

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE LLC,  
Petitioner,

v.

WIRELESSWERX IP LLC,  
Patent Owner.

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IPR2023-00850  
Patent 8,315,203 B2

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Before HUBERT C. LORIN, JOHN A. HUDALLA, and  
JOHN D. HAMANN, *Administrative Patent Judges*.

LORIN, *Administrative Patent Judge*.

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

## I. INTRODUCTION

### A. *Background*

Google, LLC (“Petitioner”) filed a Petition (Paper 1, “Pet.”) requesting *inter partes* review of claims 1–30 of U.S. Patent No. 8,315,203 B2 (Ex. 1001, “the ’203 patent”). Wirelesswerx IP, LLC (“Patent Owner”) filed a Preliminary Response (Paper 6, “Prelim. Resp.”). Petitioner also filed a Preliminary Reply (Paper 8, “Prelim. Reply”) addressing Patent Owner’s arguments in the Preliminary Response regarding the construction of the claim limitation “preconfigured geographical zone.”<sup>1</sup>

We have authority to determine whether to institute an *inter partes* review. *See* 35 U.S.C. § 314 (2018); 37 C.F.R. § 42.4(a) (2023).

Upon consideration of the arguments and evidence presented by Petitioner, we are persuaded that Petitioner has demonstrated, under 35 U.S.C. § 314(a), a reasonable likelihood that it would prevail in showing the unpatentability of at least one challenged claim.

For the reasons stated below, we institute *inter partes* review as to challenged claims 1–30 of the ’203 patent.

### B. *Related Proceedings*

Petitioner identifies related district court litigation in *WirelessWerx IP LLC v. Google LLC f/k/a Google Inc.*, Case No. 6-22-cv-01056 (W.D. Tex. Oct. 7, 2022). Pet. 1.

Patent Owner identifies the following related co-pending litigation: *WirelessWerx IP LLC v GeoTab USA, Inc.*, Case No. 1:23-cv-01617 (D. Colo., filed June 23, 2023); *WirelessWerx IP LLC v Google, LLC*, Case No.

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<sup>1</sup> The Board authorized the filing of this paper. *See* Paper 7.

4:23-cv-01852, (N.D. Cal., filed April 17, 2022); *Wireless Werx IP LLC v Lyft, Inc.*, 6:22-cv-01058 (W.D. Tex., filed Oct. 07, 2022); *Wireless Werx IP LLC v OnStar, LLC*, Case No. 2:23-cv-11501 (E.D. Mich., filed June 23, 2023). Paper 4.

*C. The '203 Patent*

*1. Disclosure*

The '203 patent, titled “Mapping in a multi-dimensional space,” “relates generally to monitoring wireless devices and to messaging by wireless communication between wireless devices in a specific geographical location and remote centers.” Ex. 1001, code (54), 1:19–22.

The '203 patent discloses “a system and method that allows a user to control and monitor individuals, vehicles and other movable entities by using geographical zones.” Ex. 1001, 3:21–23. The “zones can be pre-configured geographical zones,” and the “zones have a plurality of nodes” that “are preferably part of a mesh network or other suitable network configuration.” *Id.* at 3:24–25; 3:38–39. “The system allows for three-dimensional mapping according to the placement of nodes in a three-dimensional sense.” *Id.* at 3:32–34. Using the system, “messages can be communicated with movable entities according to their location in the three-dimensional space, and the messages may be commercial or emergency messages.” *Id.* at 34–37. “The nodes preferably communicate with transponders or subscriber devices that can be a cell phone, Personal Digital Assistant (PDA) or similar device using the Bluetooth™ protocol.” *Id.* at 3:39–42. “The users can be a single user or multiple users in a group with whom there are message communications” and “[t]he messages can be targeted to the one or multiple users.” *Id.* at 3:27–30.

The '203 patent describes “[a] wireless communication device” that is “operable to detect a plurality of location nodes” and “periodically interrogates its environment and determines which location node is most practically near.” Ex. 1001, 6:47–50. “The wireless communication device then communicates to that location node, and requests that any additional data information relevant to the specific location associated with that location node be sent back to the wireless communication device.” *Id.* at 6:50–54.

Figure 1 of the '203 patent, reproduced below, “illustrates the high-level architecture of a computer system for controlling and monitoring movable entities including, but not limited to, vehicles and people.” Ex. 1001, 9:21–23

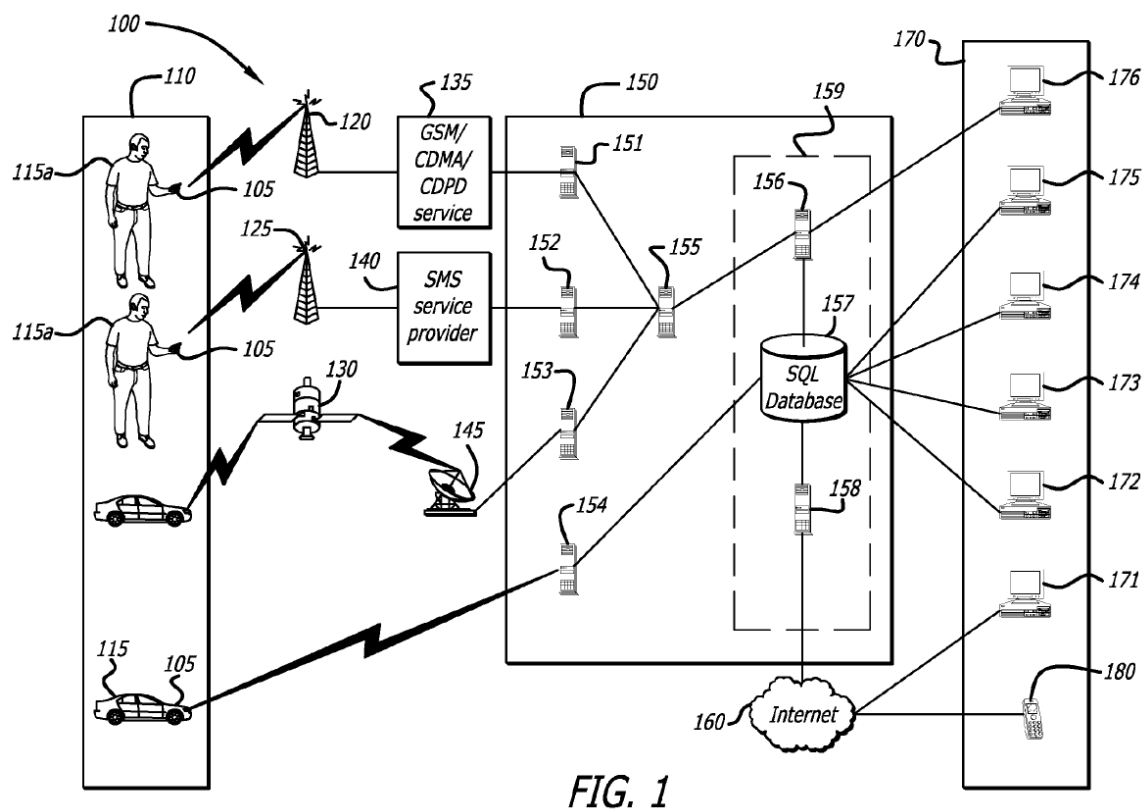


Figure 1 of the '203 patent “illustrates the high-level architecture of a computer system for controlling and monitoring movable

entities including, but not limited to, vehicles and people.”  
Ex. 1001, 9:21–23.

As shown in Figure 1, “[a] plurality of vehicles 110 has at least one transponder or subscriber device 105 that can be tracked and allows the functionality to remotely control functionality of the vehicle 115 or an individual 115a.” Each transponder or subscriber device 105 connects with a communication network, and “sends event information to the backend control system 150 and responds to commands sent to the transponder or subscriber device 105 by the backend control system 150 through the communications network.” *Id.* at 9:42–46. As shown in Figure 1, communications networks include “a cellular network including multiple cellular base stations 120 and service providers 135,” “a cellular network including multiple cellular base stations with SMS receivers 125 and service providers 140,” and “a satellite network including multiple satellite receivers and transmitters 130 and satellite ground stations 145.” *Id.* at 9:31–38. The ’203 patent also discloses that “transponder or subscriber device 105 receives radio signals from a GPS constellation satellite 130 allowing the transponder or subscriber device 105 to process positioning information.” *Id.* at 10:21–24.

Figure 19A, reproduced below, illustrates “an exemplary mesh network 4001 of nodes 4000 in communication with base stations 4004 and, in turn, in communication with control centers 4008.” Ex. 1001, 31:29–32.

