

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

XIAOMI COMMUNICATIONS CO., LTD.,
Petitioner,

v.

KONINKLIJKE KPN N.V.,
Patent Owner.

IPR2022-00025
Patent 8,886,772 B2

Before JONI Y. CHANG, ROBERT J. WEINSCHENK, and
JON M. JURGOVAN, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

DECISION
Denying Institution of *Inter Partes* Review
35 U.S.C. § 314

I. INTRODUCTION

A. *Background and Summary*

Xiaomi Communications Co., Ltd. (“Petitioner”) filed a Petition (Paper 1, “Pet.”) requesting an *inter partes* review of claims 1–16 (“the challenged claims”) of U.S. Patent No. 8,886,772 B2 (Ex. 1001, “the ’772 patent”). Koninklijke KPN N.V. (“Patent Owner”) filed a Preliminary Response (Paper 5, “Prelim. Resp.”) to the Petition.

An *inter partes* review may not be instituted unless “the information presented in the petition . . . and any response . . . shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” 35 U.S.C. § 314(a). Patent Owner disclaimed claims 1, 7–10, 12, 13, and 15 of the ’772 patent. Ex. 2001, 5. Thus, we will not institute an *inter partes* review of those claims. *See* 37 C.F.R. § 42.107(e). Further, Petitioner does not demonstrate a reasonable likelihood of prevailing in showing that claims 2–6, 11, 14, and 16 of the ’772 patent are unpatentable. Accordingly, the Petition is denied, and no trial is instituted.

B. *Real Parties in Interest*

Petitioner identifies the following real parties in interest: 1) Xiaomi Corporation; 2) Xiaomi H.K. Limited; 3) Xiaomi Communications Co., Ltd.; and 4) Xiaomi Inc. Pet. 80. Patent Owner identifies itself as the only real party in interest. Paper 4, 2.

C. *Related Matters*

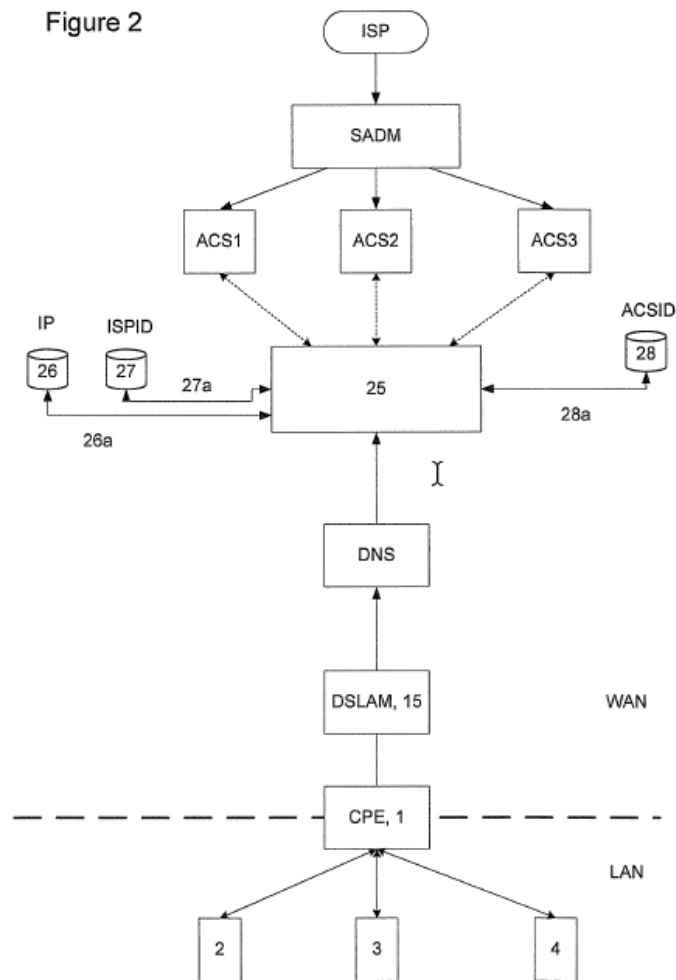
The parties indicate that the ’772 patent is the subject of the following district court cases: 1) *Koninklijke KPN N.V. v. Xiaomi Corporation*, No. 1:21-cv-00041 (D. Del.); 2) *Koninklijke KPN N.V. v. u-blox AG*,

No. 1:21-cv-00046 (D. Del.); and 3) *Koninklijke KPN N.V. v. Samsung Electronics America, Inc.*, No. 2:14-cv-01165 (E.D. Tex.). Pet. 80; Paper 4, 2. The parties also indicate that the '772 patent is the subject of IPR2016-00808, in which the Board denied institution of an *inter partes* review. Pet. 81; Paper 4, 3; Prelim. Resp. 1.

