



BRYCER, LLC et al. v. TEGRIS INC.
IPR2023-01196
U.S. Patent No. 11,126,966

Petitioner's Demonstratives

Oral Argument—October 24, 2024

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

BRYCER EXHIBIT 1041

Independent Claim 8

- [8pre] 8. A computer-implemented method for using a fire hydrant management software and a web-based registry to track requisite inspection of an owned asset comprising:
- [8a] granting remote access to a web-based registry system, wherein the web-based registry is configured to run a fire hydrant management software, to at least three classes of user, wherein the three classes of user comprise:
- (1) an owner of an asset
 - (2) an approval authority
 - (3) an inspector
- [8b] retrieving, by a computer-based fire hydrant management software system, real time records of assets from a database, the database being accessible and augmentable by a classes of user;
- [8c] analyzing the records of assets from the database to identify notification events;
- [8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;
- [8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;
- [8f] upon logging on to a password controlled website configured to provide access to the fire hydrant management software, providing to an inspector the owner selects, the selection based upon a list of qualified inspectors that are available to inspect the asset based upon attributes including proximity to the asset, a web-based template configured to describe the asset and each of the steps of the inspection;
- [8g] receiving from the inspector, inspection information in specific response to the web-based template;
- [8h] storing in a database in association with the asset, the inspection information, wherein the inspection information is accessible to the users, and updating the database in association with the asset based upon the inspection information;
- [8i] transmitting to the approval authority, a standard format compliance report including noting compliance, wherein the compliance report includes, noting deficiencies in the asset and storing the noted deficiencies in association with the asset.

EX1001 ('966 Patent) at 15:16-16:13; Paper 1 (Petition) at 3, v-vi



Dependent Claims 9-16

9. The method of claim 8, wherein the storing further includes:

storing, in association with the asset a new deadline date, based upon completion of the inspection.

10. The method of claim 9 further comprising:

receiving bids to perform a suitably compliant inspection of the asset from a group of qualified inspectors including, at least, the inspector; and
presenting to the owner a compilation of the bids for selection of the inspector.

11. The method of claim 10 further comprising:

based upon the owner selecting the inspector, scheduling the inspector's inspection of the asset based upon the impending deadline, the inspector's availability, and the asset availability.

12. The method of claim 8, wherein the compiling the report includes:

receiving, from the inspector, photographs of the asset or components of the asset; and
storing the photographs in association with the asset and the date of the inspection.

13. The method of claim 8, wherein the noting deficiencies further comprises:

selecting a remedy deficiency deadline based upon the noted deficiency and the date of the inspection; and
storing in association with the asset a remedy deficiency deadline.

14. The method of claim 13, further comprising

receiving bids to perform a suitably compliant remedy of the deficiency from a group of qualified contractors; and

presenting to the owner a compilation of the bids for selection of a contractor to remedy the deficiency.

15. The method of claim 14 further comprising:

based upon the owner selecting the contractor, scheduling the contractor to remedy the deficiency based upon the remedy deficiency deadline, the contractor's availability, and the asset availability.

16. The method of claim 8, further comprising:

compiling compliance report including the noted deficiency.

Claims 8-16 are Obvious

Ground	Prior Art	Claims
1	Obvious under §103 over Key in view of Chauhan, Sweeney, and McKinney	8-16

The '966 Patent

(12) **United States Patent**
Moren et al.

(10) **Patent No.:** US 11,126,966 B2
(45) **Date of Patent:** Sep. 21, 2021

(54) **SYSTEMS AND METHODS FOR A WEB BASED INSPECTION COMPLIANCE REGISTRY AND COMMUNICATION TOOL**

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(73) Assignee: **TEGRIS, INC.**, Gig Harbor, WA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1138 days.

(21) Appl. No.: **12/011,202**

(22) Filed: **Jan. 23, 2008**

(65) **Prior Publication Data**
US 2009/0157521 A1 Jun. 18, 2009

Related U.S. Application Data

(60) Provisional application No. 60/886,269, filed on Jan. 23, 2007, provisional application No. 60/977,870, filed on Oct. 5, 2007, provisional application No. 60/981,091, filed on Oct. 18, 2007, provisional application No. 60/981,784, filed on Oct. 22, 2007, provisional application No. 60/969,905, filed on Sep. 4, 2007, provisional application No. 60/981,782, filed on Oct. 22, 2007.

(51) **Int. Cl.**
G06Q 10/10 (2012.01)

(52) **U.S. Cl.**
CPC **G06Q 10/10** (2013.01)

(58) **Field of Classification Search**
CPC G06Q 50/163; G06Q 10/10
USPC 705/313
See application file for complete search history.

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ABSTRACT
(57) A method for using a web registry to track the inspection compliance of an owned asset including notifying an owner of an asset that an inspection is needed to comply with a code. Electronically transmitting a list of at least one qualified inspector to a user. Receiving a completed inspection uploaded from an inspector. Transmitting the completed inspection to an approving authority. Completing a monetary transaction between the asset owner and the inspector when the inspection is approved by the approving authority. A system for a web based compliance registry including a database configured to store owned asset information. A user interface in communication with the database configured to show owned asset information on the display. A handheld device configured to wirelessly connect to the user interface and with the database in order to input and view owned asset data wirelessly and specific information based on its global position.

16 Claims, 24 Drawing Sheets

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graph LR
    HW[Hydram Works] --- WS[Hydram Works WebApp Server]
    WS --- WWW[www.hydramworks.com]
    WWW --- Internet((Internet))
    Internet --- WR[Wireless Router 320]
    Internet --- WDT[Wireless Data Transfer 330]
    WR --- WSD[Wireless Scout Device 340]
    WSD --- GPS[GPS 360]
    WSD --- IS[Inspection Subject 350]
    IS --- ICWC[Inspection Company Web Client 370]
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(54) **SYSTEMS AND METHODS FOR A WEB BASED INSPECTION COMPLIANCE REGISTRY AND COMMUNICATION TOOL**

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EX1001 ('966 Patent) at Cover Page; Paper 1 (Petition) at 3-5, 7



Admissions in Specification are Binding for Obviousness Inquiry

“Admissions in the specification regarding the prior art are binding on the patentee for purposes of a later inquiry into obviousness.”

PharmaStem Therapeutics, Inc. v. ViaCell, Inc., 491 F.3d 1342, 1362 (Fed. Cir. 2007)

“By characterizing certain parts as conventional in the specification, the patentee effectively admits that such things would be known to a POSA.”

McCoy v. Heal Sys., LLC, 850 F. App’x785, 789 (Fed. Cir. 2021)

“[I]t is appropriate to rely on admissions in a patent’s specification when assessing whether that patent’s claims would have been obvious.”

Koninklijke Philips N.V. v. Google LLC, 948 F.3d 1330, 1339 (Fed. Cir. 2020)

“[A] patentee’s admissions about the scope and content of the prior art provide a factual foundation as to what a skilled artisan would have known at the time of invention.”

Qualcomm Inc. v. Apple Inc., 24 F.4th 1367, 1375-76 (Fed. Cir. 2022)

The '966 Patent's Admissions: Fire Hydrants are Non-Limiting and Assets are Substitutable

- Wide-ranging “example[s] of owned assets requiring ... inspection”
- “For purposes of a non[-]limiting example a fire hydrant will be used as an owned asset throughout the specification”
- “it should be readily appreciated that any owned asset may be substituted for the fire hydrant.”

BACKGROUND OF THE INVENTION

There are many assets that are owned around the world that require compliance with a code, local rule, state law, or federal law. Compliance in most of these cases requires a periodic inspection of the owned asset. An example of owned assets requiring annual or regular inspection are fire sprinkler systems, fire alarm systems, kitchen hood systems, fire extinguishers, emergency lighting systems, backflow preventers, bridges, fire hydrants, catch basins, retention ponds, electrical systems, heating/venting/air conditioning systems, plumbing systems, aircraft, vehicles, school transportation vehicles, cranes, powerplants, dams, stormwater runoff, animals, industrial sites, environmental interests, housing, real estate, boilers, farm equipment, viaducts, tunnels, businesses, financials, pharmaceutical caches, weapon caches, amusement parks/rides, elevators, escalators, pilings, piers, safety equipment, kitchens, and others. For purposes of a non limiting example a fire hydrant will be used as an owned asset throughout the specification, however it should be readily appreciated that any owned asset may be substituted for the fire hydrant.

EX1001 ('966 Patent) at 1:19-38; Paper 1 (Petition) at 4, 28; Paper 26 (Reply) at 7, 17-18



The '966 Patent's Admissions: “*Well-Known* Computing Systems...”

Embodiments of the invention are operational with numerous other general-purpose or special purpose computing system environments or configurations. Examples of well-known computing systems, environments, and/or configurations that may be suitable for use with embodiments of the invention include, but are not limited to, personal computers, server computers, hand-held or laptop devices, multiprocessor systems, microprocessor-based systems, set-top boxes, programmable consumer electronics, network PCs, minicomputers, mainframe computers, distributed computing environments that include any of the above systems or devices, and the like.