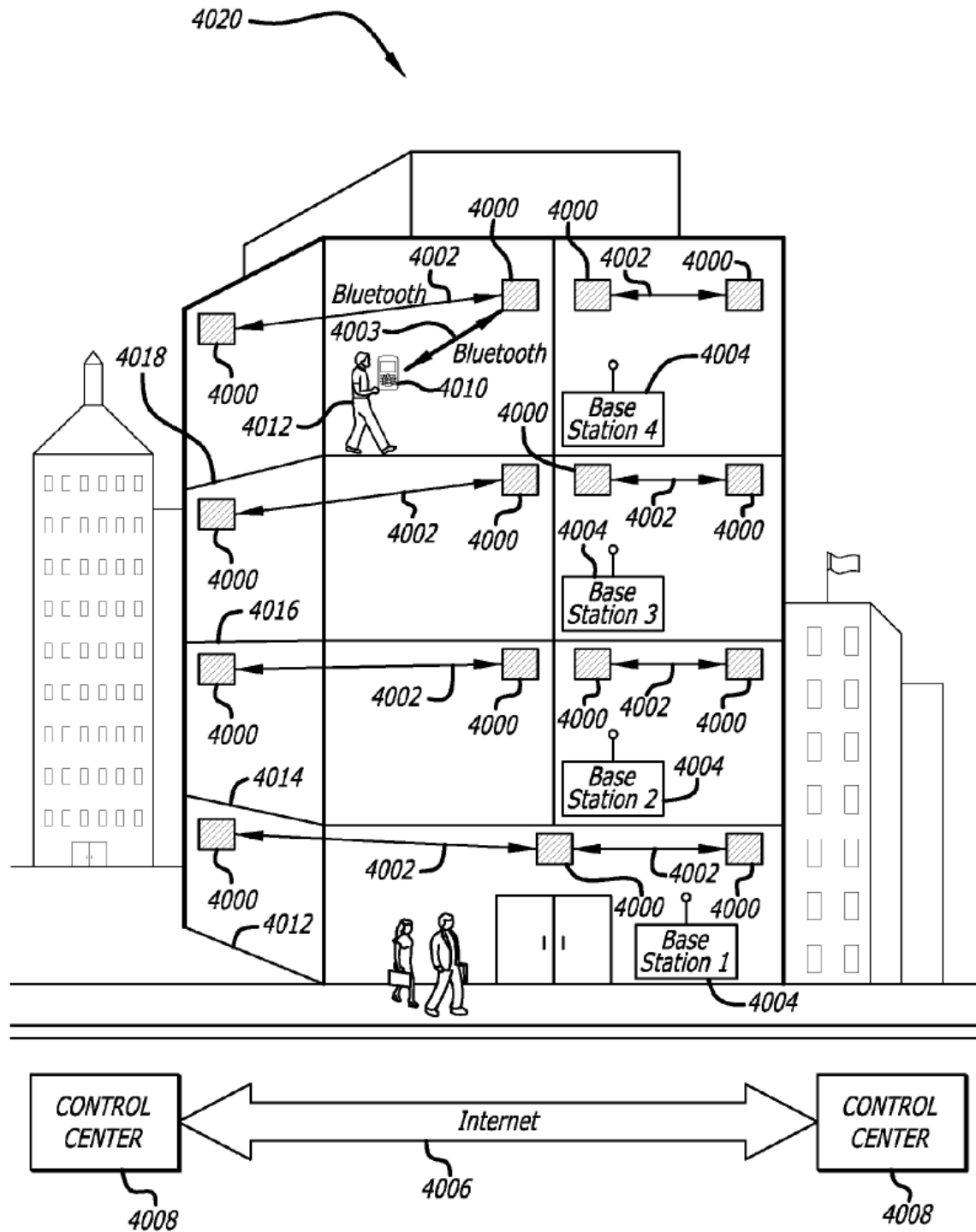


**FIG. 19A**

Figure 19A of the '203 patent illustrates “an exemplary mesh network 4001 of nodes 4000 in communication with base stations 4004 and, in turn, in communication with control centers 4008.” Ex. 1001, 31:29–32.

As shown in Figure 19A, the '203 patent discloses that “[e]ach zone includes a plurality of spaced-apart nodes 4000, where the nodes 4000 are arranged in a multi-dimensional sense about the zone.” Ex. 1001, 31:57–59. In Figure 19A, “the nodes 4000 housed in the building 4020 are distributed in four separate mesh networks 4001.” *Id.* at 31:60–62. “Each mesh network 4001 is located in one of four specific zones,” namely “the first floor 4012, the second floor 4014, the third floor 4016, and the fourth floor 4018 of the building 4020.” *Id.* at 31:62–65. “The mapping of the geographical space is affected [sic] in a three-dimensional sense, selectively being defined by x, y and z axes or coordinates, which in some embodiments may correspond to latitude, longitude, and elevation.” *Id.* at 32:7–10. The '203 patent further discloses that “[i]n one or more embodiments, the nodes 4000 are enabled to communicate using Bluetooth™ protocol to effect communications between nodes 4000 and mobile devices 4010, which are each associated with at least one user.” *Id.* at 32:22–25. “When a mobile device 4010 determines its most practically near node 4000, the mobile device 4010 will download from that node 4000 the location information of that node 4000.” *Id.* at 33:9–12. “The mobile device 4010 can use this location information in order to generate and display a two- or three-dimensional map of the mobile device’s 4010 position within a geographical area and/or zone,” and “the node 4000 will transmit wirelessly via RF using Bluetooth™ protocol the location information of the mobile device 4010 to the node’s 4000 associated base station 4004, or to other nearby nodes 4000 within the node’s 4000 mesh network 4001.” *Id.* at 33:12–20. “The base station 4004 will, in turn, either communicate the location information of the mobile device 4010 via Wi-Fi to other base stations 4004, or communicate

the location information of the mobile device 4010 via Internet, Wi-Fi bridging, and/or Ethernet to at least one control center 4008.” *Id.* at 33:20–25.

2. *Claims 1–30*

Petitioner challenges claims 1–30. Pet. 1.

Claims 1, 6, 29, and 30 are the independent claims. Claim 1 is illustrative and is reproduced below. We add bracketing similar to Petitioner’s annotations to assist in referring to the claim elements. Pet. 21–39.

1. [1[Pre]] A method for developing a map for use by a user, the user being selectively individuals, vehicles, and other entities, comprising:

[1[A]] using a geographical zone, the zone selectively being a preconfigured geographical zone,

[1[B]] the zone including a plurality of spaced apart nodes, wherein the nodes are arranged in a multi-dimensional sense, the location of the plurality of nodes in the multidimensional sense being placed with a structure attached to the ground;

[1[C]] sending data communications between one or more of the nodes, one or more users, and one or more control stations; and

[1[Di]] affecting multi-dimensional mapping according to the placement of the nodes and the communications between the nodes and the control stations, wherein the mapping is affected in a three-dimensional sense, selectively being a three-dimensional sense in the x, y, and z axes or coordinates and the structure is a building, the building having different elevational levels

[1[Dii]] and there are nodes on different elevational levels whereby there are nodes at multiple different elevational levels,

[1[Diii]] and wherein the system narrows the plurality of nodes for use by the user at a first elevational level to the most

practically near node to the user, such that a node at another elevational level, even though physically closer to the user at the first elevational level is excluded as being a node the most practically near to that user, and a different node at the elevational level of the user is selected as the most practically near to that user.

Ex. 1001, 41:8–37.

*D. Asserted References*

Petitioner relies on the following references:

| Name        | Reference                                                                        | Exhibit |
|-------------|----------------------------------------------------------------------------------|---------|
| Wrappe      | WIPO International Publication No. WO 2005/106523 A1, published Nov. 10, 2005    | 1005    |
| Belcea      | U.S. Patent No. 7,203,497 B2, issued Apr. 10, 2007                               | 1006    |
| Christopher | U.S. Patent Application Publication No. 2008/0042836 A1, published Feb. 21, 2008 | 1007    |
| Kinnunen    | U.S. Patent No. 6,813,501 B2, issued Nov. 2, 2004                                | 1009    |

Petitioner also relies on the Declaration of Scott Andrews (Ex. 1002, “Andrews Decl.”) as support for various contentions.

*E. Asserted Grounds*

Petitioner asserts that claims 1–30 of the ’203 patent are unpatentable under the following grounds:

| Ground | Claim(s)<br>Challenged | 35 U.S.C. § | Reference(s)/Basis             |
|--------|------------------------|-------------|--------------------------------|
| I      | 1–5                    | 103         | Wrappe, Belcea                 |
| II     | 6–30                   | 103         | Wrappe, Belcea,<br>Christopher |
| III    | 6–30                   | 103         | Wrappe, Belcea, Kinnunen       |

## II. ANALYSIS

### A. *Principles of Law for Patentability*

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 having 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. *Graham v. John Deere Co.*, 383 U.S. 1, 17–18 (1966).<sup>2</sup>

“In an [*inter partes* review], the petitioner has the burden from the onset to show with particularity why the patent it challenges is unpatentable.” *Harmonic Inc. v. Avid Tech., Inc.*, 815 F.3d 1356, 1363 (Fed. Cir. 2016) (citing 35 U.S.C. § 312(a)(3) (requiring *inter partes* review petitions to identify “with particularity . . . the evidence that supports the grounds for the challenge to each claim”)). The burden of persuasion never shifts to Patent Owner except in limited circumstances not present here. *See*

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<sup>2</sup> We recognize that “the strength of *each* of the *Graham* factors must be weighed in every case and must be weighted en route to the final determination of obviousness or non-obviousness.” *WBIP, LLC v. Kohler Co.*, 829 F.3d 1317, 1328 (Fed. Cir. 2016). This includes objective indicia of nonobviousness. However, Patent Owner has not submitted objective indicia at this stage of the proceeding.

*Dynamic Drinkware, LLC v. Nat’l Graphics, Inc.*, 800 F.3d 1375, 1378 (Fed. Cir. 2015) (discussing the burden of proof in *inter partes* review).

*B. Level of Ordinary Skill in the Art*

Petitioner contends:

One 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 at least two years of experience in research, design, development, and/or testing of GPS and/or positioning techniques, with additional education substituting for experience and vice versa.

Pet. 11 (citing Ex. 1002 ¶¶ 40–87).

Patent Owner states that “[f]or purposes of this Response, Patent Owner adopts Petitioner’s proffered level of ordinary skill in the art because it comports with the technology and claims of the ’203 Patent as well as the asserted prior art.” Prelim. Resp. 6.

Accordingly, we adopt Petitioner’s definition of a person of ordinary skill in the art for our analysis in this decision.

