

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EVERI PAYMENTS INC.,
Petitioner,

v.

SIGHTLINE PAYMENTS LLC,
Patent Owner.

IPR2022-00614
Patent 8,708,809 B2

Before MITCHELL G. WEATHERLY, CARL M. DEFRANCO JR., and
SCOTT C. MOORE, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*.

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

I. INTRODUCTION

Everi Payments Inc. (“Petitioner”) filed a Petition (Paper 1, “Pet.”) requesting *inter partes* review of claims 1, 2, 6–11, 14–20, and 22–26 of U.S. Patent No. 8,708,809 B2 (Ex. 1002, “the ’809 Patent”). Pet. 3. With our authorization, Petitioner filed a Corrected Petition (Paper 10)¹ to improve “the quality of the images contained in the Petition.” Paper 9. Sightline Payments, LLC (“Patent Owner”) did not file a Preliminary Response.

We have authority under 35 U.S.C. § 314 and 37 C.F.R. § 42.4(a) to determine whether to institute review. We may institute an *inter partes* review when “the information presented in the petition . . . 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). If we institute an *inter partes* review, the trial must encompass all claims and grounds identified in the Petition. *See SAS v. Iancu*, 138 S. Ct. 1348, 1359–60 (2018); *AC Techs. S.A. v. Amazon.com, Inc.*, 912 F.3d 1358, 1364 (Fed. Cir. 2019) (“[I]f the Board institutes an IPR, it must . . . address all grounds of unpatentability raised by the petitioner.”)

For the reasons expressed below, we determine that the Petition shows a reasonable likelihood that Petitioner will prevail with respect to at least one of the challenged claims. We therefore institute an *inter partes* review

¹ In this Decision, we refer to the page numbers of the originally-filed Petition because the corrected Petition lacks page numbers. These original and corrected Petitions have identical substance and pagination; the only differences appear to be the quality of the images, the omission of page numbers, and a certificate of service signed June 3, 2022 in the corrected Petition.

of all challenged claims of the '809 Patent on all grounds asserted in the Petition.

We base our findings and conclusions on the preliminary evidentiary record before us at this stage of the proceeding. This is not a final written decision, and the Board has not made a final determination as to the patentability of any challenged claim or any underlying factual or legal issue. We will base our final written decision on the record as fully developed during trial.

A. *Real Parties in Interest*

Petitioner identifies as real parties in interest Everi Payments Inc., Everi Holdings Inc., Everi Games Holding Inc., and Petitioner Games Inc. Pet. 1. Patent Owner identifies itself as a real party in interest. Paper 4, 2.

B. *Related Matters*

The '809 Patent, filed February 22, 2013 as U.S. Application 14/033,493, claims priority to U.S. Provisional Application No. 61/744,564 (Ex. 1004, "the Provisional"). Ex. 1002, codes (21), (22), (60).

Petitioner indicates that Patent Owner asserted the '809 Patent in *Sightline Payments LLC v. Everi Holdings Inc. et al*, No. 6:21-cv-01015 (W.D. Tex.). See Pet. 1; Paper 4, 2. That case was dismissed on June 1, 2022. Pet. 1 (citing Ex. 1029).

Petitioner also identifies four related patents, each of which Petitioner challenges in a separate petition requesting *inter partes* review: U.S. Patent No. 8,988,708 B2² ("the '708 Patent"), U.S. Patent No. 9,196,123 B2³ ("the

² See IPR2022-00696. The '708 Patent is a continuation of the '809 Patent.

³ See IPR2022-00663. The '123 Patent is a continuation-in part of the '708 Patent, which is a continuation of the '809 Patent.

'123 Patent”), U.S. Patent No. 9,466,176 B2⁴ (“the ’176 Patent”), and U.S. Patent No. 9,785,926 B2⁵ (“the ’926 Patent”). Pet. 1.

C. *The ’809 Patent*

The ’809 Patent is directed to a system and method for facilitating gaming-related financial transactions. Ex. 1002, 4:50–51. Embodiments of the disclosed system and method may use a financial/transaction facilitator to selectively transfer funds between a player’s gaming account and personal account. *Id.* at Abstract, 4:52–55. Figure 3 of the ’809 Patent, reproduced below, illustrates an embodiment of a fund transfer system.