EX1001 ('966 Patent) at 5:9-20; Paper 1 (Petition) at 4



The '966 Patent: Summary of Invention

- Web Registry for Tracking Inspection of Owned Assets with Data Shared Among Asset Owners, Inspectors, and Approval Authorities

SUMMARY OF THE INVENTION

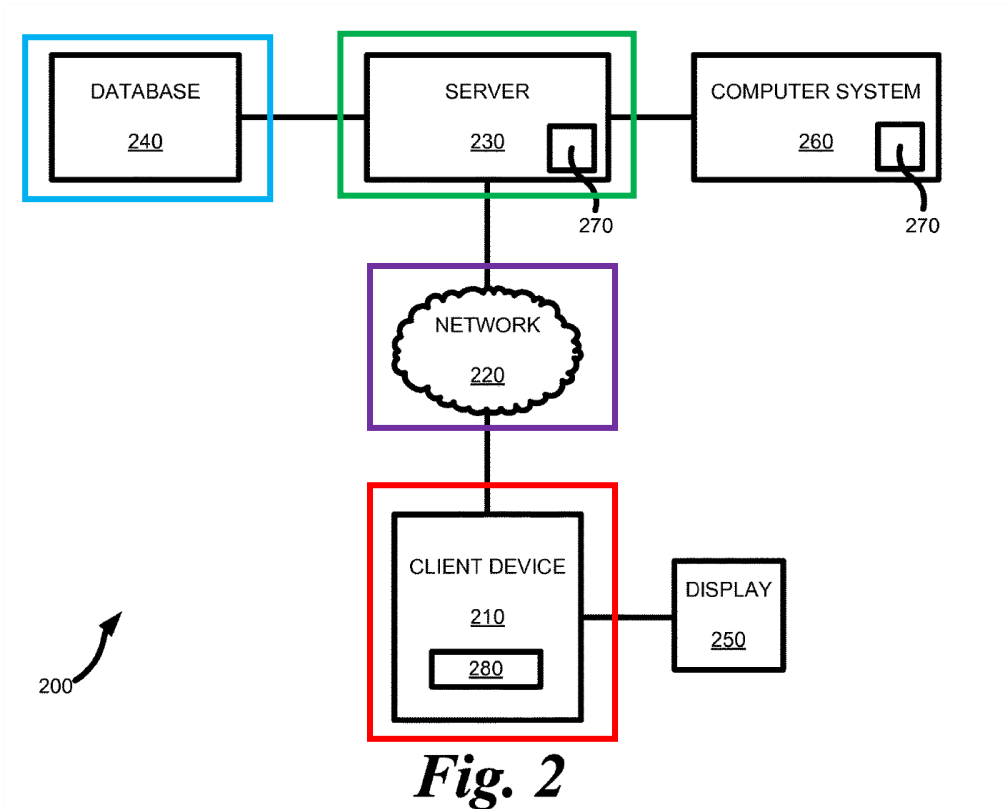
A method for using a web registry to track the inspection compliance of an owned asset including notifying an owner of an asset that an inspection is needed to comply with a code. Electronically transmitting a list of at least one qualified inspector to a user. Receiving a completed inspection uploaded from an inspector. Transmitting the completed inspection to an approving authority. Completing a monetary transaction between the asset owner and the inspector when the inspection is approved by the approving authority.

A system for a web based compliance registry including a database configured to store owned asset information. A user interface in data communication with the database configured to show owned asset information on a display. A handheld device configured to wirelessly connect to the user interface and with the database in order to input and view owned asset data wirelessly and specific information based on its global position.

EX1001 ('966 Patent) at 3:8-25; Paper 1 (Petition) at 3; Paper 17 (POR) at 33



The '966 Patent: “Exemplary Computer Network System”



Referring now to FIG. 2, an embodiment of the present invention takes the form of an exemplary computer network system 200. The system 200 includes an electronic client device 210, such as a personal computer or workstation, that is linked via a communication medium, such as a network 220 (e.g., the Internet), to an electronic device or system, such as a server 230. The server 230 may further be coupled, or otherwise have access, to a database 240 and a computer system 260. Although the embodiment illustrated in FIG. 2 includes one server 230 coupled to one client device 210 via the network 220, it should be recognized that embodiments of the invention may be implemented using one or more such client devices coupled to one or more such servers.

EX1001 ('966 Patent) at FIG. 2, 6:21-33; Paper 1 (Petition) at 4-5

“Narrowly Focusing on [Subset of] Prior-Art References” is Legally Improper

“By narrowly focusing on the four prior-art references cited by the Examiner and ignoring the additional record evidence Randall cited to demonstrate the knowledge and perspective of one of ordinary skill in the art, the Board failed to account for critical background information that could easily explain why an ordinarily skilled artisan would have been motivated to combine or modify the cited references to arrive at the claimed inventions. As *KSR* established, the knowledge of such an artisan is part of the store of public knowledge that must be consulted when considering whether a claimed invention would have been obvious.”

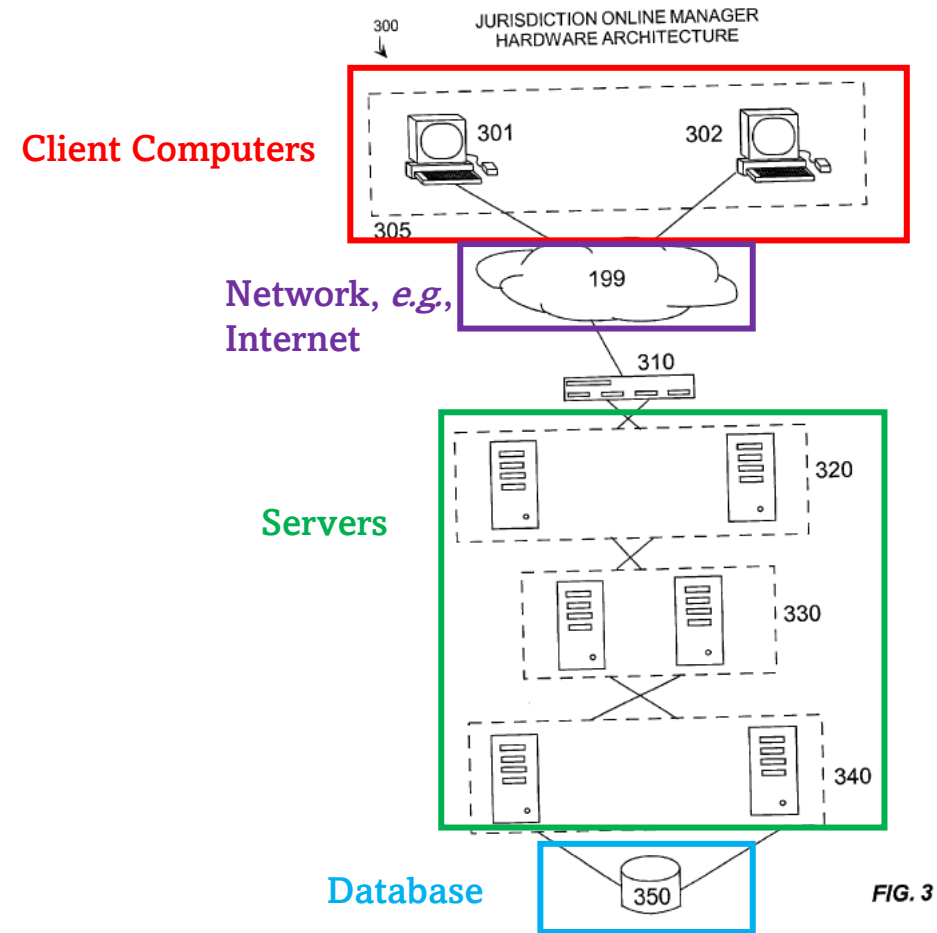
Randall Mfg. v. Rea, 733 F.3d 1355, 1362 (Fed. Cir. 2013)

The State of the Art: the “Key” reference

KNOWN IN THE ART

- *Web-Enabled Jurisdictional Online Management System for Sharing Data Among Asset Owners, Inspectors, and Jurisdictions*
- *Jurisdictionally Required Asset Inspection*

[0015] The present invention meets the needs described above in a jurisdiction online manager. The system provides an efficient, centralized, and web enabled process for the transfer of data between multiple jurisdictions and multiple entities required to routinely interact with the multiple jurisdictions. The system manages required inspections mandated by a plurality of different jurisdictions performed by non-governmental entities. The system is applicable to pressure vessels, boilers, elevators, amusement park rides, and other required jurisdictional inspections of objects.



EX1005 (Key) at FIG. 3, [0015], [0053], [0065]-[0069]; Paper 1 (Petition) at 10-12, 23-24

The State of the Art: the “Key” reference

KNOWN IN THE ART

- *System users include asset owners, inspectors, and jurisdiction reviewers (approval authorities)*

[0070] FIG. 4 illustrates the principal software units or components of the JOM 110 include a web interface 410, a location unit 420, an object unit 425, an inspection unit 430, an accounting unit 435, an assignment unit 440, a review unit 445, a view unit 450, an administration unit, and a report unit 460. Flow charts representing the user interface with these units are described in reference to subsequent FIGS. 8-15. The web interface 410 is operative to receive communications via the Internet 199. In particular, the web interface 410 provides Internet access for an insurer interface 411, a jurisdiction interface 412, an owner portal 413, and a notification system 414. The web interface 411 provides access for the insurance company inspectors 135, jurisdiction reviewers 125, and owners of the objects via a web browser. The web interface 121 is also operative to receive electronic files, which can take the form of multiple dialogues including Electronic Data Interchange (EDI), Extensible Markup Language (XML), and custom flat file formats.

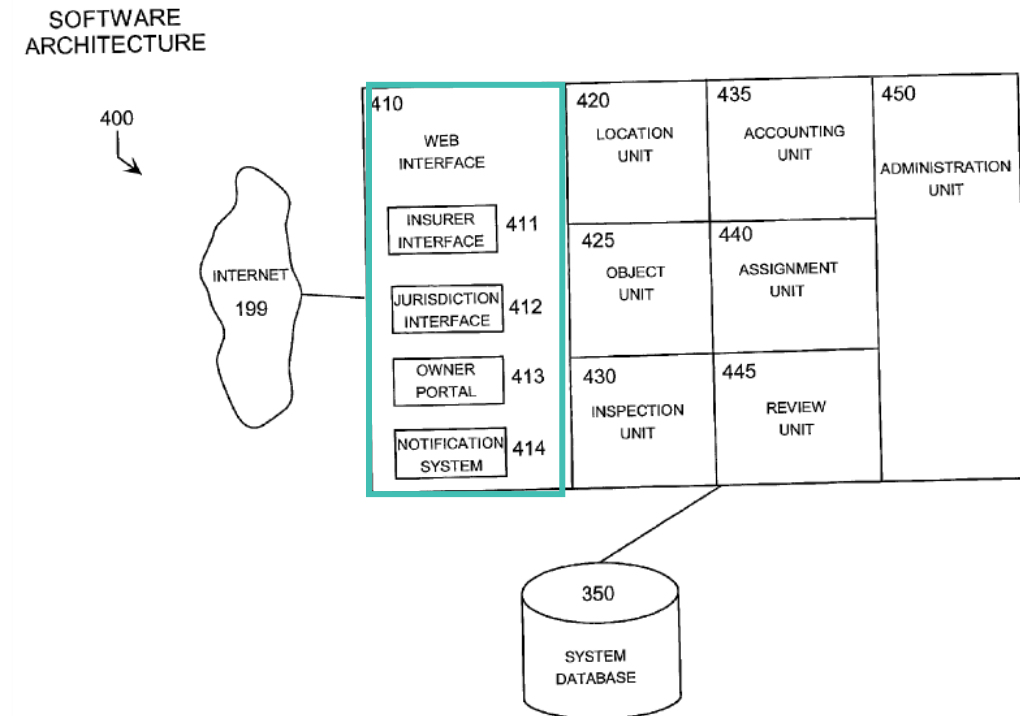


FIG. 4

EX1005 (Key) at FIG. 4, [0070]; Paper 1 (Petition) at 12-13

The State of the Art: the “Key” Reference

KNOWN IN THE ART

- *Centralized Database and System for Real-Time Data*

[0016] The system provides a central staging database for data. Consequently all insurance company have a common interface and programs to support their mandated inspection functions. Hence, the inspectors have only one user interface with which to cope. In addition, the jurisdictions do not have to agree on the types, domains, or any other information because the system supports multiple jurisdiction forms. Because the jurisdictions do not have to agree on standards or need to invest in expensive development, the system should achieve early adoption by the jurisdictions.