D. The '772 Patent

The '772 patent relates to “remote device management.” Ex. 1001, 1:16–18. Specifically, the '772 patent states that an electronic device, such as Customer Premises Equipment (“CPE”), in a local network connects to an auto-configuration server (“ACS”) “that is capable of providing service level settings for services available to the CPE.” *Id.* at 1:26–29, 1:42–45. According to the '772 patent, prior systems “adversely required that each CPE . . . be preconfigured before installation . . . to specifically address the proper ACS,” such as by preprogramming “the CPE with either a specific IP address or a specific URL . . . for the dedicated ACS.” *Id.* at 1:49–56.

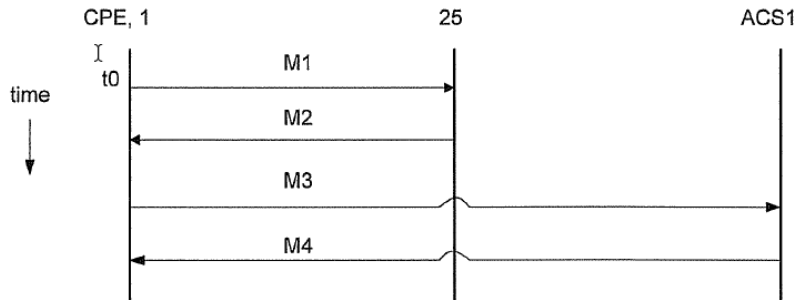
To address that alleged deficiency, the '772 patent describes a system and method that allows configuration of “any type of manageable electronic device at any given location and within any level of service or group specification without pre-configuring a dedicated address for configuration.” *Id.* at 2:22–25. Figure 2 of the '772 patent is reproduced below.



Id. at Fig. 2. Figure 2 “schematically shows an architecture for remote device management.” *Id.* at 4:62–63. The architecture includes interfacing device CPE1, auto-configuration server manager (“ACSMD”) 25, and auto-configuration servers ACS1, ACS2, ACS3. *Id.* at 4:66–5:3, 5:27–29. ACSMD 25 “is arranged for controlling access to” ACS1, ACS2, and ACS3. *Id.* at 5:8–10.

Figure 4 of the '772 patent is reproduced below.

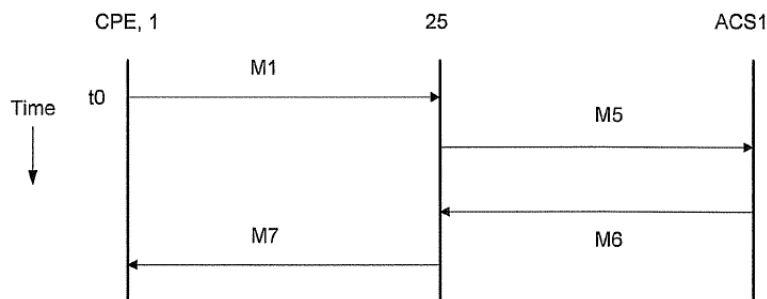
Figure 4



Id. at Fig. 4. Figure 4 “schematically shows a signal flow in accordance with an embodiment.” *Id.* at 7:7–8. Specifically, CPE1 sends message M1 requesting configuration data to ACSMD 25. *Id.* at 7:14–26. If the request is valid, ACSMD 25 replies to CPE1 with message M2 that includes the IP address for ACS1. *Id.* at 7:27–36. CPE1 then sends message M3 requesting configuration data to ACS1. *Id.* at 7:37–42. ACS1 replies to CPE1 with message M4 that includes the requested configuration data. *Id.* at 7:43–50.

Figure 5 of the '772 patent is reproduced below.

Figure 5



Id. at Fig. 5. Figure 5 “shows a further signal flow in accordance with an alternative embodiment.” *Id.* at 7:51–52. Specifically, CPE1 sends message M1 requesting configuration data to ACSMD 25. *Id.* at 7:58–8:3. If the request is valid, ACSMD 25 relays the request as message M5 to ACS1. *Id.*

at 8:4–14. ACS1 replies to ACSMD 25 with message M6 that includes the requested configuration data. *Id.* at 8:20–27. ACSMD 25 then relays the requested configuration data as message M7 to CPE1. *Id.* at 8:28–37.