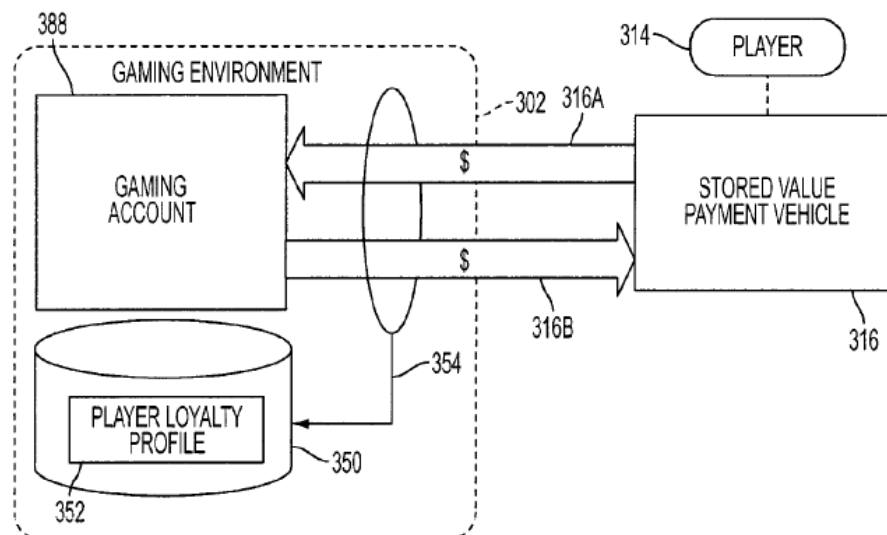


FIG. 3

⁴ See IPR2022-0706. The ’176 Patent is a continuation of the ’123 patent, which is a continuation-in part of the ’708 Patent, which is a continuation of the ’809 Patent.

⁵ See IPR2022-00707. The ’926 Patent is a continuation of the ’176 Patent, which is a continuation of the ’123 Patent, which is a continuation-in part of the ’708 Patent, which is a continuation of the ’809 Patent.

Figure 3 is a diagrammatic representation illustrating the interplay between a stored value payment vehicle and a gaming account in accordance with embodiments of the disclosure. Ex. 1002, 4:13–16.

As illustrated in Figure 3, a gaming environment 302, such as a casino, may include a gaming account 388 and a loyalty profile 352 associated with player 314. *Id.* at Fig. 3, 5:63–67, 9:63–10:3. The gaming environment may also include a gaming computing system (also called a “casino computing system”) for processing a player identifier associated with the player and the loyalty profile. *Id.* at 13:21–23. The term “gaming account,” as used in the ’809 Patent, “can be any type of financial account (i.e., electronic ledger) that is associated with a player, or collection of financial accounts that are associated with a player, and maintained by a casino, or at least on behalf of a casino.” *Id.* at 8:26–30. As seen in Figure 3, player 314 may be issued a stored value payment vehicle 316 that is associated with a stored value account, and may selectively transfer funds between the gaming account and the stored value payment vehicle. *Id.* at 9:63–10:9. The stored value account is a financial account such as a bank account. *Id.* at 4:55–57; 11:41–43. The stored value payment vehicle can be “any . . . suitable” payment vehicle including a general purpose reloadable prepaid card, debit card, or “other payment vehicle” associated with a stored value account 128. *Id.* at 4:60–64, 11:41–43. Both the stored value payment vehicle and stored value account are maintained by an issuing financial institution, such as a bank, having an issuer processor computing system for maintaining and/or processing transactions associated with the stored value payment vehicle 116 and the stored value account. *Id.* at 4:55–57, 7:39–42, 11:41–43.

Figure 7 of the '809 Patent, reproduced below, illustrates an embodiment of a fund transfer system having gaming and issuer processor computing systems, and a transaction facilitator for facilitating fund transfers between the player's gaming account and stored value account.