[0017] The centralized system provides a hierarchical data structure that allows for easy updates and reverse delta storage. Furthermore, the central system enables real time availability of current data. Moreover, data validation can be performed as well as enforceable data fields and domains. Additionally, complete historical information about the stored objects can be available online.

[0104] FIG. 7 illustrates a data file structure of information stored in the JOM database 350. The information illustrated in FIG. 7 is organized logically in conventional data files in the known manner, associated with one or more owners of pressure vessels or boilers.

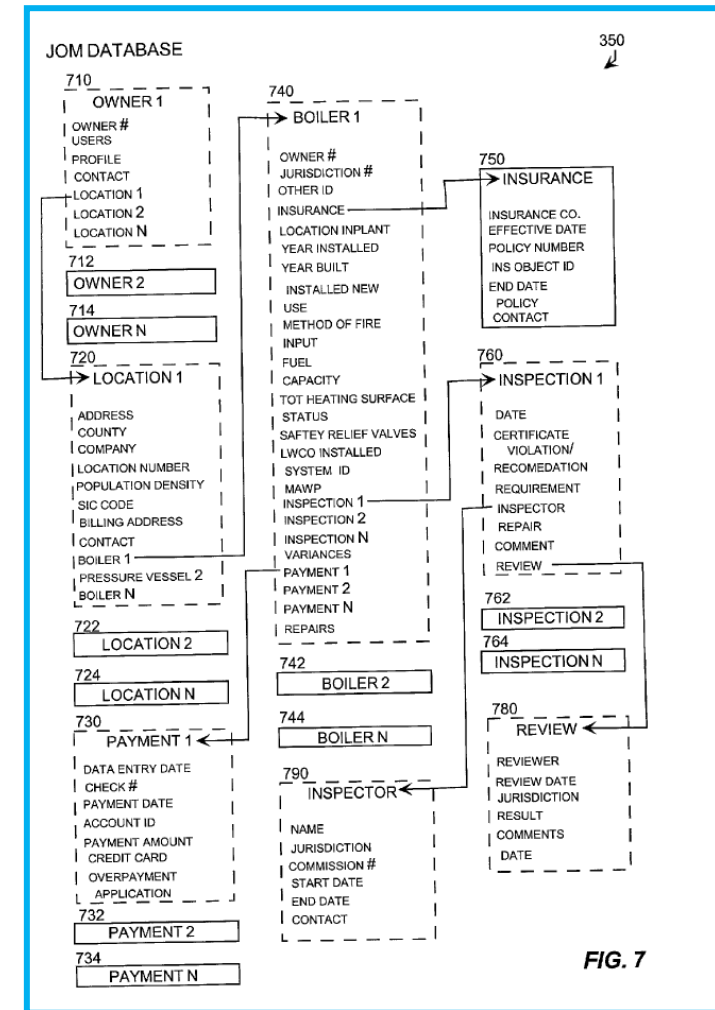


FIG. 7

EX1005 (Key) at FIG. 7, [0016]-[0017], [0104]; Paper 1 (Petition) at 13-14, 23

The State of the Art: the “Chauhan” Reference

KNOWN IN THE ART

- *Systems for Fire Hydrant and Other Asset Inspections with Known Databases*

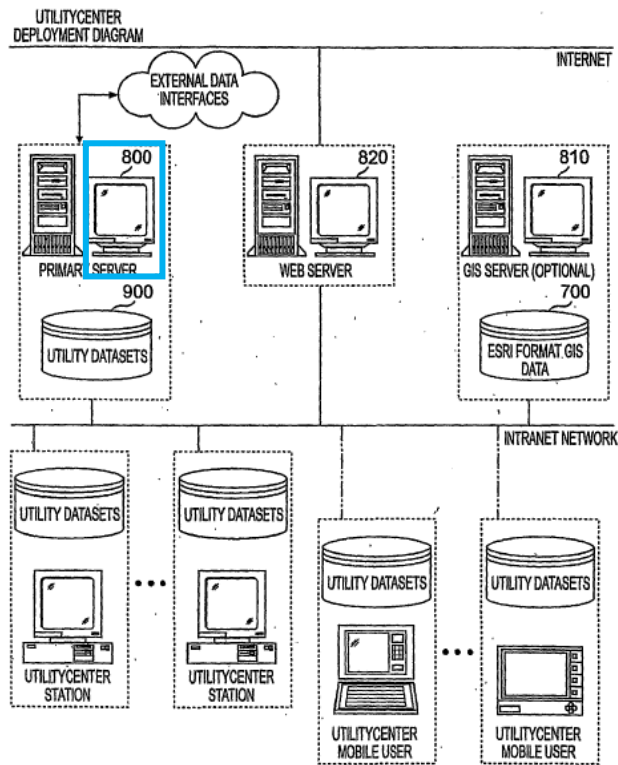


FIG. 1

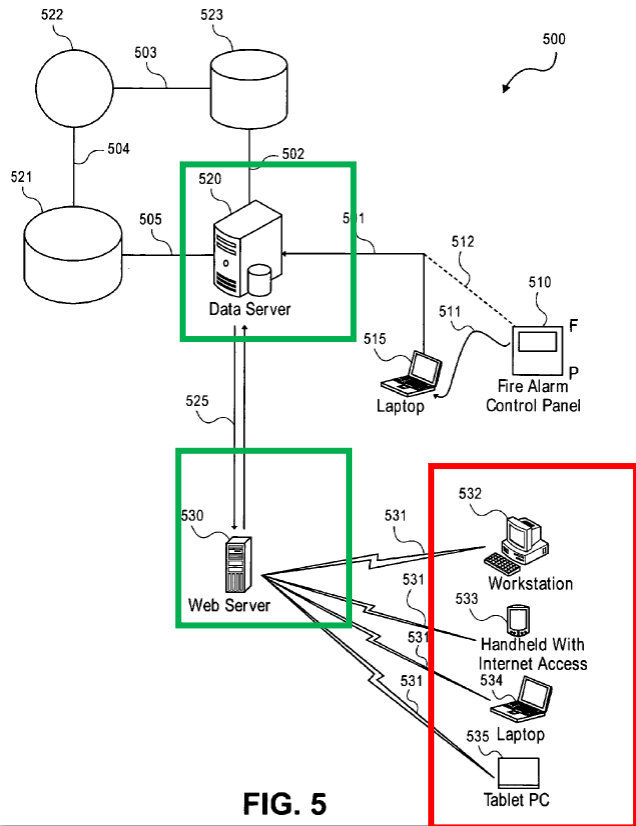
- “UtilityCenter™ 10 is an integrated GIS suite of applications that manages information across the entire utility.” EX1016 at [0039].
- “The primary data for UtilityCenter™ 10 is stored in a **Microsoft SQL Server® database 800.**” EX1016 at [0039].
- Discloses “**fire hydrant inspections**” and “**HYDRANT theme.**” EX1016 at [0207].
- “Besides electric transmission and distribution utilities, the same technology has been tailored to specific needs of public agencies, such and fire and police departments, zoning and planning commissions....” and several others. EX1016 at [0218].

EX1016 (Chauhan) at FIG. 1, [0039], [0207], [0218]; Paper 1 (Petition) at 14-16

The State of the Art: the “Campion” Reference

KNOWN IN THE ART

- *Systems for Life-Saving Equipment Inspection Scheduling and Reporting in Jurisdictionally Compliant Format*



- “The installation and maintenance of **life-safety equipment such as smoke detectors, fire alarm and sprinkler systems, and the like**, continues to be a major concern.... Given that, under various local ordinances (see, e.g. New Jersey State Fire Prevention Code) ... periodic maintenance must be performed....” as well as the “equipment is mandated to be serviced, tested and **inspected at regular intervals....**” EX1007 at 1:27-40.
- “[D]esirable in the art to ... provide an **authenticated report or the like in a compliant format** for the jurisdiction,” among other things. EX1007 at 2:12-33.
- “Workstations can also be used to **schedule inspections due over the course of coming time for periods as required, to set dates for required inspection and receive reminders of inspections due and the like.**” EX1007 at 9:37-41.
- “[T]he results of the inspection can be ... stored ... and ... authenticated for generation and/or publication of reports in a **format that would be accepted by, for example, a local fire inspection jurisdiction.**” EX1007 at 17:23-27.

EX1007 (Campion) at FIG. 5, 1:27-40, 2:12-33, 9:37-41, 17:23-27; Paper 1 (Petition) at 18-20, 66

The State of the Art: the “Lloyd’150” Reference

KNOWN IN THE ART

- *Systems for Fire/Life Systems Inspections and Notifications*

[57]

ABSTRACT

A system and method for operational criteria compliance verification of fire/life safety systems and components whose operation, maintenance and testing are established by predetermined operational criteria, such as industry standards and fire/life safety codes. The system comprises at least one sensor for sensing at least one parameter of or resultant indicator of one or more fire/life safety system components pertinent to operational criteria compliance verification of the fire/life safety system. A recorder records and date/time stamps data from at least one sensor. The system verifies the operational criteria compliance and generates an operational criteria compliance verification report based upon the sensor data. The system in its preferred form verifies compliance with fire/life safety codes and generates a code compliance verification report based on these codes and associated industry standards. These reports can be electronically forwarded to the owner, insurer, or management company at any time, or automatically forwarded on a scheduled basis for “normal” reporting. These reports further can include maintenance and notification summaries that document components that require attention depending on the nature of the problem. In the event of “trouble” conditions requiring immediate resolution, real-time notification to appropriate entities can also be accomplished.