E. Illustrative Claim

Of the challenged claims, claims 1, 10, 12, and 15 are independent. Claim 1 is reproduced below.

1. A system for remote device management comprising:
 - a plurality of auto-configuration servers (ACSs);
 - a manageable electronic device;
 - an auto-configuration server managing device (ACSMD) for controlling access to the ACSs communicatively coupled intermediately between the plurality of ACSs and the managed electronic device; and
 - at least one database communicatively coupled to the ACSM and storing information for the identification of electronic devices,
 - wherein the manageable electronic device is configured to send a request for configuration data to the ACSMD,
 - wherein configuration data comprise data for configuring the manageable electronic device, and
 - wherein the ACSMD is configured, responsive to receiving the request, to:
 - identify the manageable electronic device by comparing at least a portion of the request with the information for the identification of electronic devices of the at least one database, and
 - identify an ACS from the plurality of ACSs in accordance with the identification of the manageable electronic device to provide configuration data to the manageable electronic device, and
 - wherein the ACSMD is further configured to relay the request to the identified ACS.

Ex. 1001, 9:52–10:10.

F. Evidence

Petitioner submits the following evidence:

Evidence	Exhibit No.
Declaration of Dr. Robert Akl, D.Sc. (“Akl Declaration”)	1003
Chatrath, US 2005/0060361 A1, published Mar. 17, 2005 (“Chatrath”)	1004
Oh, US 2006/0172769 A1, published Aug. 3, 2006 (“Oh”)	1005
Schliserman, WO 2007/066318 A1, published June 14, 2007 (“Schliserman”)	1006
Tullberg, US 2007/0192464 A1, published Aug. 16, 2007 (“Tullberg”)	1007

G. Asserted Grounds

Petitioner asserts that the challenged claims are unpatentable on the following grounds:

Claim(s) Challenged	35 U.S.C. §	Reference(s)/Basis
1–6, 8–16	103	Chatrath
7	103	Chatrath, Oh
1–6, 8–16	103	Schliserman, Tullberg

II. ANALYSIS

A. Level of Ordinary Skill in the Art

Petitioner argues that a person of ordinary skill in the art would have had “at least a bachelor’s degree in electrical engineering, computer engineering, computer science, or a related field, and had at least two years’ experience in telecommunication, computer networking, or the equivalent.” Pet. 9 (citing Ex. 1003 ¶ 19). Petitioner’s description of the level of ordinary skill in the art is supported by the testimony of Petitioner’s declarant, Dr. Robert Akl. Ex. 1003 ¶ 19. Patent Owner does not propose a description of the level of ordinary skill in the art or dispute Petitioner’s

description. Prelim. Resp. 20. We adopt Petitioner’s description for purposes of this Decision.

B. Claim Construction

In an *inter partes* review proceeding, a claim of a patent is construed using the same standard used in a civil action under 35 U.S.C. § 282(b), including construing the claim in accordance with the ordinary and customary meaning of the claim as understood by one of ordinary skill in the art and the prosecution history pertaining to the patent. 37 C.F.R. § 42.100(b). Petitioner does not propose an express construction for any claim terms. Pet. 9. Patent Owner notes that certain claim terms previously were construed in other proceedings, but Patent Owner does not argue that an express construction of any claim term is necessary to resolve the parties’ disputes in this case. Prelim. Resp. 20–21. We determine that no claim terms require express construction for purposes of this Decision. *See Vivid Techs., Inc. v. Am. Sci. & Eng’g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999) (“[O]nly those terms need be construed that are in controversy, and only to the extent necessary to resolve the controversy.”).

C. Obviousness of Claims 1–6 and 8–16 over Chatrath

Petitioner argues that claims 1–6 and 8–16 would have been obvious over Chatrath. Pet. 9–37. Because Patent Owner disclaimed claims 1, 8–10, 12, 13, and 15, we will not institute an *inter partes* review of those claims. Ex. 2001, 5; *see* 37 C.F.R. § 42.107(e). And, for the reasons discussed below, Petitioner does not demonstrate a reasonable likelihood of prevailing in showing that claims 2–6, 11, 14, and 16 would have been obvious over Chatrath.