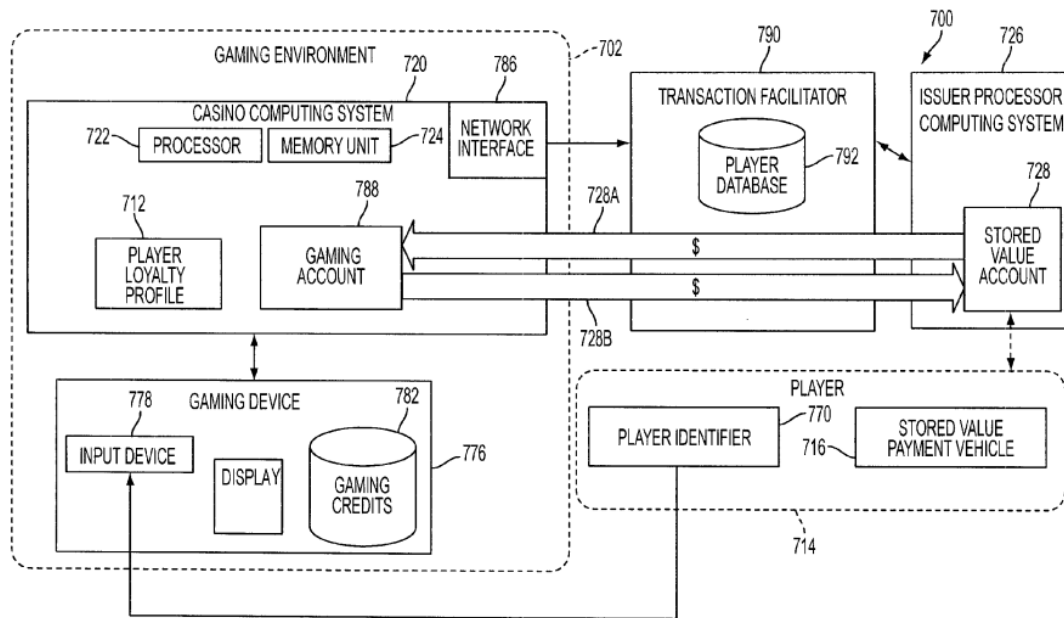


FIG. 7

Figure 7 depicts an arrangement 700 of a transaction facilitator 790 interacting with both a gaming environment 702 and an issuer processor computing system 726. Ex. 1002, 12:51–54. As seen in Figure 7, gaming environment 702 includes a casino computing system 720, gaming account 788 and player loyalty profile 712. *Id.* at Figure 7. The casino computing system 720 can be configured to transmit the player identifier 770, or other player identifying data, to transaction facilitator 790 using a suitable network interface 786. *Id.* at 13:44–47. Upon receiving the player identifier 770 (or other player identifying data), transaction facilitator 790 matches the player identifying data to a particular stored value account 728 that is also

associated with the player's identifier 770 and stored payment vehicle 716. *Id.* at 13:48–51. After transaction facilitator 790 identifies the stored value account 728, it facilitates the transfers of funds 728A by debiting the stored value account 728 and crediting the gaming account 788 (or vice versa). *Id.* at 13:60–14:3.

In some embodiments, the player can interact with an application executing on a computing device to initiate various balance transfers. For example, player identifier 770 can be provided on gaming device 776 and used to identify the player's loyalty profile 712. *Id.* at 13:40–44. The player loyalty profile may be maintained by a customer relationship management engine, which can be operated by the gaming operator of the gaming environment or a third party service provider. *Id.* at 10:33–38.

D. *Challenged Claims*

Petitioner challenges claims 1, 2, 6–11, 14–20, and 22–26, of which claims 1, 10, 17, and 24 are independent. Pet. 3. Claim 1, reproduced below, is representative.

1. [1.0] A computer-based method of gaming, the method comprising:

[1.1] receiving, by a transaction facilitator, from a gaming computing system affiliated with a gaming environment, a player identifier of a player,

[1.2] wherein the player identifier is associated with a gaming account having a balance, and

[1.3] wherein the transaction facilitator comprises a processor and a memory unit;

[1.4] based at least partially on the player identifier, identifying, by the transaction facilitator, a stored value account,

[1.5] wherein the stored value account is associated with a stored value payment vehicle issued to the player,

[1.6] and wherein a balance of the stored value account is maintained by an issuer processor computing system; and

[1.7] communicating, by the transaction facilitator, with the issuer processor computing system and the gaming computing system to decrease the balance of the stored value account and increase the balance of the gaming account.

Ex. 1002, 21:16–33 (with Petitioner’s bracketed reference numerals added).