Abstract

Applicable standards/codes include, but are not limited to: NFPA Standard 13, which in simplified terms regulates (installation of) sprinkler systems; NFPA Standard 14, which in simplified terms regulates (installation of) standpipe and hose systems; NFPA Standard 20, which in simplified terms regulates (installation of) fire pumps; and NFPA Standard 25 which in simplified terms regulates the testing and maintenance of water-based fire protection systems. Full compliance with these standards/codes is paramount to ensure that in the event of a fire, water-based fire protection systems perform as designed. Adherence to NFPA Standard 25 is most critical since it pertains to routine testing and maintenance requirements that help ensure the successful automatic operation of a water-based fire protection system.

2:9-22

Thus, there is a need for a system and method capable of notifying insurers, property management companies, building/structure owners or other interested entities of any discrepancies or deviations in the preparedness of fire/life safety systems. Such a system and method will bring about more strict code compliance, through improved testing and maintenance practices, so that reliability of fire/life safety systems will be greatly increased.

There is also a need for such a system and method that can ascertain the functionality of a fire/life safety system, and on a real-time basis notify interested parties of problem conditions as they occur. Further, there is a need for such a system and method that can collect and utilize such information through statistical analysis over long time periods, which can provide historical maintenance and troubleshooting information, and which will help to reduce failures of water-based fire protection systems and increase component reliability and service life.

7:24-42

EX1021 (Lloyd’150) at Abstract, 2:9-22, 7:24-42; Paper 1 (Petition) at 20-21, 26-27



The State of the Art: the “*Sweeney*” Reference

KNOWN IN THE ART

- *System for Online Asset Management with Database of Inspection Reports*

[0007] The present invention provides methods and systems for online management of construction assets. In an example embodiment the present invention, a computerized method for the online management of a construction asset is provided. In accordance with the example embodiment, an online inspection report relating to a current condition of a construction asset is provided. The inspection report is archived (e.g., uploaded to a database accessible via a server). An asset owner is then provided with online access to the archived inspection report.

[0043] form. Contractor bids (e.g., contractor bids 92, 92A, and 92B) may be stored on the database 10. The asset owner can be provided with online access to the submitted bids 92, 92A, and 92B in order to selecting a winning bid from the submitted bids. For example, a web page may be provided to the browser 72 summarizing the submitted bids. Links may be provided on the web page to each bid submission form submitted by the contractors.

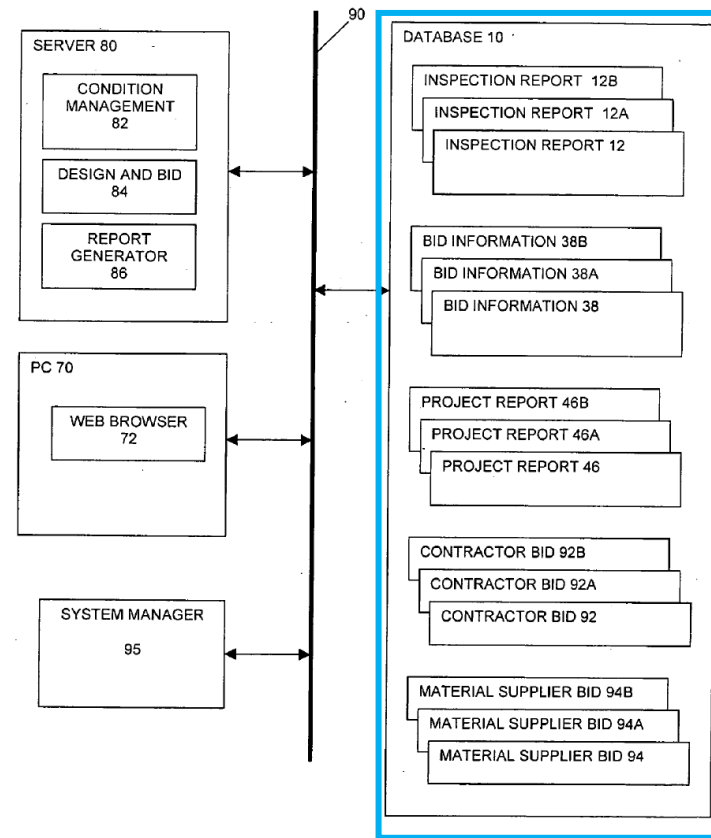


FIG. 1

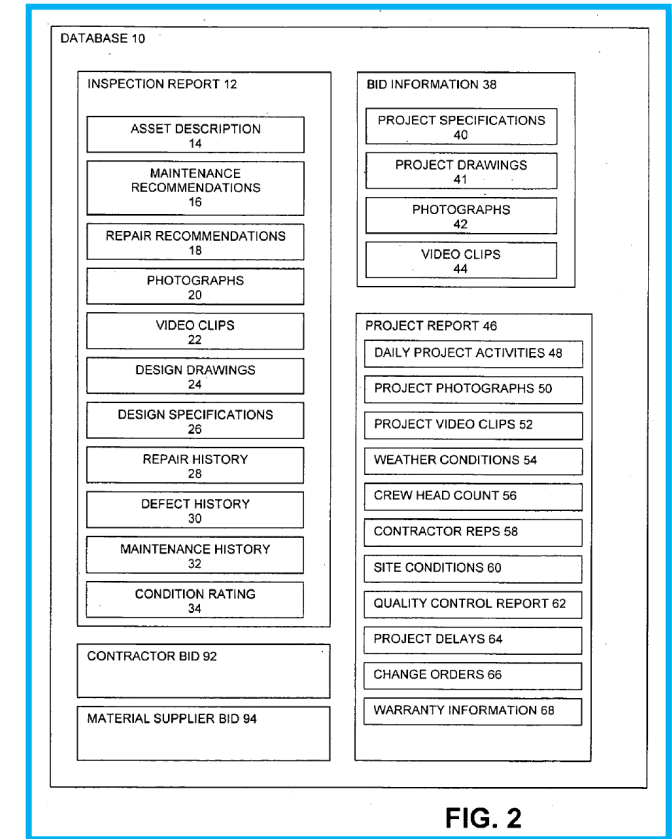


FIG. 2

EX1006 (Sweeney) at FIGs. 1 & 2, [0007], [0043]; Paper 1 (Petition) at 16-17, 60

The State of the Art: the “McKinney” Reference

KNOWN IN THE ART

- *Systems for Asset Monitoring and Compliance with Standardized Notice Letters*

[0003] The present invention relates generally to monitoring systems and, in a presently preferred embodiment, provides a system and method for servicing and for verifying compliance related to maintenance, operation, inspection, repair, and/or service contract renewal status of environmental equipment such as wastewater treatment systems.

[0080]

* * * * *

At 128, the service company inputs information about the subscriber contract status and may have preprinted forms mailed to the subscriber before the contract expires, with perhaps standardized warning letters to advise about regulations requiring renewal of the service contract. The users may print or save the above and other information to e-mail as desired as indicated at 130.

[0057] For example, in a preferred embodiment regulatory agency 40 may download form letters filled in and ready to mail. If desired, receiver/processor 14 and/or website 18 could also be utilized to automatically forward the form letter to the homeowner or responsible party on behalf of the regulatory agency and/or notify the agency by e-mail or other means that the noncompliance letter/e-mail/fax or the like has been sent and the date of mailing. Other types of communication besides form letters are also possible. When service contracts are renewed, the respective service company 38 notifies receiver/processor 14 and/or website 18 of the status, time period, particular installation, ownership and responsibility data, addresses, names, and so forth for the new contract. If monitoring utilizing unit 10 is not renewed, or if it is renewed, then such information may be implied while providing options to note changes. As discussed hereinafter, the respective service company and/or responsible party may simply fill out a suitable on-line form in a website to effect this action. If desired, verification of contract renewal and terms thereof can be sent by receiver/processor 14 and/or website 18 to the service company and homeowner or other responsible party by any messaging means such as fax, e-mail, or the like.

EX1020 (McKinney) at [0003], [0057], [0080]; Paper 1 (Petition) at 18, 45

The State of the Art: “Shamsi” & the “ESRI White Paper”

KNOWN IN THE ART

- *Systems for Inspections of Fire Hydrant and Other Assets*

Shamsi

Cityworks

Cityworks (formerly known as Pipeworks) is available as ArcView 3.x or ArcGIS 8.x and 9.x Extension, helps users integrate their GIS and facilities management. Cityworks’ water, wastewater, and stormwater module which for ArcView 3.x costs approximately \$4000 per license and works with ESRI coverages and Shapefiles. Cityworks can store project data in any SQL database, such as SQL Anywhere, Oracle, Sybase, etc. Cityworks’ capabilities include data inventory, data editing, work-order management, work-order scheduling, network tracing, maintenance histories, inspections, and condition ratings. Cityworks can also be used for managing and recording CCTV inspection programs for sewers. Figure 14.5 shows the Pipeworks menu in ArcView 3.x.

Table 14.3 Cityworks Inspections and Tests

Water	Wastewater	Storm
Meter inspection	Manhole inspection	Manhole inspection
Hydrant inspection	CCTV inspection	CCTV inspection
Valve inspection	Inlet inspection	Inlet inspection
Hydrant flow test	Dye test	Dye test
Meter changeout	Smoke test	Smoke test
	General test	General test

EX1022 at 304-305

ESRI White Paper

In York County, South Carolina, the Fire Prevention Bureau created a database of routine flow and pressure tests conducted on fire hydrants. After soggy paperwork problems were experienced by field inspectors, handheld GPS-based units were programmed for point-and-click data collection.

The inspectors now perform more inspections each day because they no longer make frequent trips back to the office to hand copy notes. They accurately locate each hydrant, which enables GIS to map them, something never previously done. In York County, the hydrant map data is now available to anyone by logging on to York County’s Web-accessible GIS. Firefighters will be able to consult a hydrant map before they depart for a fire, see where the closest hydrants are, and know which hydrants have failed recent pressure tests.

