as being relevant to the '048 Patent disclosure and the state-of-the-art.

II. The Petition Demonstrates Unpatentability Under Alternative Litigation Constructions Pursuant to Director Squires’s Guidance

PO complains that it “should [not] be required to guess how Petitioner believes the claim is invalid” (POPR, 14). No guesswork is required because the Petition unequivocally states that the claims are unpatentable under *both* Petitioner’s and PO’s construction. Pet., 16-20. Pursuant to recent PTAB guidance, this is reason for institution.

The Petition addresses alternate constructions because the DC had not yet rendered its Markman Order when the Petition was filed. *See* EX2011, 12, 20, 23, 28, 33, 38, 42. Director Squires explained that “if a party advances a narrow construction in the district court and the district court declines to adopt the narrow construction, the party would have sufficient reason for advancing the broader, court-adopted construction in a proceeding before the Board.” *Revvo Tech., Inc., v. Cerebrum Sensor Tech., Inc.*, IPR2025-00632, Paper 20 at 5 (Nov. 3, 2025) (quoting *Sun Pharm. Indus. Inc. v. Nivagen Pharm., Inc.*, IPR2025-00893, Paper 18 at 3 (Sept. 19, 2025)). PO’s complaints about “other constructions” (POPR, 27) are in total disregard of the Trial Practice Guide at Section II.B.6, which contemplates alternate constructions may need to be addressed (e.g., when PO raises “new claim

constructions”, “Board raises a claim construction issue on its own”).

III. Petitioner’s Ground is Based on Express Prior Art Teachings, Without Hindsight

The POPR at 20-22 disregards numerous improvements to Freund’s TCB that a simple hardware substitution pursuant to the combination with Ball would have achieved: (1) the combination would allow for “Freund’s client-side host to verify its trustworthiness” (Pet., 25-26); (2) the combination would have allowed “for securely storing cryptographic keys, hash functions, and identity information” (*id.*, 26); (3) “Ball’s TPM would have provided enhanced hardware-based security” and “enhanced trust in the security configuration” for Freund’s TCB (*id.*); (4) “[a] TPM would have provided enhanced hardware-based security features, such as hardware root of trust” (*id.*); and (5) the combination would have constituted a “desirable hardware option for securely implementing client-side security functions according to industry standards” (*id.*, 25-26).

PO provides no separate argument for the remaining claims. All Challenged Claims must fall with claim 1 upon proper institution of Trial.

Date: January 20, 2026

Respectfully submitted,

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APPENDIX A – LIST OF EXHIBITS

Exhibit No.	Description
1005	U.S. Patent Publication No. 2003/0055962, published March 20, 2003 to G. Freund et al. (“Freund”)
1009	U.S. Patent Application Publication No. 2002/0083183, published June 27, 2002 to S. Pujare <i>et al.</i> (“Pujare”)
1013	U.S. Patent No. 7,533,407 issued May 12, 2009 to Lewis et al. (“Lewis”)
2011	Claim Construction Order and Memorandum in Support Thereof, <i>K.Mizra LLC v. Google LLC</i> , 1:25-cv-00236-ADA (W.D. Tex.) (ECF No. 57)
3001	Email dated Jan. 14, 2026 authorizing preliminary reply

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 20th day of January, 2026, a true and correct copy of the foregoing **PETITIONER'S REPLY TO PATENT OWNER'S PRELIMINARY RESPONSE** is being served upon Patent Owner's counsel via electronic as follows:

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