

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FANDUEL, INC.,
Petitioner,

v.

WINVIEW INC.,
Patent Owner.

IPR2022-01306
Patent 9,993,730 B2

Before HUBERT C. LORIN, MICHAEL R. ZECHER, and
FRANCES L. IPPOLITO, *Administrative Patent Judges*.

IPPOLITO, *Administrative Patent Judge*.

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

I. INTRODUCTION

FanDuel, Inc. (“Petitioner”) filed a Petition requesting an *inter partes* review (“IPR”) of claims 1, 4, 7, 28–31, 49, 57, 68, and 81 of U.S. Patent No. 9,993,730 B2 (Ex. 1001, “the ’730 patent”). Paper 1 (“Pet.”). WinView Inc. (“Patent Owner”) elected not to file a Preliminary Response.

Under 35 U.S.C. § 314(a), an *inter partes* review may not be instituted unless the information presented in the Petition and any response thereto shows “there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” We conclude that the information presented in the Petition establishes that there is a reasonable likelihood that Petitioner would prevail in challenging at least one of claims 1, 4, 7, 28–31, 49, 57, 68, and 81 of the ’730 patent as unpatentable under the grounds presented in the Petition.

Pursuant to § 314, we hereby institute an *inter partes* review.

A. Related Matters

In addition to this Petition, Petitioner has filed an *inter partes* review petition challenging a certain subset of claims of U.S. Patent No. 10,721,543 B2). Pet. 2; Paper 5, 1 (WinView’s Mandatory Notices); *FanDuel, Inc. v. Winview Inc.*, IPR2022-01307, Paper 1 (PTAB July 25, 2022).

The parties indicate that the ’730 patent is the subject of the following two district court proceedings: (1) *WinView Inc. v. FanDuel, Inc.*, No. 3:21-cv-13807 (D.N.J.) filed July 19, 2021; and (2) *WinView Inc. v. DraftKings, Inc.*, No. 3:21-cv-13405 (D.N.J.) filed July 7, 2021. Pet. 2; Paper 5, 1.

B. Real Party in Interest

Petitioner FanDuel identifies itself and FanDuel Limited as the real parties in interest. Pet. 2.

C. The '730 Patent

The '730 patent is titled “Methodology for Equalizing Systemic Latencies in Television Reception in Connection with Games of Skill Played in Connection with Live Television Programming,” and “relates to the field of distributed gaming utilizing a mobile device.” Ex. 1001, codes (54), (57), 1:50–54. As an example of methods described in the '730 patent, Figure 1 is reproduced below:

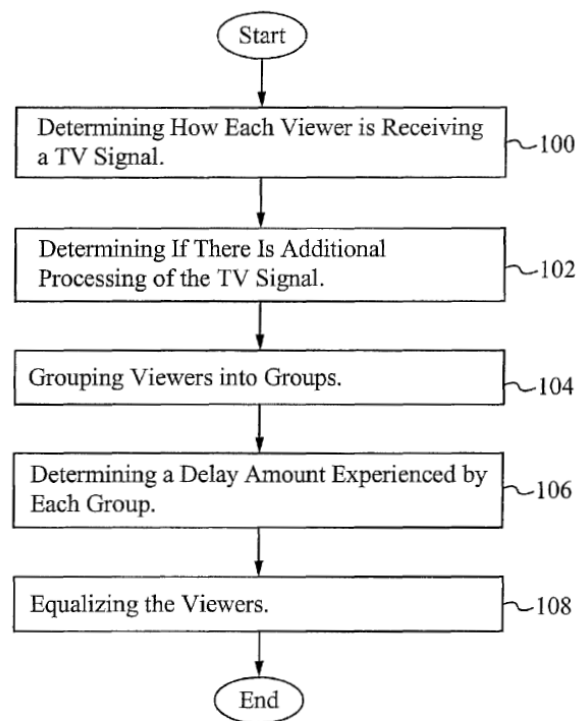


Fig. 1

Fig. 1 illustrates a flowchart of a process of preventing latency issues from giving an advantage to some participants in a game. *Id.* at 5:3–5.