EX1026 at 17-18

EX1022 (Shamsi) at 304-305; EX1026 (ESRI) at 17-18; Paper 1 (Petition) at 26



The State of the Art: “Buildingreports.com”

KNOWN IN THE ART

Web-based inspection reporting for inspectors, owners, and authorities for various types of inspections

Web-based Inspection Reporting

Fastest R.O.I available

BuildingReports offers the fastest return on investment of any automated inspection system. No need to spend thousands of dollars on outdated software or bulky, expensive bar code readers. Our system uses any standard internet browser, and any Palm OS handheld device. No annual maintenance contracts, expensive upgrades, or support agreements.

Accessible worldwide

Your inspections are available to anyone you choose. Assign a login ID and password to those who need to review your reports. Your clients can access the latest inspection report, review past inspections, and download or email completed inspections anywhere in the world using any standard internet browser. No need for 3rd party software or special applications to access your building's most critical information.

Integrates with your existing website

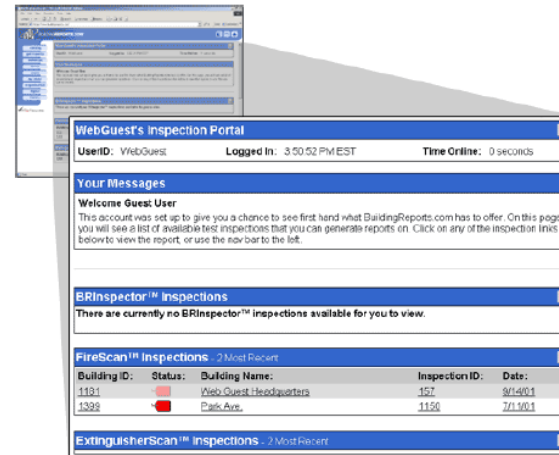
Serve up your inspection reports to anyone in a secure, encrypted format directly from your own website. Never having a need to print and distribute your inspection reports means a “true” paperless system for service companies, building owners, and the local authorities having jurisdiction.



Sample Report

Once you've logged into BuildingReports with your username and password, there are two ways to access inspection reports:

You can access inspection reports online from your “Web Portal,” which is the first screen that appears after you log in.



The 5 most current inspections are listed and categorized by type of inspection (FireScan™, ExtinguisherScan™, SuppressionScan™, SprinklerScan™, or BRInspector™) for easy navigation and quick retrieval. Choose your desired inspection and go!

EX1024 (Buildingreports.com) at 1, 4; Paper 1 (Petition) at 38, 45

Level of Ordinary Skill: The Parties' Proposals

<u>Petitioner*</u>	<u>Patent Owner</u>
• “[A] POSA would have had at least a B.S. in engineering or a related field, and would have had at least two years of experience designing and/or developing asset management and compliance systems for a regulated asset or system of assets.” • “This description is approximate—a higher education or skill level might make up for less experience, and vice-versa.”	• “A POSA should at minimum have knowledge of and experience in the inspection and maintenance of fire hydrants or at least similar emergency or life safety assets, applicable regulations, and software available for use in connection therewith in 2007.”
Paper 1 (Petition) at 6	Paper 17 (POR) at 34-35

* We apply Petitioner’s description of the qualifications of a POSA in our analysis.

Paper 9 (ID) at 21-22

Paper 1 (Petition) at 6; Paper 17 (POR) at 34-35; Paper 9 (ID) at 21-22



Level of Ordinary Skill: The Board At Institution

We decline at this stage to adopt Patent Owner's definition for the level of skill for a POSA such that it requires additional knowledge and experience with fire hydrants. The definition is predicated on Patent Owner's view that "fire hydrant" relates to a functional characteristic of the software. *See, e.g.*, Prelim. Resp 36 (contending, *inter alia*, that the "fire hydrant management software" is "directed to a particular technology"). For the reasons discussed in the Claim Construction section (§ II.C.), we adopt Petitioner's implicit construction of "fire hydrant management software" which defines "fire hydrant management software" as management software that processes information about fire hydrant assets. *See, e.g.*, Pet. 1. Given that construction, it would be unnecessary for a POSA to have a level of skill that requires additional knowledge and experience with fire hydrants.

We apply Petitioner's description of the qualifications of a POSA in our analysis.

Level of Ordinary Skill: The '966 Patent's Field of Art

- Wide-ranging “example[s] of owned assets requiring ... inspection”
- “For purposes of a non[-]limiting example a fire hydrant will be used as an owned asset throughout the specification”
- “it should be readily appreciated that any owned asset may be substituted for the fire hydrant.”

BACKGROUND OF THE INVENTION

There are many assets that are owned around the world that require compliance with a code, local rule, state law, or federal law. Compliance in most of these cases requires a periodic inspection of the owned asset. An example of owned assets requiring annual or regular inspection are fire sprinkler systems, fire alarm systems, kitchen hood systems, fire extinguishers, emergency lighting systems, backflow preventers, bridges, fire hydrants, catch basins, retention ponds, electrical systems, heating/venting/air conditioning systems, plumbing systems, aircraft, vehicles, school transportation vehicles, cranes, powerplants, dams, stormwater runoff, animals, industrial sites, environmental interests, housing, real estate, boilers, farm equipment, viaducts, tunnels, businesses, financials, pharmaceutical caches, weapon caches, amusement parks/rides, elevators, escalators, pilings, piers, safety equipment, kitchens, and others. For purposes of a non limiting example a fire hydrant will be used as an owned asset throughout the specification, however it should be readily appreciated that any owned asset may be substituted for the fire hydrant.

EX1001 ('966 Patent) at 1:19-38; Paper 1 (Petition) at 4, 28; Paper 26 (Reply) at 7, 17-18



Level of Ordinary Skill: Patent Owner Witness McNulty

8 Q. And then the next sentence, which is
9 pretty long, beginning at line 22 of column 1,
10 starts providing examples.

11 Do you see that sentence?

12 A. Yes.

13 Q. And these are examples of owned
14 assets that require compliance; is that right?

15 A. Yes.

16 Q. Okay. And these include life safety
17 systems; is that right?

18 A. Yes.

19 Q. Would a kitchen hood system be an
20 example of a life safety system?

21 A. Yes. Let me see. I think it's on
22 there. I did read that.

EX1037 at 58:2-22

10 At column 1, line 28, there's an
11 example of plumbing systems. Do you have an
12 opinion on whether those plumbing systems qualify
13 as a life safety system?

14 A. Yes, they are.

EX10137 at 60:10-14

5 Q. And line number 31, there's -- in
6 column 1 in Exhibit 1001, there's an example of
7 boilers.

8 In your opinion, would boilers
9 qualify as a life safety system?

10 A. Absolutely.

EX1037 at 62:8-10

EX1037 (McNulty Depo) at 58:2-22, 60:10-14, 62:8-10; Paper 26 (Reply) at 7-8



Level of Ordinary Skill: Patent Owner Witness Miller

11 Q. Would an electrical system qualify
12 as a life safety system?
13 A. Yes.

EX1038 at 35:11-13

7 Q. Would a boiler qualify as a life
8 safety system?
9 A. My definition of boiler is that it
10 goes to providing power which then goes back
11 again to providing power to essential devices or
12 systems that need to be staying up as you go.
13 So, the answer is yes.

EX1038 at 37:7-13

EX1038 (Miller Depo) at 35:11-13, 37:7-13; Paper 26 (Reply) at 7-8



Level of Ordinary Skill: Patent Owner Witness Williams

EX2040 (Williams Depo) at 105:11-106:3

11 Q. And this document is talking
12 about the banking industry; is that right?

13 A. (Document[s] reviewed.)
14 I'd say it's fair that it's
15 focused on the banking industry.

16 Q. And it's not discussing a
17 particular asset that's being managed; right?

18 A. I think it's broader than that.
19 It probably uses examples. I'd have to go
20 back and read it, but I think it's a broader
21 discussion.

22 Q. And it's not talking about the
1 life-safety systems; right?

2 A. It doesn't use the words "life
3 safety."

EX2040 (Williams Depo) at 106:4-10

4 Q. And it's not focused on life
5 safety; right?

6 A. In my view, I think it is
7 applicable -- a lot of it is applicable to
8 life safety, but it is written from -- by a
9 banker predominantly about the banking
10 industry.

EX2042 at 1



EX2040 (Williams Depo) at 105:11-106:10; EX2042 at 1; Paper 26 (Reply) at 8



“Fire Hydrant Management Software”

Patent Owner

The term “fire hydrant management software”, in view of claim 8 and the ‘966 specification by POSA, should be construed as:

Software that allows the user to input fire hydrant information, schedule maintenance, and create reminders for service.

Paper 17 (POR) at 30-31

Institution Decision

At this stage, we construe “fire hydrant management software” as management software that processes information about fire hydrant assets.

This comports with Petitioner’s implicit construction. *See*, e.g., Pet. 1 (“there is nothing novel or non-obvious about the claimed methods of using *management software* and a registry to track asset inspections”) (emphasis added).

* * *

Patent Owner also points to this statement from the ‘966 patent (Ex. 1001, 1:63–66): “A typical fire hydrant management software program allows the user to input fire hydrant information, schedule maintenance and create reminders for service.” Prelim. Resp. 13 (quoting Ex. 1001, 1:64–66; citing Ex. 2001 ¶¶ 51–54). But that statement relates to “[c]omputer software [that] has been used in the past,” not the claimed subject matter. We observe that “fire hydrant management software” as recited in claim 8 is nowhere else mentioned in the patent.

Paper 9 (ID) at 18-19

Paper 17 (POR) at 30-31; Paper 9 (ID) at 18-19



“Fire Hydrant Management Software”

Patent Owner

(EX2020, ¶¶54-56.) The Board did not agree with that construction. (Paper 9, p.

22.) Patent Owner’s proposed construction is essentially the same as the description of fire hydrant management software in the specification and is consistent with the plain language of claim 8. (EX1001, 1:62-65, 15:16-13.)

Paper 17 (POR) at 31

BACKGROUND OF THE INVENTION

Computer software has been used in the past as a way for inspecting authorities to track fire hydrant usage. These previous software approaches focus on collecting limited data on each fire hydrant and keeping the information local to the fire department or owner only. A typical fire hydrant management software program allows the user to input hydrant information, schedule maintenance, and create reminders for service. The local fire department can evaluate

EX1001 ('966 Patent) at 1:59-66

Institution Decision

Patent Owner cites Fig. 5 (reproduced above) and 8:15–38 of the '966 patent as intrinsic evidence supporting its view. Prelim. Resp. 12. But we do not see there any discussion related to the function of the “fire hydrant management software.” “Fire hydrant management software” is not mentioned.