E. *Asserted Grounds of Unpatentability*

Petitioner asserts the following grounds of unpatentability, supported by the declaration of Dwight Crevelt (Ex. 1001):

Claim(s) Challenged	35 U.S.C. §	Reference(s)/Basis
1, 2, 6–8, 10, 11, 14, 15, 17–20, 22–26	103	Smith ⁶
1, 2, 6–11, 14–19, 22, 23	103	Sommer ⁷

Pet. 9. The Leahy-Smith America Invents Act (“AIA”), Pub. L. No. 112-29, 125 Stat. 284, 287–88 (2011), amended 35 U.S.C. §§ 102 and 103, and these amendments became effective on March 16, 2013. Petitioner contends that even though the ’809 Patent claims priority to a pre-AIA provisional, that provisional does not fully support the claims that issued from the post-AIA patent application. Pet. 4. Accordingly, Petitioner contends that the post-AIA versions of Sections 102 and 103 apply in this proceeding. *Id.*

⁶ U.S. Patent Application Publication No. 2013/0073447 A1, pub. Mar. 21, 2013 (Ex. 1005, “Smith”).

⁷ U.S. Patent Application Publication No. 2008/0113776 A1, pub. May 15, 2008 (Ex. 1006, “Sommer”).

At this stage of the proceeding, Patent Owner does not dispute Petitioner's contention that the post-AIA versions of Sections 102 and 103 apply. Patent Owner also does not presently dispute Petitioner's contention that Smith and Sommer qualify as prior art under either the pre-AIA or post-AIA version of Section 102. *See id.* On this preliminary record, we apply the post-AIA versions of Sections 102 and 103 and treat Smith and Sommer as prior art under 35 U.S.C. § 102(a).

II. ANALYSIS

A. *Level of Ordinary Skill in the Art*

Petitioner submits that a person of ordinary skill in the art ("POSA") during the relevant time frame "would have a Bachelor's degree in Computer Engineering or Computer Science, or an equivalent degree, with at least two years of experience in casino or gaming transaction facilitation, or related technologies." Pet. 9 (citing Ex. 1001 ¶ 37). Patent Owner does not presently challenge Petitioner's definition of the level of ordinary skill in the art.

On this record, we adopt Petitioner's formulation regarding the level of ordinary skill in the art. We also find that Petitioner's formulation is consistent with the level of skill reflected by the cited prior art references. *See Okajima v. Bourdeau*, 261 F.3d 1350, 1355 (Fed. Cir. 2001).

B. *Claim Construction*

We construe claims "using the same claim construction standard that would be used to construe the claim in a civil action under 35 U.S.C. 282(b)." 37 C.F.R. § 42.100(b). In applying this claim construction standard, we are guided by the principle that the words of a claim "are generally given their ordinary and customary meaning," as understood by a

person of ordinary skill in the art in question at the time of the invention. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1312–13 (Fed. Cir. 2005) (en banc). “In determining the meaning of the disputed claim limitation, we look principally to the intrinsic evidence of record, examining the claim language itself, the written description, and the prosecution history, if in evidence.” *DePuy Spine, Inc. v. Medtronic Sofamor Danek, Inc.*, 469 F.3d 1005, 1014 (Fed. Cir. 2006) (citing *Phillips*, 415 F.3d at 1312–17). There is a “heavy presumption,” however, that a claim term carries its ordinary and customary meaning. *CCS Fitness, Inc. v. Brunswick Corp.*, 288 F.3d 1359, 1366 (Fed. Cir. 2002).

Neither party proposes construction for any of the claim terms. Pet. 9–10. Accordingly, we decline to construe any claim terms at this time. *Vivid Techs., Inc. v. Am. Sci. & Eng’g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999) (only terms that are in controversy need to be construed, and then only to the extent necessary to resolve the controversy); *see also Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co. Matal*, 868 F.3d 1013, 1017 (Fed. Cir. 2017) (citing *Vivid Techs.* in the context of an *inter partes* review).

C. *Obviousness under 35 U.S.C. § 103*

1. *Principles of Law*

A patent claim is unpatentable under 35 U.S.C. § 103(a) if the differences between the claimed subject matter and the prior art are such that the subject matter, as a whole, would have been obvious at the time the invention was made to a person of ordinary skill in the art to which said subject matter pertains. *KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 406 (2007). The question of obviousness is resolved on the basis of underlying

factual determinations including: (1) the scope and content of the prior art; (2) any differences between the claimed subject matter and the prior art; (3) the level of ordinary skill in the art; and (4) when in evidence, objective evidence of nonobviousness.⁸ *Graham v. John Deere Co.*, 383 U.S. 1, 17–18 (1966).