1. Dependent Claim 2

Claim 1 recites, *inter alia*, “a plurality of auto-configuration servers (ACSs),” “a manageable electronic device,” and “an auto-configuration server managing device (ACSMD) for controlling access to the ACSs.” Ex. 1001, 9:53–56. Claim 2 depends from claim 1, and recites “wherein the ACSMD is further configured to receive a reply from the identified ACS, and relay the reply to the manageable electronic device.” *Id.* at 10:11–13.

For claim 1, Petitioner argues that 1) Chatrath’s device management servers S are a plurality of ACSs; 2) Chatrath’s terminal TE is a manageable electronic device; and 3) Chatrath’s intermediary node IN is an ACSMD. Pet. 14–17 (citing Ex. 1004 ¶ 15, Fig. 1). For claim 2, Petitioner argues that Chatrath’s intermediary node “IN receives [a] device management message from the server S and relays it to the terminal TE.” *Id.* at 24–25 (citing Ex. 1003 ¶¶ 108–110; Ex. 1004 ¶ 27, Fig. 1). Patent Owner responds that “Chatrath does not teach or suggest that intermediary node IN ‘receive[s] a reply from’ selected device management server S and ‘relay[s] the reply to’ terminal TE, as recited in [c]laim 2.” Prelim. Resp. 22. According to Patent Owner, “Chatrath teaches that responses from device management server S go directly to terminal TE without any involvement of intermediary node IN.” *Id.*

On this record, Petitioner does not show sufficiently that Chatrath’s intermediary node IN is configured to receive a reply from server S and relay the reply to terminal TE. Petitioner relies on an annotated version of Chatrath’s Figure 1 reproduced below.

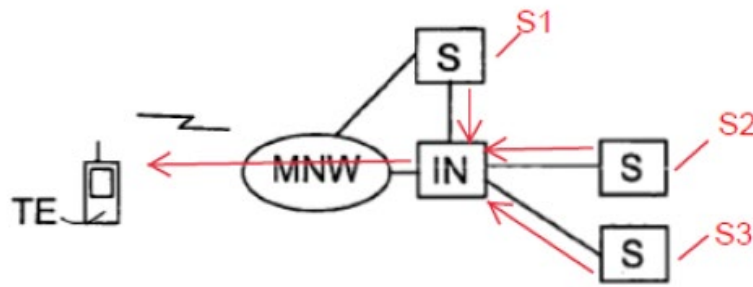


Fig. 1

Pet. 24–25. Chatrath’s Figure 1 “shows a device management system,” and Petitioner’s annotations include arrowed lines allegedly indicating how servers S communicate with terminal TE through intermediary node IN. *Id.*; Ex. 1003 ¶ 109; Ex. 1004 ¶ 15. To support those annotations, Petitioner’s declarant, Dr. Akl, states that Chatrath’s Figure 1 “shows the servers S2 and S3 are connected with the terminal TE only through the intermediary node IN,” and, thus, “the device management messages from the servers S2 and S3 can only be relayed by the IN to the terminal TE.” Ex. 1003 ¶ 109.

Petitioner does not support its annotations to Figure 1 sufficiently. Chatrath’s Figure 1, on its face, does not indicate how server S sends messages to terminal TE. *See* Ex. 1004 ¶¶ 15–17, Fig. 1. And Petitioner does not identify any portion of Chatrath that describes intermediary node IN receiving a reply from server S and relaying the reply to terminal TE. *See* Pet. 24–25; Ex. 1003 ¶¶ 108–110.

Further, as Patent Owner points out, Chatrath’s other figures and the accompanying descriptions indicate that server S sends messages directly to terminal TE. Prelim. Resp. 21–26. For example, Chatrath’s Figure 3 is reproduced below.