Patent Owner also points to this statement from the '966 patent (Ex. 1001, 1:63–66): “A typical fire hydrant management software program allows the user to input fire hydrant information, schedule maintenance and create reminders for service.” Prelim. Resp. 13 (quoting Ex. 1001, 1:64–66; citing Ex. 2001 ¶¶ 51–54). But that statement relates to “[c]omputer software [that] has been used in the past,” not the claimed subject matter. We observe that “fire hydrant management software” as recited in claim 8 is nowhere else mentioned in the patent.

Paper 9 (ID) at 19

EX1001 ('966 Patent) at 1:59-66; Paper 17 (POR) at 31; Paper 26 (Reply) at 7; Paper 9 (ID) at 19



“Fire Hydrant Management Software”

Institution Decision

Furthermore, it appears that Mr. Williams agrees that “fire hydrant management software” is management software that processes information about fire hydrant assets. Ex. 2001 ¶ 52 (“In my view, ‘fire hydrant management’ is first and foremost a description of the scope of the type of assets that can be managed by the software.”); Prelim. Resp. 13.

Paper 9 (ID) at 20

Patent Owner Witness Williams

A. Fire Hydrant Management Software

54. In forming an opinion on “fire hydrant management software,” first I believe it is important to understand the “boundaries,” e.g. the metes and bounds, of the term. In my view, “fire hydrant management” is first and foremost a description of the scope of the type of assets managed by the software. It identifies a class or type of assets that the software is configured to manage, notwithstanding that in a commercial product or service, software may include functionality to manage other types of assets as well. Nonetheless, I do not believe, similar to the Petitioners via

* * * *

EX2020 (Williams Decl) ¶54

EX2020 (Williams Decl) ¶54; Paper 9 (ID) at 20; Paper 26 (Reply) at 7



“Fire Hydrant Management Software”

Patent Owner

(EX2020, ¶¶54-56.) The Board did not agree with that construction. (Paper 9, p. 22.) Patent Owner’s proposed construction is essentially the same as the description of fire hydrant management software in the specification and is consistent with the plain language of claim 8. (EX1001, 1:62-65, 15:16-13.)

Paper 17 (POR) at 31

BACKGROUND OF THE INVENTION

Computer software has been used in the past as a way for inspecting authorities to track fire hydrant usage. These previous software approaches focus on collecting limited data on each fire hydrant and keeping the information local to the fire department or owner only. A typical fire hydrant management software program allows the user to input hydrant information, schedule maintenance, and create reminders for service. The local fire department can evaluate

EX1001 (’966 Patent) at 1:59-66

Patent Owner Witness Williams

6 Q. Okay. And would you agree that
7 the user that's being described of this
8 typical fire hydrant management software
9 program in column 1, lines 63 to 66, must
10 perform the functions of inputting hydrant
11 information, scheduling maintenance, and
12 creating reminders for service?

13 A. I wouldn't use -- the use of
14 the word "must" isn't stated here.

15 It says "A typical fire hydrant
16 management software program allows user to
17 input hydrant information, schedule
18 maintenance, and create reminders for
19 service."

20 That's -- verbally that's not
21 the same as "must." But, again, this is the
22 Background -- the Technology section. So
1 I'm -- it doesn't seem they were defining
2 particular claim elements, per se, but just
3 providing contextual background of the
4 invention for the details that were to come.

EX1040 (Williams Depo) at 48:6-49:4

EX1001 (’966 Patent) at 1:59-66; EX1040 (Williams Depo) at 48:6-49:4; Paper 17 (POR) at 31; Paper 26 (Reply) at 7



No Requirement that 8[c]’s “Notification Events” are for “an Upcoming Inspection”

Patent Owner Response

C. [8c] “Notification Event” Should Be Construed To Mean an Upcoming Inspection for a Fire Hydrant or Related Life Safety Device or System.

[8c] recites analyzing the records of assets to identify “notification events.”

Claim 8 also recites a “method for using a fire hydrant management software and a web-based registry to track requisite inspection of an owned asset.” In [8d], a notice of the “notification event” is sent to the asset owner, where it includes a “standard format description of the type of inspection” and “a cost associated with the type of inspection”.

[8f] provides that the asset owner selects an inspector and may be provided a list of qualified inspectors including their proximity to the asset to be inspected. [8f]-[8i] address web-based templates for taking the inspection, standard format compliance report, storing data from the inspection, and communicating with the approval authority the compliance report.

Paper 17 (POR) at 29

Claim 8

- [8b] retrieving, by a computer-based fire hydrant management software system, real time records of assets from a database, the database being accessible and augmentable by a classes of user;
- [8c] analyzing the records of assets from the database to identify notification events;
- [8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;
- [8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

EX1001 ('966 Patent), claim 8

EX1001 ('966 Patent), cl. 8; Paper 17 (POR) at 29



No Requirement that 8[c]'s "Notification Events" are for "an Upcoming Inspection"

'966 Patent at 4:49-67

cies. The registry communicates the approval process between all parties until approval or confirmation is received. At that time the owner is notified the inspection is complete and approved and awaiting payment. The registry prepares an invoice for the inspection company to send to the fire sprinkler system owner. The owner receives the invoice and is able to pay online through the registry. Money is transferred to the inspection company, to the city (for any declared city/FM charges), and to any other necessary parties. The registry sends a message to the inspection company to confirm payment has been received. The inspection company verifies payment. The registry confirms that all transaction fees and fire marshal review fees are paid. If fees are not paid then the final submission will not be complete. The inspection is sent to the registry for final submission when payment is confirmed and the registry transaction fees and fire marshal review fees are paid. Until then the registry continues to notify the fire marshal that the inspection is due/incomplete.

Claim 8

- [8b] retrieving, by a computer-based fire hydrant management software system, real time records of assets from a database, the database being accessible and augmentable by a classes of user;
- [8c] analyzing the records of assets from the database to identify notification events;
- [8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;
- [8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

EX1001 ('966 Patent) at 4:49-67; Paper 26 (Reply) at 4



No Requirement that 8[c]’s “Notification Events” are for “an Upcoming Inspection”

Petitioner Reply

- 8[c]’s “notification events” (plural) do not recite a particular event or content
- 8[d]’s “a notification event” (singular) already requires that “the notification event comprises a designatable interval in advance of an impending deadline”
- 8[e]’s sending specifies only that the notice be “of the status of the assets”

Paper 26 (Reply) at 3-4

Claim 8

- [8b] retrieving, by a computer-based fire hydrant management software system, real time records of assets from a database, the database being accessible and augmentable by a classes of user;
- [8c] analyzing the records of assets from the database to identify notification events;
- [8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;
- [8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

EX1001 ('966 Patent), claim 8

EX1001 ('966 Patent), cl. 8; Paper 26 (Reply) at 3-4



No Requirement to “Simultaneously” Send Notices of “Upcoming Inspection”

Patent Owner Response

A. [8b], [8c], [8d], and [8e] Collectively Recite Simultaneously Sending Separate Notices to the Approval Authority and Asset Owner of an Upcoming Inspection.

Claim 8 recites using a “fire hydrant management software” and “web-based registry” to “track the inspection compliance of an owned asset,” and states in [8a] that the web-based registry is configured to run a fire hydrant management software. (EX1001, 15:16-26.) It then recites steps taken by or in connection with the fire hydrant management software. (EX1001, 15:14-56.) [8b] recites the “fire hydrant management software” retrieving “real-time records of assets from a database,” [8c] recites “analyzing the records of assets” “to identify notification events,” and [8d] and [8e], respectively, recite “based on that analysis” notifying the asset owner of the type of inspection and costs thereof, and sending a standard format notice to the approval authority of the status of the asset.

Paper 17 (POR) at 25-26

Claim 8

- [8b] retrieving, by a computer-based fire hydrant management software system, real time records of assets from a database, the database being accessible and augmentable by a classes of user;
- [8c] analyzing the records of assets from the database to identify notification events;
- [8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;
- [8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

EX1001 ('966 Patent), claim 8

EX1001 ('966 Patent), cl. 8; Paper 17 (POR) at 25-26



No Requirement to “Simultaneously” Send Notices of “Upcoming Inspection”

Petitioner Reply

- 8[c]’s “notification events” (plural) do not recite a particular event or content
- 8[d]’s “a notification event” (singular) already requires that “the notification event comprises a designatable interval in advance of an impending deadline”
- 8[e]’s sending specifies only that the notice be “of the status of the assets”

Paper 26 (Reply) at 3-4

Claim 8

- [8b] retrieving, by a computer-based fire hydrant management software system, real time records of assets from a database, the database being accessible and augmentable by a classes of user;
- [8c] analyzing the records of assets from the database to identify notification events;
- [8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;
- [8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

EX1001 ('966 Patent), claim 8

EX1001 ('966 Patent), cl. 8; Paper 26 (Reply) at 3-4



No Requirement to “Simultaneously” Send Notices of “Upcoming Inspection”

'966 Patent at 5:15-37

FIG. 5 shows a method for using a web enabled inspection registry. At block 510 an owner/inspecting authority is notified that an inspection is needed on an owned asset. The notification is preferably generated based on an annual inspection. However in the case of an initial setup of the registry it also may be the initial request for information from an inspecting authority or it may include a request for further information from a concerned citizen. By way of example, the registry transmits notification to initially register with the registry and to perform an inspection and in the future notifies an owner when a subsequent inspection is necessary. Preferably the owner is sent recommendations on how the property is to be inspected, for example recommendations include names of inspectors, types of inspection needed and general costs associated with the inspection. The notification step is also used to alert the inspecting authority that an inspection is due. The inspecting authority is generally the organization in charge of ensuring compliance of the owned asset. For example a fire marshal is the inspecting authority for fire sprinkler systems. Generally, the inspecting authority receives information relating to all of the owned assets in their area of responsibility that are in need of an inspection.