We also find that the level of ordinary skill in the art is reflected by the prior art of record. *See Okajima v. Bourdeau*, 261 F.3d 1350, 1355 (Fed. Cir. 2001); *In re GPAC Inc.*, 57 F.3d 1573, 1579 (Fed. Cir. 1995); *In re Oelrich*, 579 F.2d 86, 91 (CCPA 1978).

*C. Claim Construction*

We construe<sup>3</sup> claims of a patent “using the same claim construction

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<sup>3</sup> “The Board is required to construe ‘only those terms . . . that are in controversy, and only to the extent necessary to resolve the controversy.’” *Realtime Data, LLC v. Iancu*, 912 F.3d 1368, 1375 (Fed. Cir. 2019) (quoting *Vivid Techs., Inc. v. Am. Sci. & Eng’g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999))).

standard that would be used to construe the [claims] in a civil action under 35 U.S.C. § 282(b), including construing the [claims] in accordance with the ordinary and customary meaning of such claims 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) (2023); *see also Phillips v. AWH Corp.*, 415 F.3d 1303, 1312–14 (Fed. Cir. 2005) (en banc).

Independent claims 1 and 30 recite the phrase a “preconfigured geographical zone.” Ex. 1001, 41:11–12 (“using a geographical zone, the zone selectively being a preconfigured geographical zone” (1[A])); 44:55 (“using a preconfigured geographical zone” (30[A])). The phrase is not recited in independent claims 6 and 29.

In the Preliminary Response, for claim 1, Patent Owner contends “that [Wrappe’s] beacons define a ‘geographical zone,’ not a ‘preconfigured geographical zone’ defined by a user as recited in the limitation 1[A]. When the [Wrappe] beacons are deployed, the ‘geographical zone’ is determined by the beacons and cannot be changed by the user.” Prelim. Resp. 18. We note Patent Owner’s citation to 5:35–40 of the ’203 patent in support of its argument. *Id.* (citing Ex. 1001, 5:35–40). However, that passage describes an “aspect” of the invention whereby a transponder or subscriber device can determine whether the transponder or subscriber service is inside or outside a geographical zone. It does not provide a definition for “preconfigured geographical zone” that limits the scope of “preconfigured geographical zone” to one defined by a user, as Patent Owner argues.

As for claim 30, Patent Owner states:

As discussed in Section V.B.1.a [discussing claim 1], the combination of Wrappe and Belcea does not teach the limitation “preconfigured geographical zone,” the limitation 30[A] comprises the limitation “preconfigured geographical zone,” thus the combination of Wrappe and Belcea does not teach the limitation 30[A].

*Id.* at 29 (referring to Prelim. Resp. 15–20). We take from this that Patent Owner similarly contends that the “preconfigured geographical zone” in 30[A] is defined by a user.

Petitioner requested authorization to file a preliminary reply to Patent Owner’s Preliminary Response “to respond to Patent Owner’s arguments and characterizations regarding the claim construction of ‘preconfigured geographical zone.’” Ex. 3001. We authorized the parties to file additional preliminary briefing “to further address the construction of the claim limitation ‘preconfigured geographical zone.’” Paper 7 (“Order”), 2. As we explained in the Order:

Petitioner contends that the applied prior art teaches claim step 1[A] and attempts to show that the claim limitation “preconfigured geographical zone” is disclosed. Pet. 24–26 (citing, *inter alia*, Ex. 1005); Ex. 1001, 41:11–12 (1[A]).

Patent Owner responds that the applied prior art “define[s] a ‘geographical zone,’ not a ‘preconfigured geographical zone’ defined by a user as recited in the limitation 1[A].” Prelim. Resp. 18 (citing Ex. 1005). This raises, for the first time, an issue as to the construction of the claim limitation “preconfigured geographical zone.”

*Id.*

Petitioner replies that a “preconfigured geographical zone,” as recited in claims 1 and 30, need not be defined by the user. Prelim. Reply 1.

Petitioner argues that it “[c]laim 1 does not set out any specific requirement

for how the zone is defined.” *Id.* As for claim 30, Petitioner argues that it “requires ‘applying the plurality of *transponders* in the network with each other *to define the zone*’” (emphasis added by Petitioner) and “separately recites a ‘user’ of a mobile device and says nothing about the user defining the geographical zone.” *Id.* at 2 (referring to Ex. 1001, 44:62–63). Thus, Petitioner contends that “in Claim 30, ‘transponders’—not the ‘user’—define the zone.” *Id.*

Patent Owner did not file a preliminary sur-reply, although authorized to do so.

On this preliminary record, we agree with the Petitioner that the claim 1 limitation “preconfigured geographical zone” is not limited to a “preconfigured geographical zone” defined by a user as Patent Owner contends. *See* Prelim. Resp. 18–20. Based on a plain reading of the claim, claim 1 puts no limit on the scope of the “preconfigured geographical zone.” Nor do we read the specification as providing a definition of “preconfigured geographical zone” so that when the claim is read in light of the specification its scope is limited to a “preconfigured geographical zone” defined by a user. As Petitioner points out, “the term ‘preconfigured geographical zone’ (or ‘pre-configured geographical zone’) appears in the specification six times, [and in] none of those uses describes the meaning of the term.” Prelim. Reply 2 (citing Ex. 1001, 1:27, 1:62, 3:23, 7:34, 31:56, 37:37).

Based on this record, we also agree with Petitioner (Prelim. Reply 2) that claim 30 calls for “applying the plurality of *transponders* in the network with each other to define the zone,” which means that the recited transponders—not a user—define the zone. Ex. 1001, 44:62–63 (emphasis

added); see also, e.g., 5:35–39 (“In another aspect, the transponder or subscriber device can determine whether the transponder or subscriber device is inside or outside the geographical zone in two or three dimensions by obtaining global positioning coordinates, and calculating . . . .”)

For the foregoing reasons, at this stage of the proceeding, we construe “preconfigured geographical zone” in claims 1 and 30 broadly and not limited to a “preconfigured geographical zone” defined by a user.

*D. Overview of the Prior Art References*

*1. Wrappe (Ex. 1005)*

Wrappe “relates to position determination systems, and more particularly to hybrid positioning using wireless communication signals and Satellite Positioning System (SPS) signals.” Ex. 1005 ¶ 1. Under the heading “BACKGROUND,” Wrappe describes that several approaches use timing information to “perform position location in wireless cellular networks (e.g., a cellular telephone network).” *Id.* ¶ 2. These approaches “perform trilateration based upon the use of timing information sent between each of several base stations and a mobile device, such as a cellular telephone.” *Id.*

Wrappe discloses an embodiment wherein “microcell beacons” “are used to broadcast to mobile stations location information and/or identification information, which can be used to look up for the location information, to improve the precision of position solutions in a wide area position determination system (e.g., a GPS system, an AFLT system, or a hybrid system).” Ex. 1005 ¶ 10. The “microcell beacons” are described as being “based on low cost, mass market electronics for wireless local area data communication (e.g., Bluetooth or WiFi).” *Id.*

Figure 5 of Wrappe, reproduced below, “shows one example scenario of using microcell beacons according to one embodiment of the present invention.” Ex. 1005 ¶ 23.