2. Overview of Smith (Ex. 1005)

Smith relates to an electronic funds transfer system for transferring funds to a verified account using a player card. Ex. 1005 ¶ 2. An exemplary system is depicted in Figure 1, reproduced below.

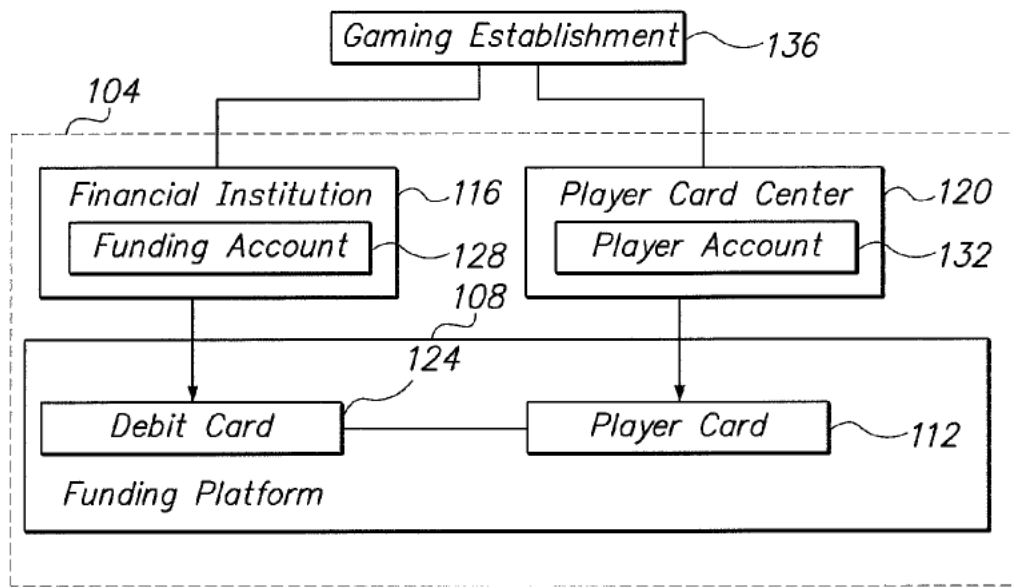


FIG. 1

Figure 1 is a block diagram illustrating an exemplary funding system. Ex. 1005 ¶ 22. Funding system 104 links various financial accounts so that funds may be transferred from a player's funding account to another account

⁸ At this stage of the proceeding, the parties have not directed us to any objective evidence of nonobviousness.

such as the player's card account 132 at a gaming establishment 136. *Id.*

¶¶ 32, 36. In particular, “a bank or other financial institution 116 may provide one or more funding accounts 128 (e.g., debit card, checking, savings, or other accounts) for holding and transferring a player's funds.” *Id.*

¶ 33. Financial institution 116 may issue debit card 124 through which funds in funding account 128 and the funding account itself may be accessed. *Id.* Player card center 120 may issue player tracking card 112, and players may access their player accounts 132 and accumulate rewards using their player tracking card 112. *Id.* ¶ 34. Player tracking card 112 and debit card 124 may have information stored thereon that “identifies a player's account at a gaming establishment and/or financial institution 116, respectively.” *Id.* ¶ 35. Linking platform 108 (also called “funding platform”) associates a player's funding account 128 with his or her player account 132. *Id.* ¶¶ 36, 37.

Details of funding platform 108 are depicted in Figure 3, reproduced below.