The process shown in Figure 1 includes, among other things, the step of “grouping participants into a set of cohorts viewing a telecast delivered by identical transmission and reception systems” (step 104 in Fig. 1), “determining an amount of delay for each cohort in the set of cohorts” (step 106), and “substantially equalizing the set of cohorts through adjustment of the amount of delay” (step 108). *Id.* at 3:1–8, 8:43–52; *see also id.* at 7:6–14 (“the total viewing population for a telecast is divided into segments or blocks of viewers referred to as ‘cohorts’”; for example, “the 2 million inhabitants of the San Francisco Bay Area would be divided into approximately 1 over the air broadcast, 3 satellite independent providers and several cable ‘head ends’ or central broadcast points serving a ‘cohort.’”).

The ’730 patent teaches that the step of equalizing the set of cohorts can include: (i) time stamping the amount of delay on game “lock out” signals; (ii) imposing the amount of delay on an entire game data stream so that competitors do not gain an advantage (or are put at a disadvantage) due to the timing of their television information; and (iii) sending game control data to the game participant cohorts at the same time, with client software delaying presentation of game data based on a precise time of reception of the telecast by the group. *Id.* at 3:37–43, 8:47–57.

D. Challenged Claims

Petitioner challenges claims 1, 4, 7, 28–31, 49, 57, 68, and 81. Claims 1, 68, and 81 are independent. Claim 1 is illustrative and reproduced below:

1. A game server comprising:
 - a. a memory for storing an application for conducting a game of skill or chance, the application configured for:
 - i. communicating with a plurality of Internet-connected devices grouped into a cohort; and

ii. sending a lockout signal at an appropriate time based on an amount of delay to prevent users from submitting a response to a game of skill or chance or other entertainment; and

b. a processor for processing the application.

Ex. 1001, 15:11–21.

E. Alleged Ground of Unpatentability

Petitioner asserts the following ground of unpatentability:

Claim(s) Challenged	35 U.S.C. §	Reference(s)/Basis
1, 4, 7, 28–31, 49, 57, 68, and 81	103(a) ¹	Malaure, ² McKeown ³

Pet. 4. In addition to the references listed above, Petitioner relies on the Declaration of Aviel D. Rubin, Ph.D. Ex. 1004.

II. ANALYSIS

A. Level of Ordinary Skill in the Art

In determining the level of skill in the art, we consider the type of problems encountered in the art, the prior art solutions to those problems, the rapidity with which innovations are made, the sophistication of the technology, and the educational level of active workers in the field. *Custom Accessories, Inc. v. Jeffrey-Allan Indus. Inc.*, 807 F.2d 955, 962 (Fed. Cir.

¹ The Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284 (2011) (“AIA”), included revisions to 35 U.S.C. § 103 that became effective after the filing of the application that led to the ’730 patent. Therefore, we apply the pre-AIA version of 35 U.S.C. § 103.

² European Patent Application Publication No. 1 003 313 A1, published May 24, 2000 (“Malaure,” Ex. 1006).

³ European Patent Application Publication No. 0 873 772 A1, published October 28, 1998 (“McKeown,” Ex. 1007).

1986); *Orthopedic Equip. Co. v. United States*, 702 F.2d 1005, 1011 (Fed. Cir. 1983).

Petitioner contends that a person of ordinary skill in the art (“POSITA”) at the time of the invention of the ’730 patent “would typically have at least a bachelor’s degree, or equivalent, in Computer Science and several years of experience in software development,” and “would understand the references referred to in this report and have the capability to draw inferences from them.” Pet. 13 (citing Ex. 1004 ¶¶ 20–21).

Patent Owner did not file a preliminary response and has not disputed the level of ordinary skill in the art.