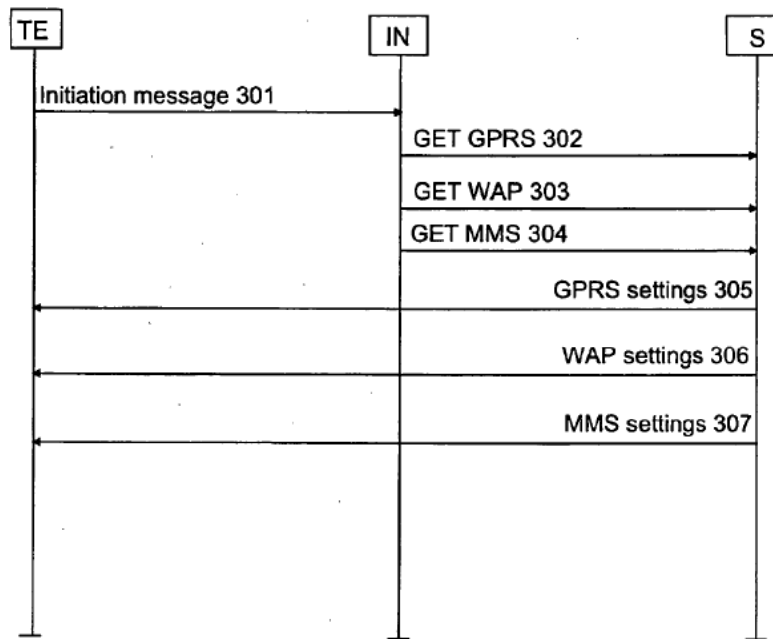


Fig. 3

Ex. 1004, Fig. 3. Chatrath’s Figure 3 “is a signaling diagram illustrating initiation of device management utilizing configuration messages.” *Id.* ¶ 13. Figure 3 shows intermediary node IN receiving message 301 from terminal TE and then sending requests 302, 303, 304 to server S. *Id.* ¶ 34, Fig. 3. In contrast, Figure 3 shows server S sending messages 305, 306, 307 directly to terminal TE.¹ *Id.* ¶ 35 (“the terminal TE accepts these messages”), Fig. 3; *see also id.* ¶ 27 (“The terminal TE receives in step 208 a device management message from server S.”). Thus, Chatrath’s Figure 3 and the accompanying description indicate that although server S receives requests

¹ Chatrath’s Figure 3 is similar to the ’772 patent’s Figure 4 where ACS1 replies directly to CPE1. *See* Ex. 1001, Fig. 4; Ex. 1004, Fig. 3; Section I.D.

through intermediary node IN, server S replies directly to terminal TE.² *Id.* ¶¶ 34–35, Fig. 3.

We note that Dr. Akl also cites to Chatrath’s paragraph 37. Ex. 1003 ¶ 110. In particular, Dr. Akl points to Chatrath’s teaching that “request 401 may be modified by the IN into the format understood by the server S if the initiation message 401 cannot be sent as such to the server S.” *Id.*; Ex. 1004 ¶ 37. Dr. Akl asserts that “[s]imilarly, if the device management message from the server S is not in a format that can be understood by the terminal TE, the intermediary node IN also relays the device management message to the terminal TE, by modifying the device management message into a format understood by the terminal TE.” Ex. 1003 ¶ 110.

On this record, Dr. Akl’s citation to Chatrath’s paragraph 37 does not compensate for the deficiency discussed above. Paragraph 37 describes intermediary node IN modifying a request received from terminal TE and then sending it to server S. Ex. 1004 ¶ 37. But, notably, paragraph 37 does not mention intermediary node IN modifying a reply received from server S and then sending it to terminal TE. *See id.* Thus, paragraph 37 is further evidence that although server S receives requests through intermediary node IN, server S replies directly to terminal TE.

For the foregoing reasons, Petitioner does not show sufficiently that Chatrath teaches an ACSMD configured to receive a reply from the identified ACS, and relay the reply to the manageable electronic device.

² Chatrath’s Figure 4 and the accompanying description similarly indicate that server S replies directly to terminal TE. *Id.* ¶¶ 36–40, Fig. 4.

2. *Dependent Claim 3*

Claim 1 recites, *inter alia*, “a plurality of auto-configuration servers (ACSs),” “a manageable electronic device,” and “an auto-configuration server managing device (ACSMD) for controlling access to the ACSs.” Ex. 1001, 9:53–56. Claim 3 depends from claim 1, and recites “wherein the ACSMD is further configured to identify the type of the manageable electronic device by comparing a network address of the manageable electronic device in the request with a predetermined plurality of network addresses in the at least one database.” Ex. 1001, 10:14–19.

As discussed above, for claim 1, Petitioner argues that 1) Chatrath’s device management servers S are a plurality of ACSs; 2) Chatrath’s terminal TE is a manageable electronic device; and 3) Chatrath’s intermediary node IN is an ACSMD. Pet. 14–17 (citing Ex. 1004 ¶ 15, Fig. 1). For claim 3, Petitioner argues that Chatrath’s intermediary node IN identifies the model of terminal TE by comparing a subscriber specific number of terminal TE in an initiation message with a predetermined plurality of subscriber specific numbers in a database. *Id.* at 25–27 (citing Ex. 1004 ¶¶ 28, 31–32). Patent Owner responds that Chatrath’s intermediary node IN identifies a network or network operator, not the terminal model, from the subscriber specific number in the initiation message. Prelim. Resp. 31–32. Further, Patent Owner contends that the initiation message already includes a terminal model identifier, and, thus, intermediary node IN does not need to identify the terminal model by comparing the subscriber specific number against a database. *Id.* at 32–33.