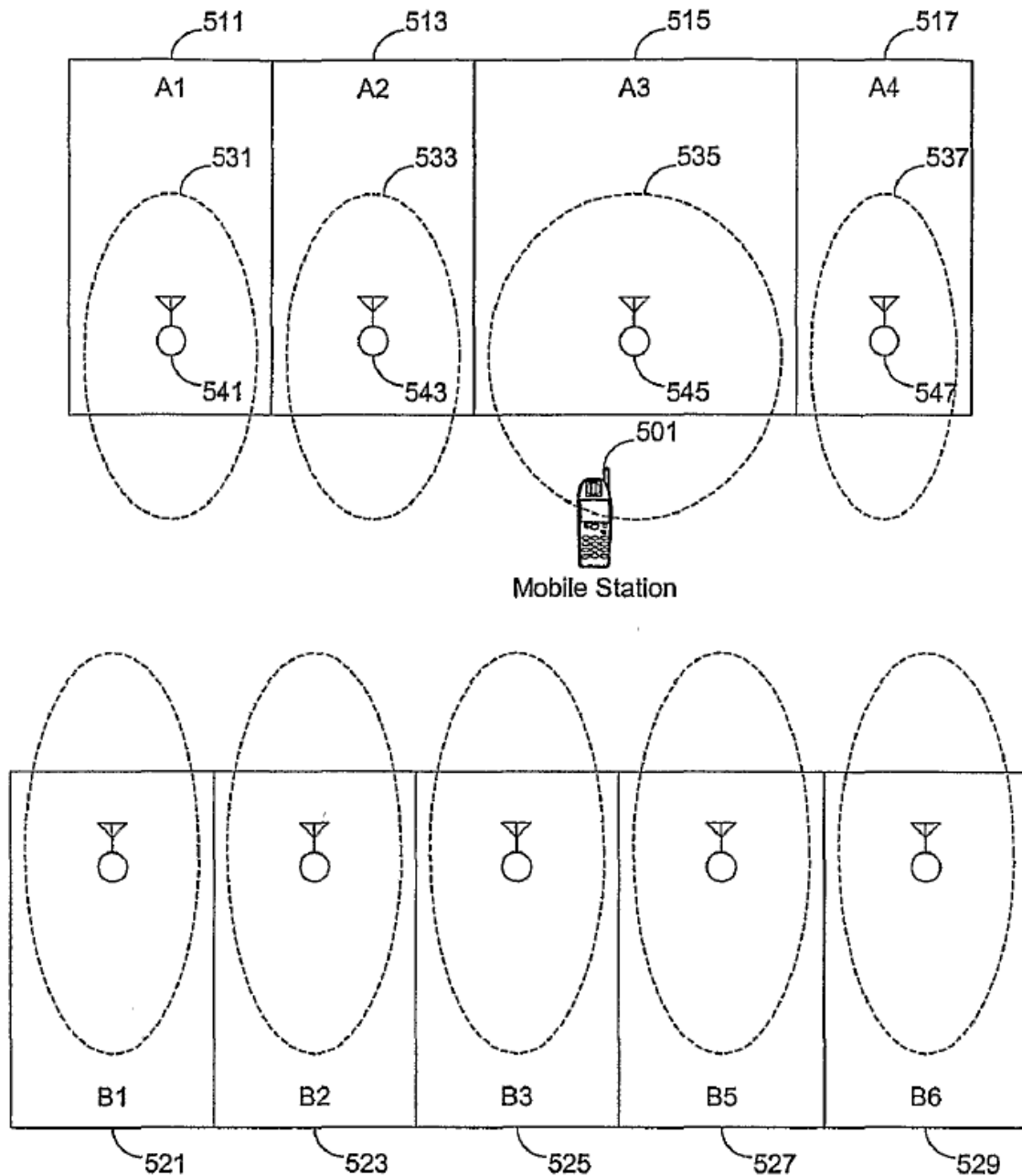


Figure 5 of Wrappe “shows one example scenario of using microcell beacons according to one embodiment of the present invention.” Ex. 1005 ¶ 23.

Wrappe discloses that “[i]n Figure 5, mobile station 501 is in an environment where the blockage of GPS signals is severe,” “[f]or example, there are a number of stores and shops (e.g., 511-517, 521-529) in a commercial complex.” Ex. 1005 ¶ 46. Wrappe explains that “[w]hen a conventional hybrid position determination system is used, the position solution of the mobile station may not be precise enough to accurately determine which store the mobile station is in.” *Id.* To address that problem, Wrappe discloses that “microcell beacons are placed to aid the position determination.” *Id.* “For example, the position information (e.g., altitude aiding information) broadcast at the microcell beacons are used to improve the accuracy of the position solution so that it can be reliably determined which of the stores (e.g., 511–517, 521–529) the mobile station is in.” *Id.*

2. *Belcea (Ex. 1006)*

Belcea “relates to a system and method for deploying a network of wireless devices which can provide data for accurately computing the position of mobile network members,” and more particularly, “to a system and method of deploying a network of wireless devices including Mobile Terminals, Wireless Routers and Controllers within a three dimensional deployment structure, such that communication, identification and position calculations can be achieved with high accuracy regardless of the building structure.” Ex. 1006, 1:24–33.

Figure 3 of Belcea, reproduced below, “is a side view diagram of an example of a network deployed as vertical infrastructure.” Ex. 1006, 4:20–21.

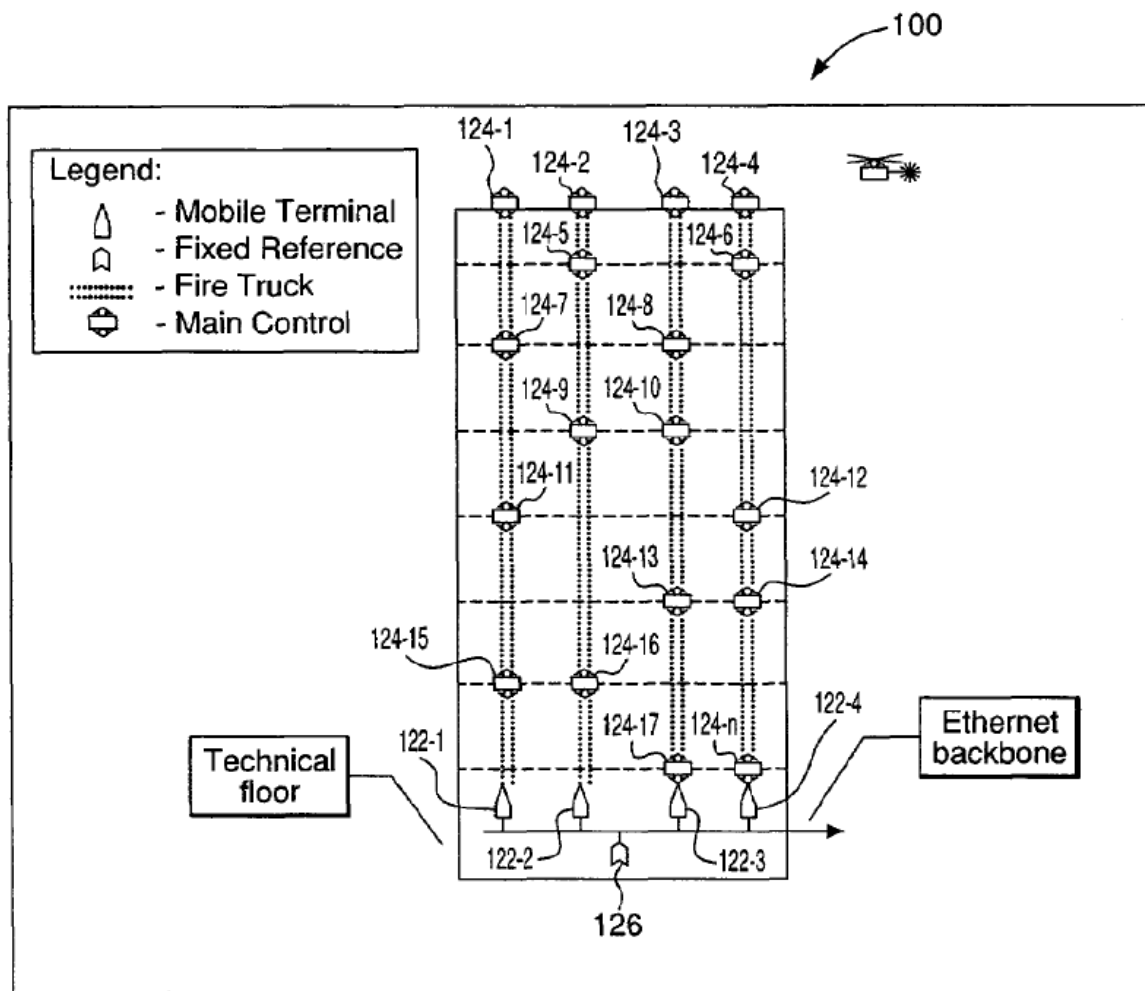


Figure 3 of Belcea “is a side view diagram of an example of a network deployed as vertical infrastructure.” Ex. 1006, 4:20–21.

Belcea’s Figure 3 “shows a deployment of the ‘vertical’ infrastructure [...] in a high-rise building, and includes a number of Intelligent Access Points (IAP) 122-1 to 122-n, and a system of Vertical Routers (VR) 124-1 to 124-n, dispersed among a number of floors of an example building.”

Ex. 1006, 6:6–11. Belcea discloses that “IAP 122 are wireless devices capable of communication through radio frequencies that have a network interface” and “[t]hrough that interface, the IAP are connected to a Local Control (LC) 126 that handles the information regarding the whole system.” *Id.* at 6:12–16.

3. *Christopher (Ex. 1007)*

Christopher “relates generally to systems and methods for tracking shopping behavior, more particularly, to systems and methods for tracking traffic pattern in a store or other venue.” Ex. 1007 ¶ 2. Figure 1 of Christopher, reproduced below, “is a notional illustration of an example RFID system for locating an entity within a structure.” *Id.* ¶ 16.

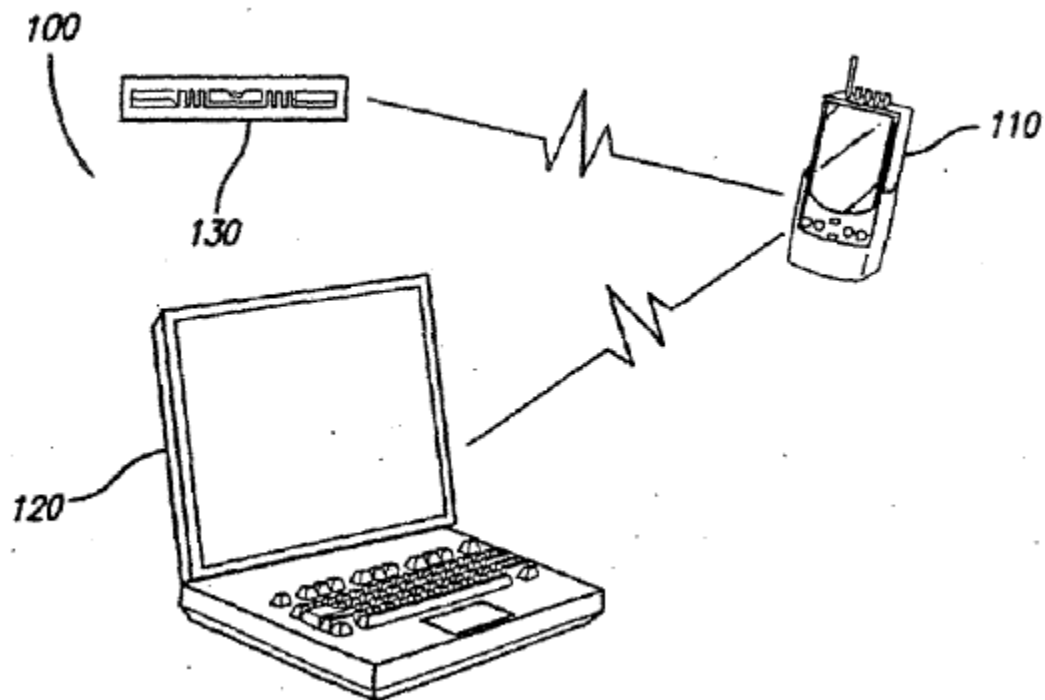


Figure 1 of Christopher “is a notional illustration of an example RFID system for locating an entity within a structure.” Ex. 1007 ¶ 16.