For purposes of this Decision, we adopt Petitioner’s proposal as consistent with the ’730 patent and asserted prior art. *See Okajima v. Bourdeau*, 261 F.3d 1350, 1355 (Fed. Cir. 2001) (the prior art may reflect an appropriate level of skill in the art).

B. Principles of Law

In *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1 (1966), the Supreme Court set out a framework for assessing obviousness under § 103(a) that requires consideration of four factors: (1) the “level of ordinary skill in the pertinent art,” (2) the “scope and content of the prior art,” (3) the “differences between the prior art and the claims at issue,” and (4) when in evidence, “secondary considerations” of non-obviousness such as “commercial success, long-felt but unsolved needs, failure of others, etc.” *Id.* at 17–18. “While the sequence of these questions might be reordered in any particular case,” *KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 407 (2007), the U.S. Court of Appeals for the Federal Circuit has “repeatedly emphasized that an obviousness inquiry requires examination of all four

Graham factors and that an obviousness determination can be made only after consideration of each factor.” *Nike, Inc. v. Adidas AG*, 812 F.3d 1326, 1335 (Fed. Cir. 2016).

We note that, with respect to the fourth *Graham* factor, the current record in this proceeding does not include any argument or evidence directed to secondary considerations of nonobviousness. The analysis below addresses the first three *Graham* factors.

C. Claim Construction

In an IPR based on a petition filed on or after November 13, 2018, such as here, claim terms are construed using the same claim construction standard as in a civil action under 35 U.S.C. § 282(b). *See* 37 C.F.R. § 42.100(b) (2019). That is, claim terms generally are construed in accordance with their ordinary and customary meaning, as would have been understood by a person of ordinary skill in the art, in view of the specification and the prosecution history pertaining to the patent at issue. *See id.*

Petitioner “does not believe any claim construction is necessary to resolve the invalidity analysis” in this proceeding. Pet. 13.

At this stage of the proceeding, Patent Owner has not filed a Preliminary Response.

Based on the preliminary record, there is no controversy between the parties that requires us to construe any claim terms at this time. *See Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co.*, 868 F.3d 1013, 1017 (Fed. Cir. 2017) (noting that “we need only construe terms ‘that are in controversy, and only to the extent necessary to resolve the controversy’”

(quoting *Vivid Techs., Inc. v. Am. Sci. & Eng'g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999))).

D. Overview of the Prior Art

1. Summary of Malaure (Ex. 1006)

Malaure is titled “Delivering Interactive Applications.” Ex. 1006, code (54). Malaure generally describes a method and apparatus for delivering an interactive application (such as predictive games for use in conjunction with a live sporting broadcast, quiz games for use in conjunction with a live quiz broadcast, on-demand quiz games, home shopping applications, and home banking applications), to a plurality of target platforms. *Id.* ¶¶ 1–2. Malaure explains that it is desirable to deliver the interactive applications over any chosen network in a simple and cost-effective way, however, such “has been difficult because it has been necessary for the skilled programmers to take into account the different broadcast protocols during development of the new application.” *Id.* ¶ 3.

To address these problems, Malaure discloses a method and apparatus that allows programmers to provide a single set of application components in any desired format with Broadcast System Interfaces (BSIs) being used to convert the application components shortly before, or during, the broadcast. *Id.* ¶ 6. Malaure explains that its method may deliver an interactive application to a number of target platforms each with different requirements, such as, e.g., broadcast networks having different data protocols, formats, or speeds, or user interfaces having different memory capabilities. *Id.* ¶ 7.

Fig. 1 of Malaure, reproduced below, is a schematic functional diagram of an interactive service network. *Id.* ¶ 13.