'966 Patent Figure 5

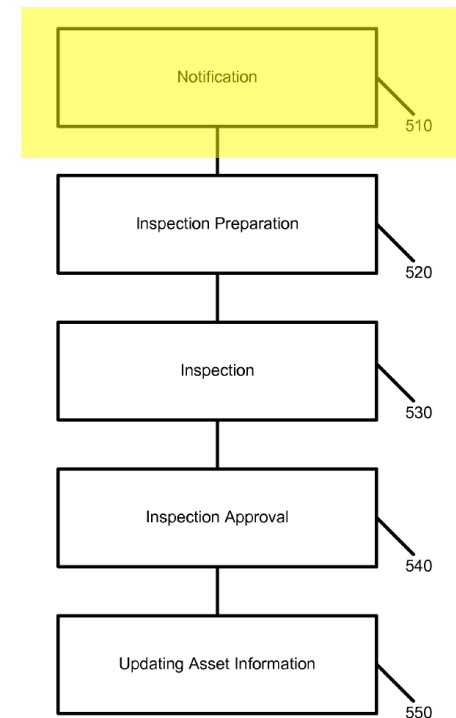


Fig. 5

EX1001 ('966 Patent) at FIG. 5, 5:15-37; Paper 17 (POR) at 25-26; Paper 26 (Reply) at 3-4

No Requirement to “Simultaneously” Send Notices of “Upcoming Inspection”

'966 Patent at 4:49-67

cies. The registry communicates the approval process between all parties until approval or confirmation is received. At that time the owner is notified the inspection is complete and approved and awaiting payment. The registry prepares an invoice for the inspection company to send to the fire sprinkler system owner. The owner receives the invoice and is able to pay online through the registry. Money is transferred to the inspection company, to the city (for any declared city/FM charges), and to any other necessary parties. The registry sends a message to the inspection company to confirm payment has been received. The inspection company verifies payment. The registry confirms that all transaction fees and fire marshal review fees are paid. If fees are not paid then the final submission will not be complete. The inspection is sent to the registry for final submission when payment is confirmed and the registry transaction fees and fire marshal review fees are paid. Until then the registry continues to notify the fire marshal that the inspection is due/incomplete.

Claim 8

- [8b] retrieving, by a computer-based fire hydrant management software system, real time records of assets from a database, the database being accessible and augmentable by a classes of user;
- [8c] analyzing the records of assets from the database to identify notification events;
- [8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;
- [8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

EX1001 ('966 Patent) at 4:49-67; Paper 26 (Reply) at 4



8[d]’s “Notifying” and 8[e]’s “Sending ... a Notice” are Not Limited to “Automatically Sending...” and Can Include Web-Based Access

Patent Owner Response

B. [8d] “Notifying” and [8e] “Sending a ... Notice” Means Automatically Sending A Message, As Opposed to Providing Access to a Web-Registry or Software Where Information May Be Found.

[8d] recites “notifying the asset owner of a notification event.” That step further recites that such notice includes information, such as, a standard format description of the type of inspection, and estimated cost thereof. [8e] recites sending a “standard format notice” to the inspection authority regarding the status of the asset to be inspected. By contrast, [8d] and [8e] provide that the asset owner and approval authority, respectively, may “update and review the status of the assets” “upon accessing the fire hydrant management software.” Likewise, [8f] provides that “an inspector” “upon logging into a password-controlled website” is provided “a web-based template” describing the asset and the steps for the inspection thereof.

Paper 17 (POR) at 26-28

Claim 8

- [8d]** based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;
- [8e]** based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

EX1001 ('966 Patent), claim 8

EX1001 ('966 Patent), cl. 8; Paper 17 (POR) at 26-28



8[d]’s “Notifying” and 8[e]’s “Sending ... a Notice” are Not Limited to “Automatically Sending...” and Can Include Web-Based Access

Patent Owner Response

The ‘966 specification states:

...the fire marshal/building official will input information via the online registry regarding properties with fire sprinkler systems after initial inspection. A year later, the property owner will receive notice (via email, physical mail, or other) that the fire sprinkler system is due for annual inspection. The fire marshal will receive weekly or monthly updates of all due and overdue inspections. He/she will then use the registry to communicate to the owner his intention to enforce the inspection and the requirement for using the registry. The owner will use the registry to find qualified inspection companies and/or request bids from participating inspection companies.

EX1001, 4:24-36, emphasis added. Accordingly, [8d] “notice” or [8e] “notifying” should be construed to mean automatically sending a message to the asset owner and AHJ. (EX2020, ¶¶57-66.)

Paper 17 (POR) at 27-28

’966 Patent

department connections, fire pumps). In one embodiment, the fire marshal/building official will input information via the online registry regarding properties with fire sprinkler systems after initial inspection. A year later, the property owner will receive notice (via email, physical mail, or other) that the fire sprinkler system is due for annual inspection. The fire marshal will receive weekly or monthly updates of all due and overdue inspections. He/she will then use the registry to communicate to the owner his intention to enforce the inspection and the requirement for using the registry. The owner will use the registry to find qualified inspection companies and/or request bids from participating inspection companies. The registry will manage the bidding

EX1001 (’966 Patent) at 4:24-36

EX1001 (’966 Patent), 4:24-36; Paper 17 (POR) at 27-28; Paper 26 (Reply) at 5



8[d]’s “Notifying” and 8[e]’s “Sending ... a Notice” are Not Limited to “Automatically Sending...” and Can Include Web-Registry Notification

Improper to Read in “Automatically”

“We agree with Linear that the Commission improperly narrowed this claim limitation to exclude indirectly monitoring current through the measurement of voltage. The claim limitation does not state directly monitoring current. Rather, it simply reads ‘monitoring the current to the load.’ As such, this limitation should be accorded a scope commensurate with the [] patent’s specification.”

Linear Tech. Corp. v. Int’l Trade Comm’n, 566 F.3d 1049, 1059-60 (Fed. Cir. 2009) (italics in original; citations omitted)

Error to Add Negative Limitation

“Explicitly, the specification states that ‘other means of detecting current reversals in the inductor current could be used as well,’ including ‘generating a feedback signal *indicative of current reversal in inductor current*’.... Thus, because there is no basis in the patent specification for adding the negative limitation — excluding monitoring voltage — we hold that the Commission erred in construing this limitation.”

Linear Tech., 566 F.3d at 1059-60 (italics in original; citations omitted)

Remaining Issues

#	Issue
1	It would have been obvious to apply Key's JOM teachings to fire hydrant management.
2	It would have been obvious to notify the owner and approval authority in advance of an inspection; and regardless, the notice to the authority does not need to be in advance.
3	It would have been obvious to notify the owner of cost and inspection type.
4	It would have been obvious to send a standard format notice to the approval authority.
5	It would have been obvious for the owner to select a qualified inspector based on asset proximity.

Remaining Issues

#	Issue
1	It would have been obvious to apply Key's JOM teachings to fire hydrant management.
2	It would have been obvious to notify the owner and approval authority in advance of an inspection; and regardless, the notice to the authority does not need to be in advance.
3	It would have been obvious to notify the owner of cost and inspection type.
4	It would have been obvious to send a standard format notice to the approval authority.
5	It would have been obvious for the owner to select a qualified inspector based on asset proximity.

Issue #1: It would have been obvious to apply Key's JOM teachings to fire hydrant management

'966 Patent admits that assets are non-limiting and substitutable

BACKGROUND OF THE INVENTION

There are many assets that are owned around the world that require compliance with a code, local rule, state law, or federal law. Compliance in most of these cases requires a periodic inspection of the owned asset. An example of owned assets requiring annual or regular inspection are fire sprinkler systems, fire alarm systems, kitchen hood systems, fire extinguishers, emergency lighting systems, backflow preventers, bridges, fire hydrants, catch basins, retention ponds, electrical systems, heating/venting/air conditioning systems, plumbing systems, aircraft, vehicles, school transportation vehicles, cranes, powerplants, dams, stormwater runoff, animals, industrial sites, environmental interests, housing, real estate, **boilers**, farm equipment, viaducts, tunnels, businesses, financials, pharmaceutical caches, weapon caches, **amusement parks/rides**, **elevators**, escalators, pilings, piers, safety equipment, kitchens, and **others**. For purposes of a non limiting example a fire hydrant will be used as an owned asset throughout the specification, however it should be readily appreciated that any owned asset may be substituted for the fire hydrant.

Key teaches its JOM system applies to several of the *same* assets

[0015] The present invention meets the needs described above in a jurisdiction online manager. The system provides an efficient, centralized, and web enabled process for the transfer of data between multiple jurisdictions and multiple entities required to routinely interact with the multiple jurisdictions. The system manages required inspections mandated by a plurality of different jurisdictions performed by non-governmental entities. The system is applicable to pressure vessels, **boilers**, **elevators**, **amusement park rides**, and **other required jurisdictional inspections of objects**.

EX1001 ('966 Patent) at 1:19-38; EX1005 (Key) at [0015]; Paper 1 (Petition) at 4, 10-11, 23-24, 28; Paper 26 (Reply) at 7



Issue #1: It would have been obvious to apply Key's JOM teachings to fire hydrant management

State of the Art Confirms Asset Interchangeability Within Inspection Compliance Monitoring and Reporting Systems

Reference	Assets	Cite
Key	"pressure vessels, boilers, elevators, amusement park rides, and other required jurisdictional inspections of objects"	EX1005 at [0015]
Sweeney	construction assets	EX1006 at [0002]
Campion	"life-safety equipment such as smoke detectors, fire alarm and sprinkler systems, and the like"	EX1009 at 1:18-26
Lloyd'150	"fire/life safety systems and components whose operation, maintenance and testing are established by predetermined operational criteria, such as industry standards and fire/life safety codes"	EX1021 at Abstract
Chauhan	fire hydrants, gas pipeline, wastewater utilities, etc.	EX1016 at [0207], [0218]
Silvers	oil and gas wells	EX1018 at [0030]
Jackson	natural gas distribution systems "and many other areas"	EX1019 at [0029]
McKinney	environmental equipment, <i>e.g.</i> , wastewater treatment	EX1020 at [0003], [0011]
ESRI	fire hydrants	EX1026 at 17-18
Shamsi	meters, fire hydrants, valves	EX1022 at 304-305

Paper 1 (Petition) at 24-27



Issue #1: It would have been obvious to apply Key's JOM teachings to fire hydrant management

Key and State of the Art Confirm Reasons for Applying Key's JOM to Fire Hydrant Management

Key (EX1005)

[0015]

by non-governmental entities. The system is applicable to pressure vessels, boilers, elevators, amusement park rides, and other required jurisdictional inspections of objects.