As shown in Figure 1, Christopher discloses “an RFID system 100 for locating an entity within a structure comprises one or more portable radio frequency (RF) transmitter/receiver units 110, a base unit 120 providing a command and control function, and a plurality of passive RFID tags 130.” Ex. 1007 ¶ 39. Figure 2 of Christopher, reproduced below, “is a schematic

diagram illustrating an exemplary implementation of the RFID tags of FIG. 1 within a six-story structure.” *Id.* ¶ 17.

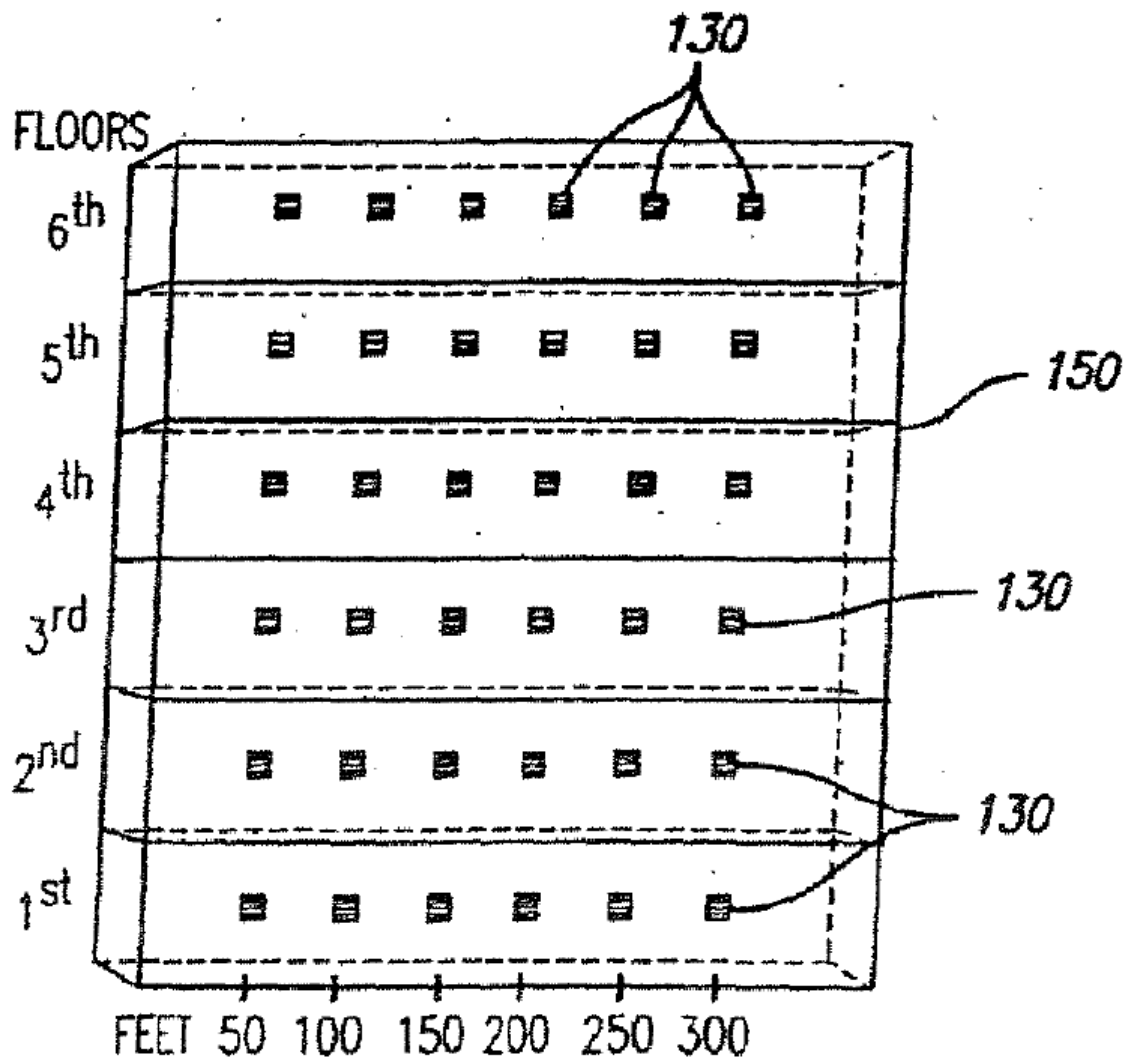


Figure 2 of Christopher “is a schematic diagram illustrating an exemplary implementation of the RFID tags of FIG. 1 within a six-story structure.” Ex. 1007 ¶ 17.

As shown in Figure 2, “RFID system 100 comprises a plurality of passive RFID tags 130 disposed at predetermined intervals within the six-story structure 150.” Ex. 1007 ¶ 43. In the embodiment of Christopher’s Figure 2, “passive RFID tags 130 are separated by intervals of approximately fifty feet” and “[a]dditional tags 130 may be provided at other

locations within the structure 150, for example at entrances, exits, stairwells, particular rooms, or every room in the structure 150.” *Id.* Christopher discloses that, in operation, “base computer 120 emits an RF interrogation signal at predetermined, constant, rapid intervals” and “[o]nce the base computer 120 enters the effective range of an active RFID tag 130, the active tag 130 receives the request and transmits radio waves including signals representing building data, such as the address of the building, contact information, and/or a schematic of the building.” *Id.* ¶ 44. “Upon receiving the building data, the base unit computer 120 stores the building data, and displays the building data on a human-machine interface (‘HMI’) such as a graphical user interface (‘GUI’).” *Id.*

4. *Kinnunen (Ex. 1009)*

Kinnunen “is related to the provision of location dependent services.” Ex. 1007, 1:6–7. Kinnunen explains that “[a] location dependent service (LDS) is provided only to service users within a particular location or area.” *Id.* at 1:10–11. Figure 1 of Kinnunen, reproduced below, “shows a coverage area 110 of a communications system.” *Id.* at 5:23–24.

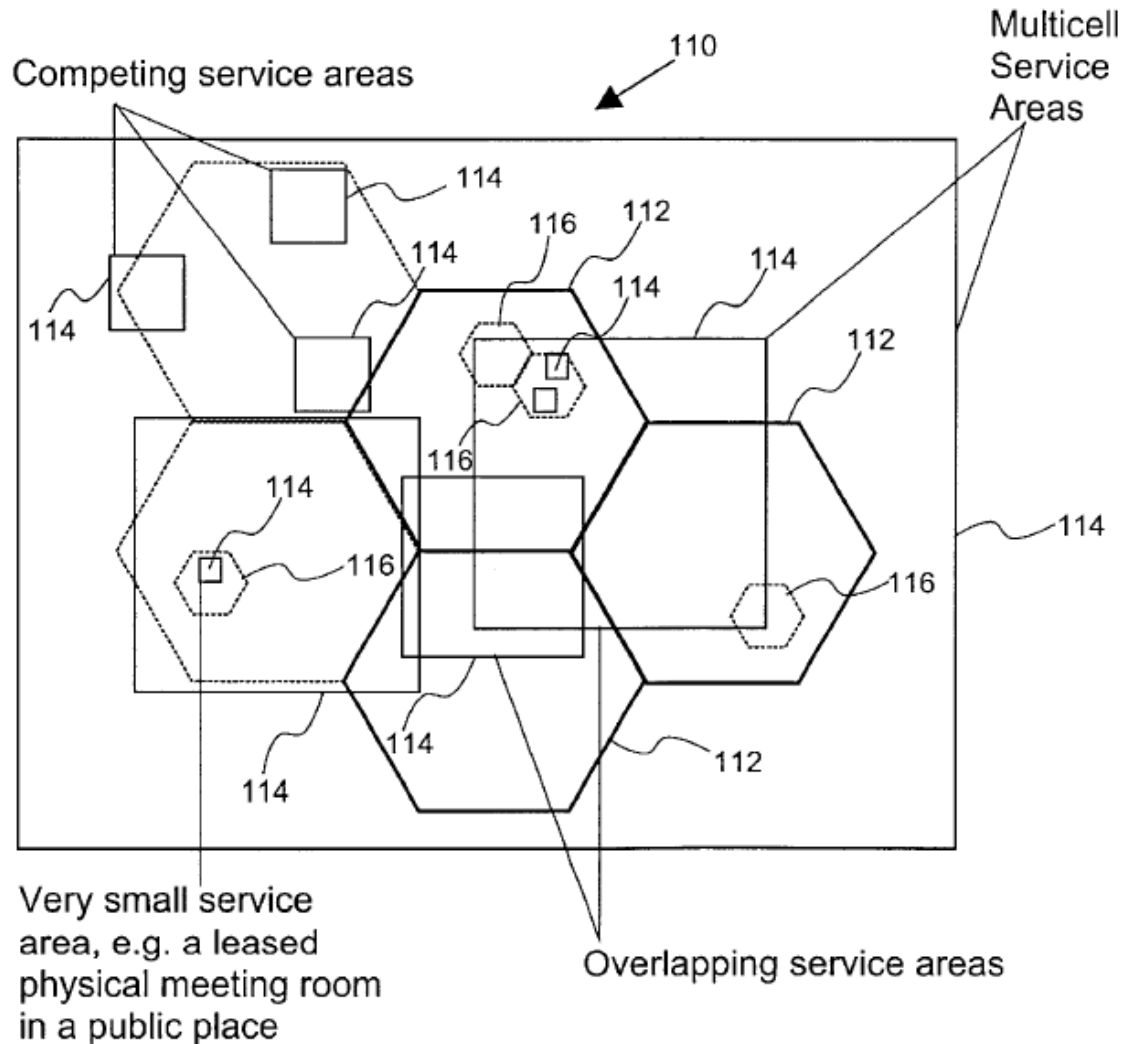


Figure 1 of Kinnunen “shows a coverage area 110 of a communications system.” *Id.* at 5:23–24.