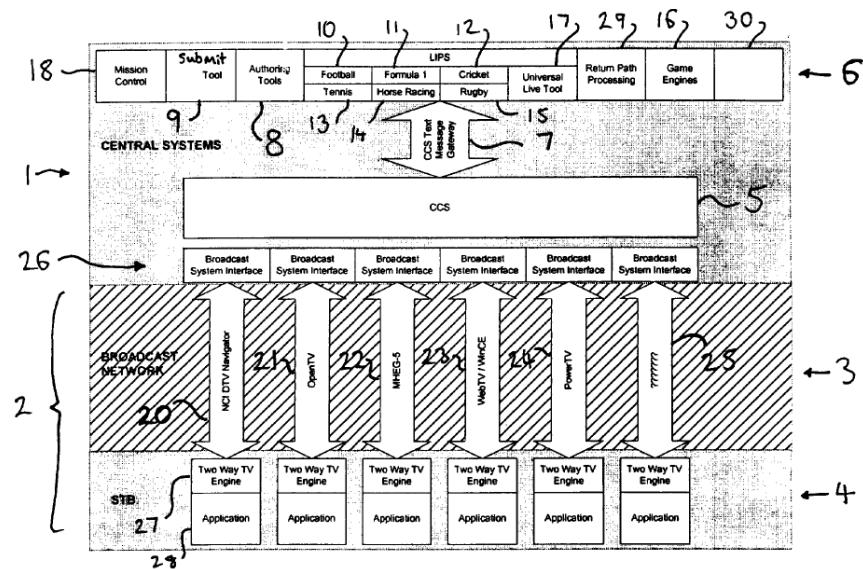


Fig. 1

Fig. 1 is a schematic functional diagram of an interactive service network.
Id. ¶ 13.

The interactive service network illustrated in Figure 1 includes central system 1 and target platforms 2, each target platform including respective broadcast network 3 and user interface 4. *Id.* ¶ 14. Central system 1 is controlled by central computer system (CCS) 5, which communicates with sub-systems 6 via CCS text message gateway 7. *Id.* ¶¶ 14–15. Each user interface 4 includes Two Way Television (TV) engine 27 that decodes incoming data and presents it to application processor 28 running executable program code. *Id.* ¶ 40. Two Way TV engine 27 and application processor 28 may be provided in a set-top-box (STB) connected to a conventional home TV set, or may be part of a personal computer. *Id.* ¶¶ 40–41. Additionally, the interactive service network may include live applications 10–15 that are interactive, predictive games to be used in conjunction with a

live sporting broadcast like a football game and on-demand game engines

16. *Id.* ¶¶ 16–19.

Malaure further discloses that central system 1 is “designed to be able to deliver applications on any target platform.” *Id.* ¶ 26. Five target platforms are illustrated in Figure 1, each target platform employing a different broadcast network (e.g., an NCI DTV Navigator 20, an OpenTV digital TV 21, a MHEG-5 22, a WebTV/WinCE 23, and a PowerTV 24). *Id.* Further, central system 1 may be expanded to handle additional broadcast networks 25. *Id.* Malaure teaches that each network 20–25 may have a respective broadcast protocol and further broadcast to a large number of user interfaces. *Id.* ¶¶ 26, 40. Additionally, each target platform may have an associated BSI 26 that converts the set of application components associated with each application, into a plurality of streams of broadcast data, with each stream conforming with the broadcast protocol of its respective target platform. *Id.* ¶ 26.

Malaure further explains that different broadcast networks delivering the same program may not be temporally synchronized, whereby differences in timing may be up to one or two seconds as “set top boxes on different networks would generally have slight variances in their clocks, i.e. a box on one network may think that the time is 12:34.00 whilst a box on another network may believe it is 12:34.03.” *Id.* ¶ 34. Moreover, different networks may not be broadcasting content at exactly the same time, such that “a video program may start up to 1 or 2 seconds later on another network even though the clocks are the same.” *Id.* Malaure explains that, “[i]n order to manage these anomalies between networks it is necessary for the BSI handling that network to compensate by introducing the required delay, either by delaying

the broadcast of messages, or more appropriately by altering the timing information within messages.” *Id.* ¶ 35. And, when networks do not provide a synchronized clock on the set top boxes, Malaure explains that “it is necessary for the BSI handling those networks to provide a clock message which the user interface may use to update its own synchronised clock.” *Id.* ¶ 36.