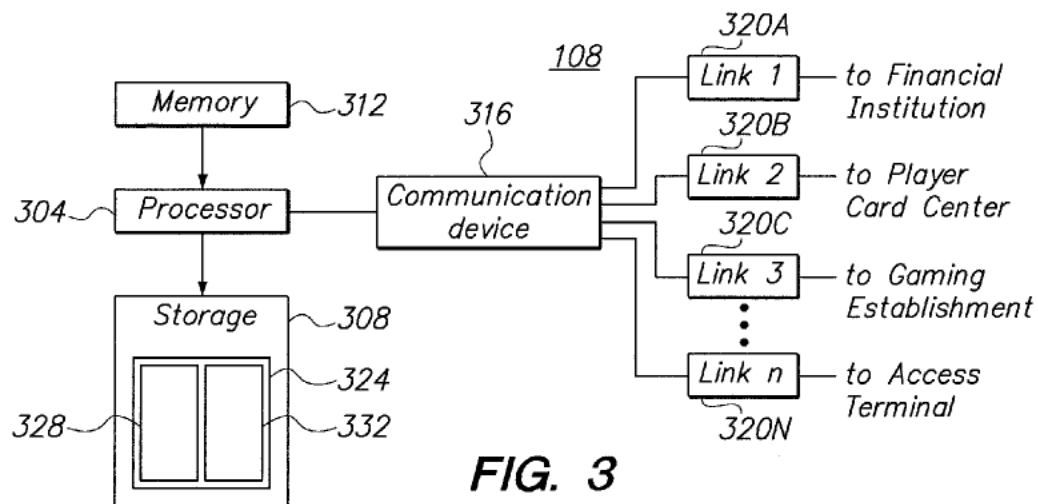


FIG. 3

Figure 3 is a block diagram illustrating an exemplary funding platform.

Ex. 1005 ¶ 24. Funding platform 108 includes communication device 316 that “execute[s] fund transfers, such as by identifying a source account, a destination account, an amount to be transferred, and/or providing authorization for the transfers.” *Id.* ¶ 45. As depicted in Figure 3, communication device 316 establishes communication links in which “a first communication link 320A may form a connection with a financial institution while a second communication link 320B may form a connection with a gaming establishment.” *Id.* ¶ 46. Account information 324 may include data to associate or link player account information 328 and funding account information 332 so that this information may be linked by storing each with the same unique identifier. *Id.* ¶ 49. In use, “the player may swipe or scan his or her card at a card reader of a gaming machine, which devices transmits the player card information to the funding platform.” *Id.* ¶ 77. Once the player card information has been received and access to the player account is verified, funds may then be transferred from the funding account. ¶¶ 78–79.

An example of the flow of funds is depicted in Figure 6, reproduced below.

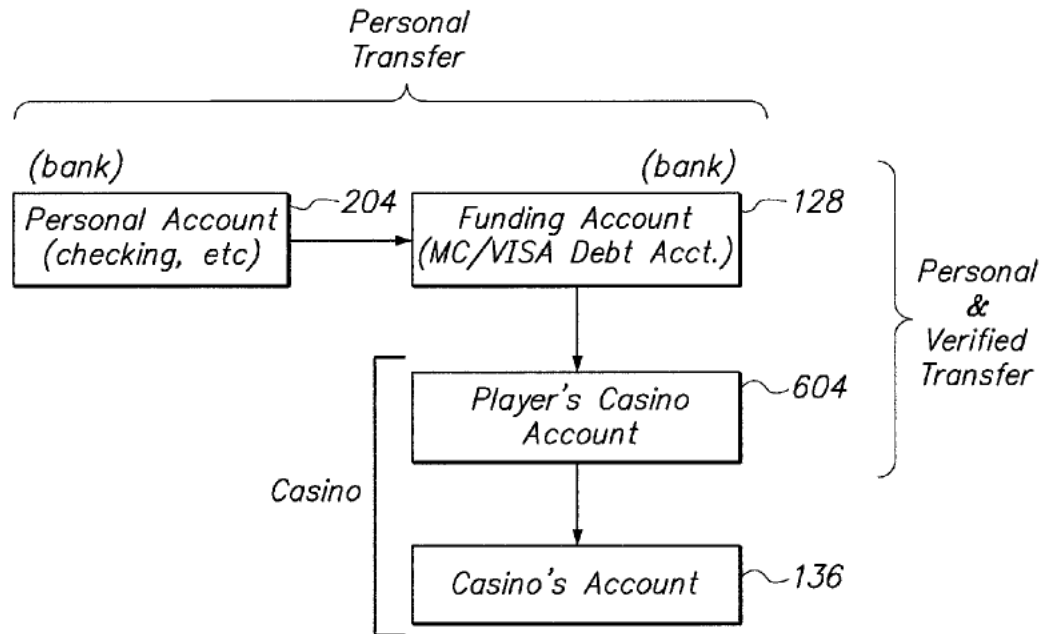


FIG. 6

Figure 6 is a block diagram illustrating an exemplary funds transfer via the funding system. Ex. 1005 ¶ 27. Smith explains that “funds may originate from the player's personal accounts 204, such as bank account(s), credit card(s) or other sources of funding that are held independent of the funding system.” *Id.* ¶ 84. The funds may be transferred to funding account 128 and then from funding account 128 to gaming establishment 136 using a credit card or the like so that the player can use the funds to place wagers. *Id.* ¶¶ 33, 84–85. If a player wins a wager, the player can “transfer the funds from their player account to their debit account.” *Id.* ¶ 93.