On this record, Petitioner does not show sufficiently that Chatrath’s intermediary node IN is configured to identify the model of terminal TE by

comparing a subscriber specific number of terminal TE with a predetermined plurality of subscriber specific numbers in a database. Petitioner relies on paragraphs 28 and 31 of Chatrath.³ Pet. 25–27; Ex. 1003 ¶¶ 112–116. Paragraph 31 teaches a “terminal model identifier.” Ex. 1004 ¶ 31. Petitioner asserts that the “terminal model identifier” identifies the model of terminal TE. Pet. 25–26; Ex. 1003 ¶ 113. But Petitioner does not cite specific evidence indicating that intermediary node IN identifies the “terminal model identifier” by performing the comparison recited in claim 3. *See* Pet. 25–27; Ex. 1003 ¶¶ 112–116. In fact, paragraph 31 teaches that intermediary node IN receives the “terminal model identifier” in an initiation message from terminal TE. Ex. 1004 ¶ 31. Thus, the evidence of record indicates that intermediary node IN does *not* identify the “terminal model identifier” by performing the claimed comparison. *Id.*

Paragraph 28 teaches that intermediary node “IN can check 205 *the network or the network operator* from the MSISDN number of the message or the IMSI identifier associated with the transfer of the initiation message.” Ex. 1004 ¶ 28 (emphasis added). Even if paragraph 28 teaches the comparison recited in claim 3, Petitioner does not explain specifically how determining “the network or the network operator” identifies the model of terminal TE. *See* Pet. 25–27; Ex. 1003 ¶¶ 112–116. As discussed above, Petitioner points to Chatrath’s “terminal model identifier” as identifying the model of terminal TE, not “the network or the network operator.” Pet. 25–26; Ex. 1003 ¶ 113.

³ Petitioner also cites to paragraph 32 of Chatrath, but Petitioner does not explain how paragraph 32 teaches claim 3’s limitation. *See* Pet. 27.

For the foregoing reasons, Petitioner does not show sufficiently that Chatrath teaches an ACSMD configured to identify the type of the manageable electronic device by comparing a network address of the manageable electronic device in the request with a predetermined plurality of network addresses in the at least one database.

3. Dependent Claims 4–6, 11, 14, and 16

Claims 4–6 depend from claim 3. Petitioner’s arguments and evidence regarding claims 4–6 do not compensate for the deficiencies discussed above for claim 3. See Pet. 27–30. Thus, for the same reasons discussed above, Petitioner does not demonstrate a reasonable likelihood of prevailing in showing that claims 4–6 would have been obvious over Chatrath.

Claim 11, 14, and 16 recite limitations similar to those discussed above for claim 2. Petitioner’s arguments and evidence regarding claims 11, 14, and 16 do not compensate for the deficiencies discussed above for claim 2. See Pet. 33, 36–37. Thus, for the same reasons discussed above, Petitioner does not demonstrate a reasonable likelihood of prevailing in showing that claims 11, 14, and 16 would have been obvious over Chatrath.

4. Summary

For the foregoing reasons, Petitioner does not demonstrate a reasonable likelihood of prevailing in showing that claims 2–6, 11, 14, and 16 would have been obvious over Chatrath.

D. Obviousness of Claim 7 over Chatrath and Oh

Petitioner argues that claim 7 would have been obvious over Chatrath and Oh. Pet. 37–40. Because Patent Owner disclaimed claim 7, we will not

institute an *inter partes* review of that claim. Ex. 2001, 5; *see* 37 C.F.R. § 42.107(e).

E. Obviousness of Claim 1–6 and 8–16 over Schliserman and Tullberg

Petitioner argues that claims 1–6 and 8–16 would have been obvious over Schliserman and Tullberg. Pet. 41–80. Because Patent Owner disclaimed claims 1, 8–10, 12, 13, and 15, we will not institute an *inter partes* review of those claims. Ex. 2001, 5; *see* 37 C.F.R. § 42.107(e). And, for the reasons discussed below, Petitioner does not demonstrate a reasonable likelihood of prevailing in showing that claims 2–6, 11, 14, and 16 would have been obvious over Schliserman and Tullberg.