2. *Summary of McKeown (Ex. 1007)*

McKeown is titled “Interactive, Predictive Game Control System.” Ex. 1007, code (54). McKeown “relates to an interactive, predictive game control system for use in conjunction with a live TV broadcast,” the control system being used for games in which players attempt to predict certain events which may or may not occur during the broadcast, and receive prizes if they are successful. *Id.* at 1:3–11.

McKeown explains that, to enhance the enjoyment of such games, it is desirable to be able to present players with information relating to the game in advance of, and (on occasion) during, the playing of the game, so that they can make intelligent predictions. *Id.* at 1:22–34. To this end, McKeown discloses an interactive, predictive game control system including a central controller (element 1 illustrated in Figure 1 of McKeown, reproduced below) for generating game playing data for transmission with a TV broadcast to the remote player(s) (remote users C), and for receiving information from the remote player(s). *Id.* at code (57), Fig. 1. Figure 1 is provided below:

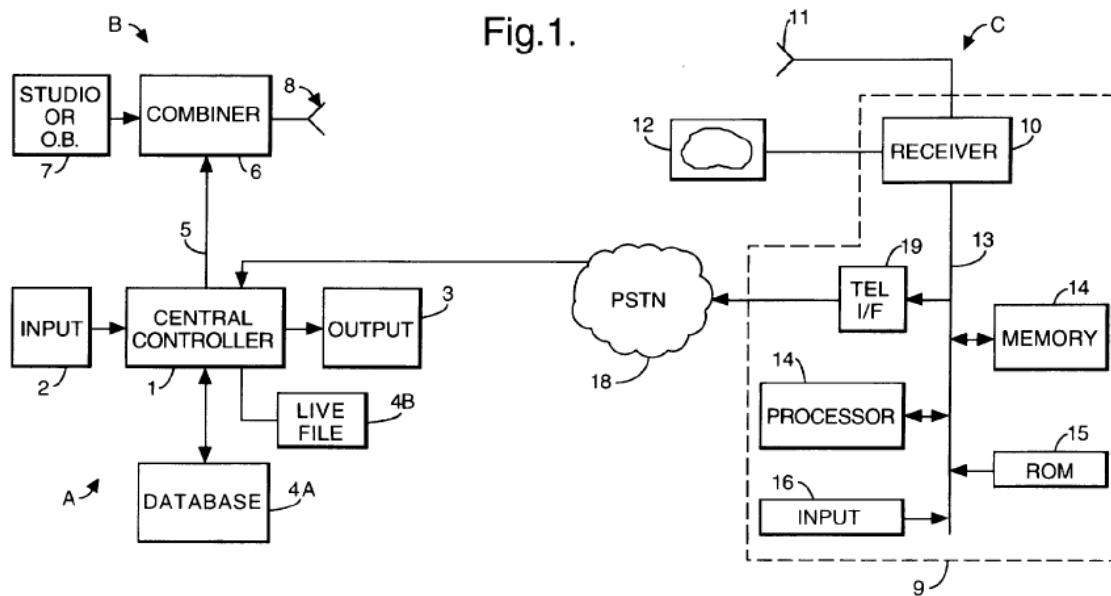


Figure 1 is a schematic block diagram of a control system, and interactive broadcast network incorporating the control system. *Id.* at 3:34–36.