3. *Ground 1: Alleged Obviousness over Smith*

Petitioner contends that Smith teaches or suggests all limitations of claim 1. Pet. 3. Regarding the preamble (limitation [1.0]⁹), Petitioner contends that Smith discloses a computer-based method of gaming in which a funding platform 108 having a processor 304, memory 312, storage 308 and communication device 316 “execute[s] instructions and communicate[s] fund transfers to and from a gaming establishment.” *Id.* at 13 (citing Ex. 1005 ¶¶ 43, 45; Ex. 1001 ¶¶ 99–101, Fig. 3).

Addressing limitation [1.1], Petitioner contends that Smith’s casino is a “gaming environment.” *Id.* at 13–14 (citing Ex. 1005 ¶ 34; Ex. 1001 ¶ 103, Fig. 6). Petitioner also contends that Smith’s funding platform 108 “function[s] as a hub to orchestrate fund transfers between a player, various accounts, and the gaming establishment 136” and uses a unique identifier included on the player’s tracking card, i.e., a “player identifier” to “retrieve player account information 328 and funding account information 332 from storage 308.” *Id.* at 15 (citing Ex. 1005 ¶¶ 11–19, 39, 42, 46, 49, 77, Figs. 1, 6; Ex. 1001 ¶¶ 102–109). According to Petitioner, Smith’s funding platform corresponds to the claimed “transaction facilitator,” and Smith’s unique identifier corresponds to the claimed “player identifier.” *Id.* at 15–16.

Regarding the recited “gaming computing system,” Petitioner contends that a POSA would “immediately envisage” that such a system would have been included in Smith’s gaming environment “to monitor and manage gaming machines, player accounts and player wagering activities.”

⁹ We refer to the limitations of claim 1 using Petitioner’s bracketed reference numerals, which are reproduced in Section I.D, *supra*.

Id. at 14 (citing Ex. 1001 ¶ 104). Petitioner alternatively contends that a gaming computing system would have been obvious “in view of the state of the art, and particularly the use of computer games such as slot machines or video poker tracked closely by casino computer systems, at the time of filing of the ’809 Patent.” *Id.* (citing Ex. 1001 ¶ 105).

Moving on to limitations [1.2] and [1.3], Petitioner submits that Smith’s player account 132 (also referred to as a casino account), which is associated with the player’s tracking card, corresponds to the recited “gaming account” and “must have a balance because the funds in that account can be wagered or used within the casino.” *Id.* at 17–18 (citing Ex. 1005 ¶¶ 9, 34–36, 41, 76–78, 85; Ex. 1001 ¶¶ 111–112). Petitioner also contends that Smith’s funding platform (the “transaction facilitator”) includes processor 304 and memory 312, as required by limitation [1.3]. *Id.* at 18–19 (citing Ex. 1005 ¶¶ 17, 43, 44, 47, 49; Ex. 1001 ¶¶ 114–115).

Petitioner contends that Smith teaches limitation [1.4] by disclosing the use of the funding platform to identify a funding account 128 using the player card/identifier. *Id.* at 20 (citing Ex. 1001 ¶ 119; Ex. 1005 ¶¶ 34, 77–78 (explaining that swiping the card at a gaming machine accesses player account info including the funding account)). Petitioner also contends that Smith’s “[f]unding account 128 is a stored value account that can be a ‘checking, savings, or other account’ for ‘holding and transferring a player’s funds.’” *Id.* at 19 (citing Ex. 1005 ¶ 33) (emphasis omitted).

Regarding limitation [1.5], Petitioner further contends that the funding account is associated with a “‘debit card 124 or the like through which funds in the funding account 128. . . may be accessed.’” *Id.* at 21 (citing Ex. 1005 ¶ 33). According to Petitioner, the debit card is issued by a financial

institution (issuer processor) which maintains funds, i.e., a balance, in the funding account. *Id.* at 21–22 (citing Ex. 1005 ¶¶ 33, 35; Ex. 1001 ¶ 122). Petitioner contends that the debit card corresponds to the claimed “stored value payment vehicle” because “[t]he ’809 Patent states that the stored value payment vehicle may be a ‘prepaid debit card. . . issued to the player 614 by a bank or other financial entity.’” *Id.* at 21 (citing Ex. 1002, 11:41–43) (second alteration in original).