As shown in Figure 1, “[t]he coverage area has a plurality of routing cells 112 for routing of communications connections and a plurality of service deployment areas 114.” Ex. 1009, 5:24–26. According to Kinnunen, “[t]hese areas are defined locations within which a mobile terminal is to be provided with particular services” and “can be defined in several ways.” *Id.* at 5:26–29. Kinnunen discloses that service deployment areas “may be a set of co-ordinates defining the physical boundary of an area, they may be an access point name or they may be a logical area such as

an address or a floor of a building.” *Id.* at 5:29–32. Kinnunen also discloses that “service deployment areas 114 are generally contained within the routing cells 112,” “[h]owever, some of the service deployment areas 114 cover a number of routing cells 114 and thus overlap several routing cells 112.” *Id.* at 5:36–39. Kinnunen further discloses that “[t]he coverage area contains a number of WLAN hot spots 116 which provide network access for mobile users to obtain services.” *Id.* at 5:42–44.

*E. Ground I*

Petitioner challenges claims 1–5 as unpatentable under 35 U.S.C. § 103(a) over the combination of Wrappe and Belcea. Pet. 19–44.

*1. Independent claim 1*

Petitioner contends that the combination of Wrappe and Belcea (“art combination”) would have rendered obvious the method as claimed. *See* Pet. 19–39.

*1[Pre] A method for developing a map for use by a user, the user being selectively individuals, vehicles, and other entities, comprising:*

Petitioner contends that Wrappe teaches the preamble. Pet. 21–24.<sup>4</sup>

To that end, Petitioner contends that Wrappe “suggests using a map to determine position information of the mobile station in a store.” Pet. 23. (citing Ex. 1005 ¶¶ 46, 52). We have reviewed the cited passages. Wrappe discloses one or more beacon stations programmed to broadcast data identifying a site that can be received by a mobile station to improve the precision of the position solution of the mobile station. Ex. 1005 ¶ 52.

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<sup>4</sup> At this stage of the proceeding, we do not determine whether the preamble is limiting.

“[W]hen a mobile station is identified to be entering (or exiting) the site, the commercial information (e.g., electronic coupon, a web page of advertisement) is automatically transmitted to the mobile station for display.” *Id.* As Petitioner contends, this suggests that a map is used to determine position information of the mobile station in a site (e.g., a store). Mr. Andrews further explains that “[a] POSITA [person of ordinary skill in the art] would have understood that presenting the data in a map would be a typical way to provide such information to a user.” Ex. 1002 ¶ 130; Pet. 23.

Patent Owner has not responded to Petitioner’s position with any particularity at this stage of the proceeding.

In our view, at this stage, Petitioner sufficiently shows on this record that Wrappe teaches a “method for developing a map for use by a user, the user being selectively individuals, vehicles, and other entities,” as claimed.

*1[A] using a geographical zone, the zone selectively being a preconfigured geographical zone,*

Petitioner contends that Wrappe teaches this limitation. Pet. 24–26.

Relying in part on Fig. 5 of Wrappe, Petitioner contends Wrappe discloses spaced apart microcell beacons “‘which are placed to aid [in] position determination’ [and] ‘can provide information such as ... *zone identification information*,’ and are arranged about [a] zone.” Pet. 24 (quoting Ex. 1005 ¶¶ 45, 46), Fig. 5 (reproduced in section II.D.1).

Mr. Andrews explains that “[a] POSITA would have thus understood from these teachings that Wrappe’s microcell beacons are positioned in a ‘geographical zone’ as claimed because the microcell beacons provide zone identification information (i.e., within that geographic region of the selected store).” Ex. 1002 ¶ 138; Pet. 24. Mr. Andrews further explains that “the

zone is ‘preconfigured’ because the beacons are placed in advance, and thus the positioning is configured before the system is put into use.” *Id.*

Patent Owner disagrees, arguing, *inter alia*, that a “preconfigured geographical zone” is defined by the user. “Wrappe’s beacons define a ‘geographical zone,’ not a ‘preconfigured geographical zone’ defined by a user as recited in the limitation 1[A]. When [Wrappe’s] beacons are deployed, the ‘geographical zone’ is determined by the beacons and cannot be changed by the user.” Prelim. Resp. 18.

We do not find Patent Owner’s argument undermines Petitioner’s position at this stage. This is so because, as we have discussed in the Claim Construction section, based on the record at this stage, the scope of “preconfigured geographical zone” is not limited to a “preconfigured geographical zone” defined by a user. *See* section II.C. In our view, at this stage, Petitioner sufficiently shows on this record that Wrappe teaches “using a geographical zone, the zone selectively being a preconfigured geographical zone,” as claimed.

*1[B] the zone including a plurality of spaced apart nodes, wherein the nodes are arranged in a multi-dimensional sense, the location of the plurality of nodes in the multidimensional sense being placed with a structure attached to the ground;*

Petitioner contends that Wrappe teaches this limitation. Pet. 26–28.

Again relying on Fig. 5 of Wrappe, Petitioner contends that Wrappe “shows the node at position B1 is spaced apart from the node at A6 in two spatial dimensions—X (horizontal as looking at the figure) and Y (vertical as looking at the figure) direction—so the positioning of the beacons is multidimensional.” Pet. 26, Fig. 5. “An additional dimension is Wrappe’s ‘altitude,’ which corresponds to height, or ‘Z,’ dimension.” *Id.*

As Mr. Andrews points out, “Wrappe’s Fig. 5 ‘illustrates a situation where each store (e.g., 511-517) has only one microcell beacon station (e.g., 541-547).’” Ex. 1002 ¶ 142 (quoting Ex. 1005 ¶ 47), Fig. 5; Pet. 26. “[A] POSITA would have understood that Wrappe’s microcell beacons [] are spaced apart because they are located in different stores, and the stores themselves are spaced apart, for example adjacent or across from to each other in Rows A and B (A1-A4 and B1-B6).” Ex. 1002 ¶ 142; Pet. 28.

Patent Owner has not responded to Petitioner’s position with any particularity at this stage of the proceeding.

In our view, at this stage, Petitioner sufficiently shows on this record that Wrappe teaches “the zone including a plurality of spaced apart nodes,” as claimed.

*1[C] sending data communications between one or more of the nodes, one or more users, and one or more control stations;  
and*

Petitioner contends that Wrappe teaches this limitation. Pet. 28–30.

Petitioner contends that Wrappe teaches “‘microcell beacons use short range data transmitters [] for local area data communication, such as Bluetooth or WiFi [to broadcast]’ where the ‘beacon station may receive data from a mobile station through a wireless local area data communication link.’” Pet. 28 (quoting Ex. 1005 ¶¶ 35, 48). According to Mr. Andrews, “microcell beacons and the mobile station . . . correspond to the claimed ‘nodes’ and ‘users’ (i.e. the users of the ‘mobile station’). Ex. 1002 ¶ 150; Pet. 28.

In order to show that Wrappe teaches sending data communications between “one or more control stations,” Petitioner provides an annotated version of Wrappe Fig. 6, reproduced below.

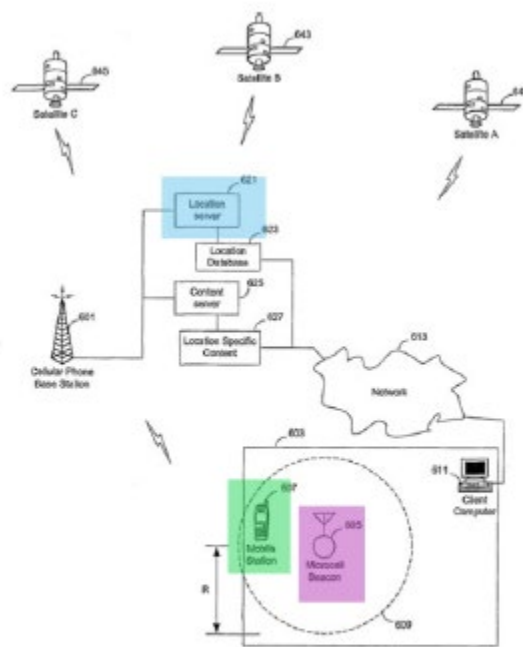


Fig. 6

Wrappe Fig. 6 “illustrates a position determination system for the location of a handset” (Ex. 1005 ¶ 24) comprising a beacon 605 (purple), a location server 621 (blue), and a mobile station 607 (green).

According to Petitioner, “Wrappe’s ‘mobile station 607 [green] has the capability of communicating with location server 621 [blue] using a cellular communication link between mobile station 607 [green] and cellular phone base station 601.’” Pet. 28 (quoting Ex. 1005 ¶ 38). According to Petitioner, the “cellular base station is arranged to cover a geographical area and enable communications between mobile devices (i.e., users) and location servers (i.e., control stations) which provide location services and control operation, acting as the claimed control station.” *Id.* at 29 (citing Ex. 1002 ¶¶ 151, 83–87).