Referring to Figure 1, McKeown teaches that input device 2 and database 4A are connected to central controller 1. *Id.* Database 4A stores data that is related to the content of the live broadcast and is known in advance of the live broadcast. *Id.* Central controller 1 generates data that can be converted to TV display signals and other control signals associated with various service functions, that may be transmitted on land line 5 connected to combining unit 6 defining an insertion point of a TV broadcast system B. *Id.* at 4:1–7. Central controller 1 is responsive to signals from input device 2: a) prior to the live broadcast, to select data from database 4A for transmission to the remote user(s) in advance of and/or during the live broadcast; and b) during or after the live broadcast, to record the time of occurrence of one or more events relating to the live broadcast which are to be predicted by the remote player(s), as indicated by an operator to central controller 1 via input device 2. *Id.* at code (57).

McKeown explains that game control system A in Figure 1 can be used to control a variety of games, including a play live football game in which remote players are able to predict events: (1) prior to commencement of a live football match that is broadcasted by transmitter 8; and (2) during the live broadcast. *Id.* at 4:37–45, 7:45–55.

In one example, McKeown teaches that an operator sets up the live broadcast game and takes a calibration of his own reaction time, and that of the system latency. *Id.* at 5:12–25. An obtained latency value is used to adjust future times of occurrence of events that are entered by the operator. *Id.* This process can be repeated at intervals during the game, either automatically or on operator request. *Id.*

Further, the operator may set up the particular types of events (e.g., time of first goal) that can be predicted during the live broadcast. *Id.* at 5:26–31. After the game starts and the operator clicks a “Start First Half” button, the operator is allowed by the system to lock out further predictions at the start of the game. *Id.* at 6:8–26. In response, central controller 1 will issue a lock-out signal that is broadcast to remote units C, and to which each processor 14 (shown in Fig. 1) responds to prevent any further predictions from being entered. *Id.* The lock-out signal carries a time stamp that takes into account the earlier determined calibration of the operator’s response time and system latency. *Id.* Each microprocessor 14 responds to the received lock-out signal to lock-out any future predictions, and also any previous predictions which occurred after the time stamp. *Id.* In order to obtain an accurate synchronization between the central controller clock and each remote unit C (of the remote players), all parts of the interactive network work to a common universal system clock. *Id.* at 6:27–36.

Synchronization is maintained by central controller 1 repeatedly issuing synchronization signals as part of broadcast messages. *Id.* Each microprocessor 14 monitors the time of arrival of a synchronization signal and compares this with its own clock, and if there is a discrepancy, microprocessor 14 gradually adjusts its clock to agree with the synchronization signal. *Id.*

In another type of game (e.g., PlayLive Racing game), the remote players are given the opportunity to predict the outcome of a race using one of the variety of bets on offer (e.g., win, place, each way). *Id.* at 7:45–55, 8:43–52. A remote player can choose to place a bet on his screen, and once the player has selected a bet and confirmed the amount of money the player wishes to wager, the player receives confirmation that the bet has been accepted. *Id.*

As soon as the race begins, an appropriately back stamped time stamp signal is broadcast causing each microprocessor 14 to lock out all future predictions, and to cancel any predictions made after the time defined by the back stamped time stamp. *Id.* at 8:53–9:9. Once the race is finished, the operator sends out the results in two stages, first as unconfirmed results, and then as confirmed results (once confirmed by the appropriate race authority). *Id.* Each remote player unit responds to the result information to determine whether the local player or players have been successful, and to determine winning amounts for respective players. *Id.*

E. Obviousness based on Malaure and McKeown

Petitioner asserts that claims 1, 4, 7, 28–31, 49, 57, 68, and 81 would have been obvious based on the combined teachings of Malaure and McKeown. Pet. 13–67.

Based on the preliminary record, we determine that Petitioner has shown that there is a reasonable likelihood that it would prevail in challenging at least one of claims 1, 4, 7, 28–31, 49, 57, 68, and 81 of the ’730 patent as unpatentable.

Again, Patent Owner has not filed a Preliminary Response.