As to limitation [1.6], Petitioner contends that Smith teaches, or at least suggests, an issuer processor computing system. *Id.* at 22–23 (citing Ex. 1005 ¶ 15, 33, 39; Ex. 1001 ¶¶ 124, 125). Specifically, Petitioner submits that a “POSA would understand and immediately envisage that Smith’s financial institution (issuer processor) must have a computer system (issuer processor computing system) to accomplish the disclosed fund transfer” and maintain the balance of the account. *Id.* (citing Ex. 1005 ¶¶ 15, 33, 39; Ex. 1001 ¶¶ 124–125) (emphasis omitted).

Finally, Petitioner submits that Smith teaches limitation [1.7] because Smith discloses that the funding platform facilitates transfers between the player’s stored value account 128 and the player’s casino/gaming account 604/132 after the player swipes his/her player tracking card at a gaming device associated with the gaming computing system. *Id.* at 24 (citing Ex. 1005 ¶¶ 44–45, 77, 79, 85; Ex. 1001 ¶¶ 129–131). The transfer, Petitioner argues, “necessarily causes a decrease in the balance of the stored value account 128, and a corresponding increase in the balance of player’s casino/gaming account 604.” *Id.*

Petitioner’s arguments (*id.* at 10–24) and the supporting testimony of Dwight Crevelt (Ex. 1001 ¶¶ 99–131) demonstrate, in a manner that is

sufficiently persuasive at this stage of the proceeding, that Smith teaches or suggests each limitation of claim 1. Accordingly, Petitioner has shown a reasonable likelihood that it will prevail on its argument that claim 1 is unpatentable under 35 U.S.C. § 103. We, therefore, institute an *inter partes* review as to all grounds and all challenged claims. *See* 35 U.S.C. § 314(a); *SAS*, 138 S. Ct. at 1359–60; *AC Techs.*, 912 F.3d at 1364.

Patent Owner does not presently contest Petitioner’s contentions regarding claims 2, 6–8, 10, 11, 14, 15, 17–20, and 22–26. We also note that Petitioner’s contentions account for each limitation recited in claims 2, 6–8, 10, 11, 14, 15, 17–20, and 22–26 (*see* Pet. 24–56), and are supported by testimony from Dwight Crevelt (*see* Ex. 1001 ¶¶ 131–226). Given the absence of any disputed issues at this stage of the proceeding, we decline to further analyze Petitioner’s contentions that claims 2, 6–8, 10, 11, 14, 15, 17–20, and 22–26 are unpatentable over Smith pursuant to 35 U.S.C. § 103(a).

4. *Alleged Obviousness Over Sommer*

Petitioner further contends that claims 1, 2, 6–11, 14–19, 22, and 23 are obvious over Sommer. Pet. 56–91. Petitioner identifies portions of Sommer that allegedly teach or suggest each limitation recited in claims 1, 2, 6–11, 14–19, 22, and 23 (*see id.* at 59–91), and supports these contentions with testimony from Dwight Crevelt (*see* Ex. 1001 ¶¶ 233–327). Given the absence of any disputes at this stage of the proceeding regarding the teachings or suggestions of Sommers, we decline to further analyze Petitioner’s contentions that claims 1, 2, 6–11, 14–19, 22, and 23 are unpatentable over Sommer pursuant to 35 U.S.C. § 103(a).

III. CONCLUSION

For the above reasons, we determine that the information presented in Petitioner's Petition shows a reasonable likelihood that at least claim 1 of the '809 Patent is unpatentable as obvious over Smith. Because Petitioner demonstrates that at least one claim of the '809 Patent meets the threshold for institution, we institute an *inter partes* review of all claims as challenged in the Petition. 37 C.F.R. § 42.108(c); *SAS Inst. v. Iancu*, 138 S. Ct. 1348, 1359–60 (2018).

IV. ORDER

Accordingly, it is:

ORDERED that, pursuant to 35 U.S.C. § 314(a), an *inter partes* review of claims 1, 2, 6–11, 14–20, and 22–26 of the '809 Patent is *instituted*; and

FURTHER ORDERED that, pursuant to 35 U.S.C. § 314(c) and 37 C.F.R. § 42.4(b), notice is hereby given of the institution of trial, which will commence on the entry date of this Decision.

Case IPR2022-00614

Patent 8,708,809 B2

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