Patent Owner has not responded to Petitioner’s position with any particularity at this stage of the proceeding.

In our view, at this stage, Petitioner sufficiently shows on this record that Wrappe teaches “sending data communications between one or more of the nodes, one or more users, and one or more control station,” as claimed.

*1[Di] affecting multi-dimensional mapping according to the placement of the nodes and the communications between the nodes and the control stations, wherein the mapping is affected in a three-dimensional sense, selectively being a three-dimensional sense in the x, y, and z axes or coordinates and the structure is a building, the building having different elevational levels*

Petitioner contends that Wrappe teaches this limitation. Pet. 30–31.

According to Petitioner, Wrappe discloses a beacon and cellular base station are capable of communicating with each other. Pet. 30 (citing discussion of limitation 1[C] (*see* Pet. 28–29)).

Regarding “affecting a multi-dimensional mapping,” Petitioner contends that Wrappe discloses this because in Wrappe “during the installation of the microcell beacons, the placement and the signal transmission strength of the microcell beacons are adjusted so that the coverage of the dominant beacon signals substantially covers the store without substantially intruding into neighboring stores to cause misidentification.” Pet. 30 (quoting Ex. 1005 ¶46). According to Mr. Andrews, “a POSITA would have understood the placement of the microcell beacons affects [sic] multi-dimensional mapping.” Ex. 1002 ¶ 160; Pet. 30.

Regarding the limitation “selectively being a three-dimensional sense,” Petitioner contends that Wrappe meets this because it discloses that the beacons may broadcast “location information [that] may be the coordinates (e.g., longitude, latitude and altitude) [] or other location specific

information (e.g., an identification number of an area).” Pet. 31 (quoting Ex. 1005 ¶ 10). “[T]he microcell beacon station can broadcast the altitude of a floor of a building where the microcell beacon station is installed’ and ‘may further broadcast its location coordinates.’” *Id.* (quoting Ex. 1005 ¶ 40). Mr. Andrews explains that “like the ’203 Patent, Wrappe discloses that the mapping is affected [sic] in a three-dimensional sense.” Ex. 1002 ¶ 160 (citing Ex. 1001, 32:7–10); Pet. 31.

Patent Owner argues that, in the context of claim 1, the “multi-dimensional mapping” of 1[Di] “is conducted in the ‘preconfigured geographical zone,’ the placement of the nodes (counterpart of Wrappe’s beacons) can only affect [sic] the ‘multi-dimensional mapping,’ not to determine the ‘preconfigured geographical zone.’” Prelim. Resp. 18.

The difficulty with Patent Owner’s argument is that, at this stage, we do not see, based on a plain reading of 1[Di], a requirement that the “multi-dimensional mapping” be conducted *in* the “preconfigured geographical zone.”

At this stage, Patent Owner’s argument does not undermine Petitioner’s position.

In our view, at this stage, Petitioner sufficiently shows on this record that Wrappe teaches “affecting multi-dimensional mapping according to the placement of the nodes and the communications between the nodes and the control stations, wherein the mapping is affected in a three-dimensional sense” as claimed.

*1[Dii] and there are nodes on different elevational levels  
whereby there are nodes at multiple different elevational levels,*

Petitioner contends that both Wrappe and Belcea teach this limitation.  
Pet. 32–33.

According to Petitioner, Wrappe teaches the limitation because  
“Wrappe’s beacon ‘can store and broadcast [for] altitude aiding’ such as  
‘the altitude of a floor of a building where the microcell beacon station is  
installed.’” Pet. 32 (quoting Ex. 1005 ¶¶ 40, 49; citing its discussion of,  
*inter alia*, limitations 1[B], 1[Di] (Pet. 28–29)).

Regarding Belcea, Petitioner relies on, *inter alia*, its annotated version  
of Belcea Fig. 3, reproduced below. Pet. 32; Ex. 1006, Fig. 3.

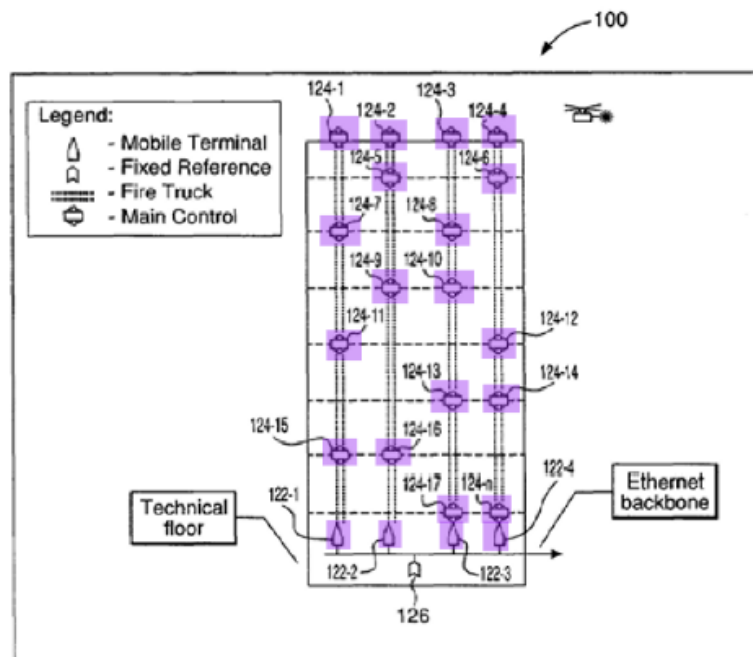


FIGURE 3

Fig. 3 of Belcea shows a high-rise building with Intelligent Access Points (IAP) 122-1 to 122-n [purple] and a system of Vertical Routers (VR) 124-1 to 124-n [purple] dispersed among a number of floors. Ex. 1006, 6:8–11.

According to Petitioner, Fig. 3 shows “Intelligent Access Points (IAP) 122-1 to 122-n [purple], and a system of Vertical Routers (VR) 124-1 to 124-n [purple], dispersed among a number of floors of an example building.” Pet. 32 (quoting Ex. 1006, 6:8-11).

Patent Owner has not responded to Petitioner’s position with any particularity at this stage of the proceeding.

In our view, at this stage, Petitioner sufficiently shows on this record that Wrappe and Belcea teach that “there are nodes on different elevational levels whereby there are nodes at multiple different elevational levels,” as claimed.

*1[Diii] and wherein the system narrows the plurality of nodes for use by the user at a first elevational level to the most practically near node to the user, such that a node at another elevational level, even though physically closer to the user at the first elevational level is excluded as being a node the most practically near to that user, and a different node at the elevational level of the user is selected as the most practically near to that user.*

Petitioner contends that the art combination teaches this limitation. Pet. 34–39.

Petitioner contends that Wrappe explains that “the signal transmission strength of the microcell beacons and the distribution of the microcell beacons are adjusted during the installation process such that the beacon signals identifying one of the stores covers substantially the store.” Pet. 34 (quoting Ex. 1005 ¶ 46). Relying on Wrappe Figure 5, Petitioner quotes Wrappe: “beacon signals for store 511-517 have coverage areas 531-537 respectively so when mobile stations 501 receives a signal beacon signal for a store [], the mobile station can identify the store from the beacon signal.”

*Id.* According to Mr. Andrews, “a POSITA would have understood Wrappe to teach [from these disclosures] the mobile station determining the closest microcell beacon in a store so the mobile station can receive a signal for a store.” Ex. 1002 ¶ 167; Pet. 34.

Belcea is relied upon to show selecting a “node at the elevational level of the user . . . as the most practically near to that user,” in a building, as claimed. Pet. 34–39. To that end, Petitioner first contends that Belcea teaches using “Time of Flight (TOF) data and Received Signal Strength Indicator (RSSI) data and a scoring process to identify the correct floor on which they are located.” Pet. 36 (quoting Ex. 1006, 11:35–38). Petitioner then directs our attention to U.S. Patent Application Ser. No. 10/861,121, published as U.S. Patent Publication No. 2004/0246926 (Ex. 1008; “Belcea ’926”), which is incorporated by reference in Belcea in its entirety, for an explanation of the floor scoring operations performed for identifying the locations of mobile terminals. Pet. 36 (citing, *inter alia*, Fig. 7); Ex. 1006, 11:32–34. Petitioner explains that Belcea ’926 discloses, *inter alia*,

- a “wireless floor-indicating router (FIR) 106 [] in the stairwell 102 and by the elevator shaft 104 at each floor” (Ex. 1008 ¶ 43);
- “filtered data can be compared for finding the floor where is located the FIR that provides to the targeted mobile device the smallest TOF and the best RSSI simultaneously” (*id.* ¶ 47);
- “all FIRs deployed on the same floor are on the same line of the matrix, regardless [of] the position on the floor” (*id.* ¶ 55); and,
- a “function has a loop that identifies the floor on which the criterion (RSSI or TOF) has the best value” (*id.* ¶ 65).

Pet. 37–38.

According to Mr. Andrews, based on these teachings, “a POSITA would have understood that Belcea teaches to first identify the nodes on a specific floor, disregard nodes on other floors, and then perform location determinations using only the nodes on the specific floor desired.” Ex. 1002 ¶ 171; Pet. 38. “Different stores on different floors are less relevant to the user, because even though they may be nearby in the vertical sense (e.g., directly underneath the user on a different floor), if the user is not in the store, then they are less likely to be interested in messages from that store.” Ex. 1002 ¶ 172; Pet. 38.