1. Independent claim 1

For purposes of consistency and added clarity, we address each limitation of independent claim 1 in turn by relying on the bracketed annotations provided by Petitioner in the Petition. Pet. iv.

[1-pre] “A game server comprising”

To the extent the preamble is limiting, Petitioner contends Malaure’s central server 1 teaches a “game server” that includes applications related to predictive games 10–15. Pet. 28–29 (citing Ex. 1006 ¶¶ 17, 20; Ex. 1004 ¶¶ 87–89).

[1-a] “a memory for storing an application for conducting a game of skill or chance, the application configured for”

For this limitation, Petitioner contends that Malaure teaches “storing the application components and/or real-time application data in a data store” (Ex. 1006 ¶ 10), and that “[w]hen the new applications have been developed and tested, the game programmer logs on to a Windows NT™ based submit tool 9 which saves the application components in an application database” (*id.* ¶ 16). Pet. 29. According to Petitioner, a POSITA would have recognized that “data store” and “database” are repositories, i.e., memories, for storing and managing collections of data. *Id.* (citing Ex. 1004 ¶ 90). Petitioner turns to Malaure to teach that “[i]nteractive application providers employ skilled programmers to develop new interactive

applications” that include predictive games for use in sporting broadcast and quiz games. *Id.* at 30 (citing Ex. 1006 ¶¶ 2, 17; Ex. 1004 ¶ 91).

[1-a-i] “communicating with a plurality of Internet-connected devices grouped into a cohort”

For this limitation, Petitioner contends that Malaure teaches user interfaces 4 are internet-connected such as set-top-boxes or personal computers that are connected to a conventional TV. Pet. 31 (citing Ex. 1006 ¶ 40; Ex. 1004 ¶ 95). Petitioner further argues that

Malaure discloses that the Internet-connected devices are grouped based on the type of broadcast networks over which the different STBs and personal computers receive the broadcast signals. Ex. 1004, ¶102. Particularly, Malaure discloses that “it will be appreciated that *each network 20-25 will broadcast to a large number of user interfaces.*” A POSITA would [have understood] that a large number of user interfaces (i.e., STB-n) are connected to *each* corresponding network 20-25 and grouped based on the type of transport platform[.]

Pet. 36–37 (citing Ex. 1006 ¶ 40; Ex. 1004 ¶ 103)

[1-a-ii] “sending a lockout signal at an appropriate time based on an amount of delay to prevent users from submitting a response to a game of skill or chance or other entertainment”

Petitioner acknowledges that Malaure does not expressly disclose sending a lockout signal. Pet. 39. Rather, Petitioner contends that “the combined system of Malaure in view of McKeown discloses sending the lock out signals at ‘an appropriate time based on an amount of delay’ that accounts for system latencies and delays related to different networks.” Pet.

44 (citing Ex. 1004 ¶ 118). More specifically, Petitioner contends McKeown teaches that

“the central controller 1 will issue *a lock-out signal* which is broadcast to the remote units C and to which each processor 14 responds *to prevent any further predictions from being entered.*” Ex. 1007, 6:14–18; Ex. 1004, ¶109. “Each microprocessor 14 [of the Internet connected devices] responds to the *received lock-out signal to lock-out any future predictions* and also any previous predictions which occurred after the back adjusted time stamp.” *Id.*, 6:23-26. Similarly, for in-game predictions, “[a]s the game develops, various events may or will occur” such as first goal scored etc. that also trigger the transmission of the lockout signal. Ex. 1007, 6:38–45; Ex. 1004, ¶109.

Pet. 40. Petitioner adds that

a POSITA would have recognize[d] the benefit of a combined system of Malaure and McKeown where players operating on different systems and receiving broadcast information via different networks would all be able to participate in fastpaced predictive games that are based on live TV without certain participants having an advantage (i.e., locking out players to prevent them from making predictions after an event has occurred) due to their network capabilities.