1. Dependent Claims 2–6

Claim 1 recites, *inter alia*, “a plurality of auto-configuration servers (ACSs).” Ex. 1001, 9:53. Claims 2–6 depend from claim 1, and, thus, also require a plurality of ACSs. Petitioner argues that Schliserman teaches “Auto-Configuration Server ACS (204)” in Figure 2, and that “ACS 204 can be, *e.g.*, the servers IS1–ISN (121–124)” in Figure 1. Pet. 52–53 (citing Ex. 1006, 2:13–22, 2:27–28, Figs. 1, 2). Patent Owner responds that “Schliserman teaches one and only one ACS in Figure 2.” Prelim. Resp. 38. Patent Owner further contends that “the Petition and Petitioner’s expert merely state, without explanation, that servers IS1–ISN (121–124) ‘correspond to’ or ‘can be’ ACS 204.” *Id.* at 39.

On this record, Petitioner does not show sufficiently that Schliserman teaches a plurality of ACSs. Petitioner relies on Schliserman’s Figures 1 and 2. Pet. 52–53. Schliserman’s Figure 2 is reproduced below.

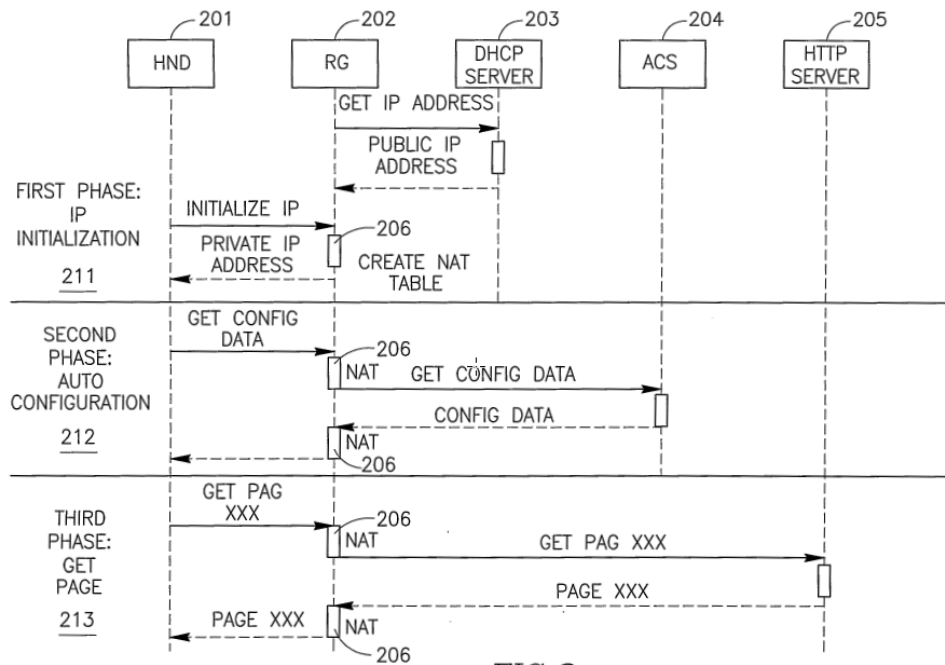
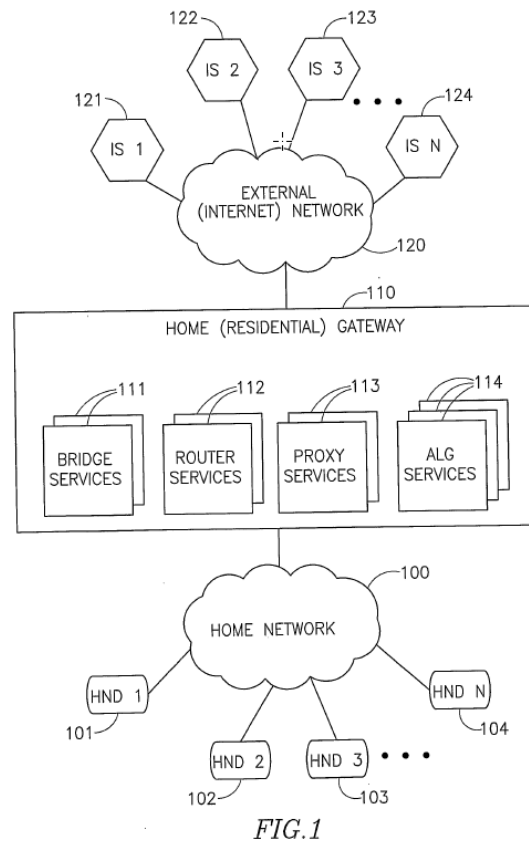


FIG. 2

Ex. 1006, Fig. 2. Figure 2 is “[a] schematic example of a simple service.” *Id.* at 2:21–24. Figure 2 shows one ACS, not a plurality of ACSs. *Id.* at 2:27–28, Fig. 2.