Petitioner contends that a “POSITA would have been motivated to implement these teachings with Wrappe to ensure the user device is connected to the beacon of a store the user is actually in, for example a store on the same floor as the user as opposed to a different store on a different floor.” Pet. 38 (citing Ex. 1002 ¶ 172). “The [combined] system identifies a beacon ‘nearby’ on the same floor because other stores on the floor above or below are not immediately relevant to the user.” *Id.*

Patent Owner argues that

The written description of Wrappe shows that in Wrappe’s system, the user can only receive a signal beacon signal for a store, there is no need to “narrow the plurality of nodes for use by the user at a first elevational level to the most practically near node to the user.” Thus, Wrappe does not disclose the limitation 1[Diii].

Prelim. Resp. 22.

The difficulty with this argument is that Petitioner is not relying only on Wrappe. Wrappe is relied upon to show, *inter alia*, a mobile station determining the closest microcell beacon in a store. *See* Pet. 34 (citing, *inter alia*, Ex. 1002 ¶ 167). Belcea (via Belcea ’926) is relied upon for showing selecting a “node at the elevational level of the user . . . as the most

practically near to that user,” in a building. Pet. 34; Ex. 1006; Ex. 1008. Petitioner’s position is that the combination of Wrappe and Belcea would have led one to a “system [that] identifies a beacon ‘nearby’ on the same floor because other stores on the floor above or below are not immediately relevant to the user.” Pet. 38 (citing Ex. 1002 ¶ 172). According to Petitioner, this meets the limitation whereby a “system narrows the plurality of nodes for use by the user at a first elevational level to the most practically near node to the user,” as claimed.

Regarding Belcea, Patent Owner states the following:

Since “The FIR 106 giving the smallest value of weighted TOF( most physically close to the user) is representative of the most likely floor on which the MT 116 is located” in Belcea is conflicted with “the most practically near node to the user, such that a node at another elevational level, even though physically closer to the user at the first elevational level is excluded as being a node the most practically near to that user, and a different node at the elevational level of the user is selected as the most practically near to that user” in the limitation 1[Diii], Belcea does not disclose the limitation 1[Diii].

Prelim. Resp. 22. Patent Owner does not adequately explain the “conflict[ ].” We think Patent Owner is questioning whether a value from the FIR representing the most likely floor would exclude “a node at another elevational level, even though physically closer to the user at the first elevational level,” as claimed. However, Mr. Andrews testifies that given the disclosures in Belcea (listed above), “a POSITA would have understood that Belcea teaches to first identify the nodes on a specific floor, disregard nodes on other floors, and then perform location determinations using only the nodes on the specific floor desired.” Ex. 1002 ¶ 171; Pet. 38. This testimony is un rebutted at this stage. In this way, according to Petitioner, “a node at another elevational level, even though physically closer to the user at

the first elevational level” would be excluded, as claimed. *See, e.g.*, Pet. 38 (citing Ex. 1002 ¶ 172).

Patent Owner’s arguments do not undermine Petitioner’s position at this stage.

In our view, at this stage, Petitioner sufficiently shows on this record that the art combination teaches a “the system narrows the plurality of nodes for use by the user at a first elevational level to the most practically near node to the user, such that a node at another elevational level, even though physically closer to the user at the first elevational level is excluded as being a node the most practically near to that user, and a different node at the elevational level of the user is selected as the most practically near to that use,” as claimed.

## *2. Claims 2–5*

Petitioner argues that claims 2–5 depending from claim 1 are also taught or rendered obvious over the art combination. Pet. 39–44.

Patent Owner does not provide any specific arguments challenging Petitioner’s patentability position as to these claims. *See* Prelim. Resp. 23.

Along with our reasons discussed with respect to the challenge of claim 1, we are persuaded that the evidence relied upon by Petitioner sufficiently supports Petitioner’s contentions regarding claims 2–5.

## *F. Grounds II and III*

Under Ground II, Petitioner challenges claims 6–30 as unpatentable under 35 U.S.C. § 103(a) over the combination of Wrappe, Belcea, and Christopher. Pet. 44–75. Under Ground III, Petitioner challenges claims 6–30 as unpatentable under 35 U.S.C. § 103(a) over the combination of Wrappe, Belcea, and Kinnunen. Pet. 75–79.

Petitioner addresses independent claims 6, 29, and 30 together. Pet. 46–64 (Ground II); 76–77 (Ground III). Petitioner also addresses claims 7–28 depending from claim 6. Pet. 64–75 (Ground II); 78–79 (Ground III).

Because Petitioner has demonstrated a reasonable likelihood of success in demonstrating that at least one claim of the '203 patent as unpatentable under 35 U.S.C. § 103(a) over the combination of Wrappe and Belcea (Ground I), we institute on all challenged claims and all grounds raised in the Petition. *See* 37 C.F.R. §42.108(a) (2023). Therefore, at this stage of the proceeding, it is not necessary for us to provide an assessment of claims 6–30 under these remaining grounds based on obviousness.

That being said, Patent Owner has responded to Petitioner's position as to limitations 6[G], 29[G], and, 30[G] (but no other). *See* Prelim. Resp. 26–27 (discussing 6[G]), 27–29 (29[G]), 29–30 (30[A]) for both grounds). We now address limitations 6[G], 29[G], and, 30[A] to which Patent Owner has particularly responded.

*6[G] the mobile user receiving selection parameter data from multiple transponders, and utilizing the selection parameters, such that the system narrows the plurality of transponders to the most practically near transponder, such most practically near transponder not necessarily being the transponder physically closest to the mobile user;*

Petitioner's position is the same as for 1[Diii]. *See* Pet. 59 (“Wrappe-Belcea-Christopher teaches 6[G] as discussed in Section XII.A.2.g.” (referring to Pet. 34–39 (discussing 1[Diii]) (citing Ex. 1002 ¶¶ 235–238))).

Patent Owner directs us to its argument regarding Petitioner's position as to 1[Diii]. *See* Prelim. Resp. 22.

For the reasons discussed with respect to 1[Diii], Patent Owner's argument does not undermine Petitioner's position as to 6[G]. *See* section II.E.1.1[Diii].

*29[G] effecting a location transponder selection by a general wireless communication of multiple location transponder located within communication range in the zone, obtaining unique location transponder radio addresses, searching for wireless devices of at least one subclass, the subclasses being selected to include specific types of wireless communication devices, selectively cell phones, pagers, PDAs, and laptop computers, or by searching for at least one specific wireless device operating in a specific mode;*

Patent Owner argues that “Petitioner shows that ‘searching for wireless devices of at least one subclass’ is conducted by Wrappe system or Viewpoint system, not by the mobile communication device.” Prelim. Resp. 29 (referring to Pet. 61: “A POSITA would have understood that the Wrappe system searches for such devices by monitoring such devices and sending communications upon a device entering a site.” (citing Ex. 1005 ¶¶ 15, 44, 46, 52, claim 31)).

At this stage, we do not find Patent Owner's argument undermines Petitioner's position because we do not read 29[G] as requiring “the mobile communication device” to perform the search. There is no mention of a mobile communication device “searching for wireless devices of at least one subclass” in 29[G]. *See, e.g.,* Ex. 1001, 26:47–51 (“In *some alternative embodiments*, the wireless communication device 2012 performs a custom device discovery 2052 by searching for at least one specific wireless device 2012 operating in a specific mode.” (Emphasis added)).

*30[A] using a [preconfigured] geographical zone, wherein the zone includes a plurality of spaced apart communication transponders; the transponders including a transmitter and receiver and wherein at least one of the transponders permits communication with a mobile device of a user;*

Patent Owner states:

As discussed in Section V.B.1.a [discussing 1[A]], the combination of Wrappe and Belcea does not teach the limitation “preconfigured geographical zone,” the limitation 30[A] comprises the limitation “preconfigured geographical zone,” thus the combination of Wrappe and Belcea does not teach the limitation 30[A].

Prelim. Resp. at 29 (referring to the discussion at Prelim. Resp. 15–20). We take from this that Patent Owner is contending, as it does for 1[A], that the “preconfigured geographical zone” in 30[A] is defined by a user.

On this record, we do not find Patent Owner’s argument undermines Petitioner’s position for the reasons discussed in the Claim Construction section; that is, claim 30 calls for “applying the plurality of transponders in the network with each other to define the zone,” not a user. Ex. 1001, 44:62–63 (emphasis added). At this stage, we have construed “preconfigured geographical zone” in claim 30 broadly and not limited to a “preconfigured geographical zone” defined by a user. See Section II.C.

### III. CONCLUSION

For the foregoing reasons, we determine that Petitioner has demonstrated a reasonable likelihood that it would prevail in showing the unpatentability of at least one of claims 1–30 of the ’203 patent. Accordingly, we grant the Petition and institute an *inter partes* review of the ’203 patent.

Because a decision to institute is “a simple yes-or-no institution choice respecting a petition, embracing all challenges included in the

petition,” *PGS Geophysical AS v. Iancu*, 891 F.3d 1354, 1360 & n.2 (Fed. Cir. 2018) (citing *SAS Inst., Inc. v. Iancu*, 138 S. Ct. 1348, 1359–60 (2018)). “When instituting inter partes review, the Board will authorize the review to proceed on all of the challenged claims and on all grounds of unpatentability asserted for each claim.” 37 C.F.R. § 42.108(a). And Because we have determined that at least one ground set forth in the Petition satisfies the threshold for institution, trial is instituted on the proposed grounds.

#### IV. ORDER

ORDERED that, pursuant to 35 U.S.C. § 314(a), *inter partes* review of claims 1–30 of the ’203 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 claims 1–30 of the ’203 patent shall commence on the entry date of this Order, and notice is hereby given of the institution of *inter partes* review.

IPR2023-00850  
Patent 8,315,203 B2

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