Pet. 26 (citing Ex. 1004 ¶ 82). Petitioner further contends that a POSITA would have readily incorporated into Malaure the details of the game play associated with the interactive applications described in McKeown because “Malaure itself identifies examples of a number of interactive gaming applications . . . and directs a POSITA to McKeown for additional specifics related to one of the interactive games, football.” *Id.* at 25 (citing Ex. 1004 ¶ 80; Ex. 1006 ¶¶ 2, 17, 20).

[1-b] “a processor for processing the application”

Petitioner contends Malaure discloses that the game server (i.e., central system 1) “is controlled by a central computer system (CCS) 5,” which includes the interactive gaming applications. Pet. 45 (citing Ex. 1006 ¶ 14). Petitioner asserts that a POSITA would have recognized that a central computer system that controls the operation of the server and sub-systems is a processor for processing the applications. *Id.* (citing Ex. 1004 ¶ 119).

2. *Summary*

Based on the preliminary record, including the arguments and evidence discussed and cited above, Petitioner has shown a reasonable likelihood that it would prevail on its assertions that the subject matter of independent claim 1 would have been obvious over the combination of Malaure and McKeown.

3. *Independent Claims 68, 81 and Dependent Claims 4, 7, 28–31, 49, and 57*

Petitioner also contends that independent claims 68 and 81, and dependent claims 4, 7, 28–31, 49, and 57 (which depend from independent claim 1) are unpatentable under § 103(a) as obvious over the combined teachings of Malaure and McKeown. Pet. 45–67.

As we preliminarily conclude that Petitioner demonstrates a reasonable likelihood of prevailing with respect to its obviousness challenge to independent claim 1, we institute review on all challenged claims on all grounds set forth in the Petition, including Petitioner’s challenge to claims 4, 7, 28–31, 49, 57, 68, and 81 as rendered obvious by Malaure and McKeown. *See* 37 C.F.R. § 42.108(a) (2021). Therefore, at this stage of the proceeding,

it is not necessary for us to provide an assessment of claims 4, 7, 28–31, 49, 57, 68, and 81 under this ground based on obviousness.

III. CONCLUSION

After considering the evidence and arguments presented in the Petition, we determine that Petitioner has demonstrated a reasonable likelihood of success in proving that at least one claim of the '730 patent is unpatentable. Accordingly, we institute an *inter partes* review of claims 1, 4, 7, 28–31, 49, 57, 68, and 81 and all of the grounds presented in the Petition. *See also PGS Geophysical AS v. Iancu*, 891 F.3d 1354, 1360 (Fed. Cir. 2018) (indicating that a decision whether to institute an *inter partes* review “requires a simple yes-or-no institution choice respecting a petition, embracing all challenges included in the petition”).

At this stage of the proceeding, we have not made a final determination as to the patentability of any challenged claim or any underlying factual or legal issues.

IV. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that, pursuant to 35 U.S.C. § 314(a), an *inter partes* review of claims 1, 4, 7, 28–31, 49, 57, 68, and 81 of the '730 patent is instituted with respect to all grounds set forth in the Petition; and

FURTHER ORDERED that, pursuant to 35 U.S.C. § 314(c) and 37 C.F.R. § 42.4(b), *inter partes* review of the '730 patent shall commence on the entry date of this Order, and notice is hereby given of the institution of a trial.

IPR2022-01306
Patent 9,993,730 B2

PETITIONER:

Richard Berman
Janine A. Carlan
Jasjit S. Vidwan
ARENTFOX SCHIFF LLP
richard.berman@afslaw.com
jannie.carlan@afslaw.com
jasjit.vidwan@afslaw.com

PATENT OWNER:

Bradley D. Liddle
Michael Pomeroy
Omer Salik
Daniel L. Schmid
Carter Arnett PLLC
bliddle@carterarnett.com
mpomeroy@carterarnett.com
sbreedlove@carterarnett.com
dschmid@carterarnett.com