Schliserman's Figure 1 is reproduced below.



Id. at Fig. 1. Figure 1 is “a well known and widely used architecture of a Home (or Residential) gateway.” *Id.* at 2:3–6. Figure 1 shows “[n]etwork devices of the IP network” that “are represented by a number of servers IS1–ISN (121–124).” *Id.* at 2:8–9, Fig. 1. Petitioner argues that any of the servers in Figure 1 can be an ACS. Pet. 53; Ex. 1003 ¶ 230. Specifically, Petitioner’s declarant, Dr. Akl, asserts that “ACS 204 can be any of the servers IS1–ISN (121–124) in Fig. 1 that receives the message, because *Schliserman* states the HND ‘send[ing] messages over the Internet Network (120) and reach[ing] the necessary servers that take care of the message.’” Ex. 1003 ¶ 230 (citing Ex. 1006, 2:18–20).

The portion of Schliserman cited by Dr. Akl indicates that messages sent over the Internet Network in Figure 1 reach the necessary servers. Ex. 1006, 2:18–20, Fig 1. And, as discussed above, Schliserman’s Figure 2 indicates that its system includes one ACS. Ex. 1006, 2:27–28, Fig. 2. Thus, at best, the cited portions of Schliserman indicate that one of the servers in Figure 1 can be an ACS. *Id.* at 2:18–20, 2:27–28, Figs. 1, 2. But Petitioner does not identify any portion of Schliserman that describes the servers in Figure 1 as including more than one ACS, nor does Petitioner explain specifically why a person of ordinary skill in the art would have recognized the servers in Figure 1 as including more than one ACS. *See* Pet. 52–53; Ex. 1003 ¶¶ 228–230. Further, Petitioner does not identify specific evidence indicating that it would have been obvious to modify Schliserman to include more than one ACS. *See* Pet. 52–53; Ex. 1003 ¶¶ 228–230.

For the foregoing reasons, Petitioner does not show sufficiently that Schliserman teaches a plurality of ACSs.

2. Dependent Claims 11, 14, and 16

Claims 10, 12, and 15 recite, *inter alia*, “a plurality of auto-configuration servers (ACSs).” Ex. 1001, 10:58–59, 11:22–23, 12:18–19. Claims 11, 14, and 16 depend from claims 10, 12, or 15, and, thus, also require a plurality of ACSs. Petitioner’s arguments and evidence regarding claims 11, 14, and 16 do not compensate for the deficiencies discussed above for claims 2–6. *See* Pet. 75–80. Thus, for the same reasons discussed above, Petitioner does not demonstrate a reasonable likelihood of prevailing in showing that claims 11, 14, and 16 would have been obvious over Schliserman and Tullberg.

3. *Summary*

For the foregoing reasons, Petitioner does not demonstrate a reasonable likelihood of prevailing in showing that claims 2–6, 11, 14, and 16 would have been obvious over Schliserman and Tullberg.

III. CONCLUSION

Because Patent Owner disclaimed claims 1, 7–10, 12, 13, and 15, we will not institute an *inter partes* review of those claims. Ex. 2001, 5; *see* 37 C.F.R. § 42.107(e). And Petitioner does not demonstrate a reasonable likelihood of prevailing in showing that at least one of the other challenged claims of the '772 patent is unpatentable.

IV. ORDER

It is hereby

ORDERED that the Petition is denied, and no trial is instituted.

IPR2022-00025
Patent 8,886,772 B2

PETITIONER:

E. Robert Yoches
Yanbin Xu
Yongyuan (Michelle) G. Rice
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP
bob.yoches@finnegan.com
yanbin.xu@finnegan.com
michell.rice@finnegan.com

PATENT OWNER:

Bradley J. Hulbert
Eric R. Moran
James L. Lovsin
MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP
hulbert@mbhb.com
moran@mbhb.com
lovsin@mbhb.com