[0046] Boilers and pressure vessels 150 are devices that operate under pressure. A boiler 150 generates steam by the application of energy, and a pressure vessel 150 contains pressure without the application of energy. Many facilities ranging from fast food restaurants and universities to industrial complexes utilize pressure vessels and boilers 150 during their normal operation. Objects 150 under pressure can be dangerous if they are not properly maintained and operated.

Chauhan (EX1016)

[0207]

assign permissions to work crews. For example, a contractor hired to do fire hydrant inspections could be given a laptop with UtilityCenter loaded on it and assigned a username that only allows him to edit and view the inspection fields on the HYDRANT theme.

[0218] Besides electric transmission and distribution utilities, the same technology has been tailored to the specific needs of public agencies, such as fire and police departments, zoning and planning commissions, public transportation departments and others can benefit from instant access to accurate mapping information, such as gas pipeline and distribution utilities, water distribution utilities & wastewater utilities, broadband telecom providers, real property tax assessment, municipal zoning and planning, Department of Defense military applications, EMA emergency management applications, Department of Energy utility applications, and other local, state and federal governmental agencies. Specific software application suites, such as CityCenter™ (Emergency 9-1-1, fire & police, zoning/planning, public work), CountyCenter™ (EMA, highway dept., EPA), and GlobalCenter™ (homeland security, housing, energy, interior), have been developed accordingly.

EX1005 (Key) at [0015], [0046]; EX1016 (Chauhan) at [0207], [0218]; Paper 1 (Petition) at 24-25



Issue #1: It would have been obvious to apply Key's JOM teachings to fire hydrant management

State of the Art Confirms Reasons for Applying Key's JOM to Fire Hydrant Management

Lloyd'150 (EX1021)

The fire/life safety system of a building/structure must be designed and installed in such a way as to ensure that its operation after installation will be in accordance with fire/life safety codes and industry standards. Once installed, however, the fire/life safety system must also be maintained and tested in accordance with these same codes and standards to ensure that its operating performance remains unimpaired; that is, it must remain code compliant and kept in a state of operational readiness, which ensures its effectiveness. Thus, there is a need for such a system to verify compliance of the entire fire/life safety system, particularly with respect to operational criteria such as fire/life safety codes and associated industry standards.

1:53-65

Applicable standards/codes include, but are not limited to: NFPA Standard 13, which in simplified terms regulates (installation of) sprinkler systems; NFPA Standard 14, which in simplified terms regulates (installation of) standpipe and hose systems; NFPA Standard 20, which in simplified terms regulates (installation of) fire pumps; and NFPA Standard 25 which in simplified terms regulates the testing and maintenance of water-based fire protection systems. Full compliance with these standards/codes is paramount to ensure that in the event of a fire, water-based fire protection systems perform as designed. Adherence to NFPA Standard 25 is most critical since it pertains to routine testing and maintenance requirements that help ensure the successful automatic operation of a water-based fire protection system.

2:9-22

Thus, there is a need for a system and method capable of notifying insurers, property management companies, building/structure owners or other interested entities of any discrepancies or deviations in the preparedness of fire/life safety systems. Such a system and method will bring about more strict code compliance, through improved testing and maintenance practices, so that reliability of fire/life safety systems will be greatly increased.

7:24-32

EX1021 (Lloyd'150) at 1:53-65, 2:9-22, 7:24-32; Paper 1 (Petition) at 26-27



Issue #1: It would have been obvious to apply Key's JOM teachings to fire hydrant management

State of the Art Confirms Reasons for Applying Key's JOM to Fire Hydrant Management

Campion (EX1007)

1. Field of the Invention

The present invention relates generally to authenticated testing of life-safety equipment such as smoke detector, fire alarm, and sprinkler systems and more particularly, to providing an authenticated test report and other authenticated test related and monitoring related metrics for a life-safety equipment, such as a fire alarm control panel for facilitating on-site walkabout testing, inspection, installation, servicing, and control of fire alarm systems.

1:18-25

The installation and maintenance of life-safety equipment such as smoke detectors, fire alarm and sprinkler systems, and the like, continues to be a major concern for existing and new commercial and residential living and working spaces. Given that, under various local ordinances (see, e.g. New Jersey State Fire Prevention Code), which are typically derived from uniform codes such as the Uniform Fire Code, published by the National Fire Protection Association (NFPA), with headquarters at 1 Batterymarch Park, Quincy, Mass. 02269, periodic maintenance must be performed in accordance with various rules common in most jurisdictions, cost control of such maintenance procedures is of great concern.

1:27-37

Problems arise in that, even if walkabout testing can be set up to be performed by an individual, data gathered by the test must still be reduced to a report and, the report and possibly the inspection procedure itself must be authenticated to alert authorities to non-compliant facilities and to prevent the submission of substandard or even fraudulent test results.

Accordingly, it would be desirable in the art to alleviate the need for excessive manual panel interaction, to provide means for authentication of results, and to provide an authenticated report or the like in a compliant format for the jurisdiction where the facility is located.

It would be further desirable in the art to significantly decrease the amount of labor required for testing, inspecting and servicing of life safety systems; to provide constant monitoring of life safety equipment during testing, inspection, and service of life safety systems. It would also be desirable to provide persons not familiar with inspection and testing of equipment with the ability to monitor testing of systems for observing and accepting such tests; to allow persons interacting with system events the ability to monitor changes in status while investigating events in areas away from the control components; to allow persons interacting with system events the ability to monitor additional events while away from control components.

2:6-28

EX1007 (Campion) at 1:18-37, 2:6-28; Paper 1 (Petition) at 19-20, 27

Issue #1: It would have been obvious to apply Key's JOM teachings to fire hydrant management

Petitioner Witness MacInnes Confirms Application of Key's JOM to Fire Hydrant Management

MacInnes Declaration (EX1003)

124. Key further discloses its system various owned assets/objects: “The system is applicable to pressure vessels, boilers, elevators, amusement park rides, and **other required jurisdictional inspections of objects.**” Ex. 1005 at [0015] (emphasis added), [0075], [0104]-[0105]. That is, Key teaches—as was well-known in the art as I discuss below—that its jurisdiction online manager was readily applicable to a myriad of assets, including the specific examples along with other objects that had “required jurisdictional inspections.”

125. I further note that Key discloses that certain objects (such as the pressure vessel and boiler examples) “can be dangerous if they are not properly maintained and operated.” Ex. 1005 at [0046]. Indeed, it was well known to a POSITA that assets that are dangerous should be properly maintained and inspected to ensure proper operation.

135. Beyond the teachings of Key, Chauhan, Shamsi and the ESRI white paper about the known need and desirability of systems that provided for monitoring/inspecting various assets (including fire hydrants) to ensure compliance/proper operation, many other references confirmed such need and desirability, as well as the interchangeability of such assets within asset management systems for inspection compliance and reporting. Such assets included assets for which inspection was mandated by a jurisdiction/regulator, including both life/safety and non-life/safety assets. For example, in addition to Key, Chauhan, Shamsi and the ESRI white paper, the following state of the art demonstrate this known need and desirability and asset interchangeability:

* * * *

139. I further note that the Background of the '966 Patent admits that various assets—including those disclosed in Key and the other prior art I discussed above such as “boilers,” “elevators,” “amusement park rides,” and other objects requiring inspection such as “fire hydrants” —were interchangeable for purposes of its registry. Ex. 1001 at 1:19-39. This would have further confirmed to a POSITA that there was nothing new or novel about the particular asset to be monitored/tracked. In fact, as I discussed above, and consistent with the prior art, the '966 Patent states that a fire hydrant is a “non limiting example” and that “it should be readily appreciated that any owned asset may be substituted for the fire hydrant.” Ex. 1001 at 1:34-39. I agree with this statement in the '966 Patent's Background that a POSITA would have readily appreciated any known asset could be substituted for each other.

EX1003 (MacInnes Decl.) ¶¶124-125, 135, 139; Paper 1 (Petition) at 23-28



Remaining Issues

#	Issue
1	It would have been obvious to apply Key's JOM teachings to fire hydrant management.
2	It would have been obvious to notify the owner and approval authority in advance of an inspection; and regardless, the notice to the authority does not need to be in advance.
3	It would have been obvious to notify the owner of cost and inspection type.
4	It would have been obvious to send a standard format notice to the approval authority.
5	It would have been obvious for the owner to select a qualified inspector based on asset proximity.

Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

Key teaches emailing, etc. notifications to users

Key also teaches notifying owners and approval authorities

Key (EX1005)

[0067] The web servers 320 include a plurality of redundant similarly configured computers, two of which are illustrated, that are operative to implement the front-end software. The web servers 320 are operative to display information to users operating a web browser. The web servers 320 also are operative to provide notifications in a known manner usually via email. The web servers 320 are coupled to application servers 330.

[0068] The application servers 330 include a plurality of redundant similarly configured servers, two of which are illustrated, that are operative to implement the application software. The application server contains the logic that is used to determine which web pages are presented to the user and how to respond to the user's actions. Screen shots of various web pages utilized by the users to interact with JOM 110 are illustrated in FIGS. 16-21. The application software also contains the necessary logic necessary to process the user's transaction and provide the associated updates and any notifications. The application software is discussed in greater detail in reference to FIG. 4. The application servers 330 are coupled to the web servers 320 and the database servers 340.

[0071] The notification system 414 is operative to send communications to users of the JOM 110. The notification can be accomplished by an e-mail delivered via the Internet 199. Other notification means include an automatically generated telephone call, a facsimile, a wireless communication delivered via a wireless transmitter to a pager, mobile phone, or other wireless device, a wireless message delivery by wireless application protocol (WAP) to a hand held computing device, or other suitable methods for delivering messages.

[0077] The review unit 445 is operative to respond to communications, typically via a web browser, for the performance of a jurisdiction review. Before allowing a user to access review information, the unit 445 ensures the user has the proper authority to perform these actions. Proper authority to conduct reviews is a reviewer authorized by the jurisdiction to perform this function. The unit 445 is operative to display the information requiring a review, to display any changes in the reviewed information to assist in the review process and to accept comments. Upon acceptance of a review item, the item is deleted from a task listing. Upon rejection of the review, the owner is automatically notified and another inspection is scheduled.

[0019] After receiving inspection result data from the inspection, the inspection result data is stored the system database. The inspection result data is then provided to the controlling jurisdiction. The controlling jurisdiction reviews the result data online and any review result data is stored in the system database. The reviewed result data is provided to the inspection entity, which can view the results online.

EX1005 (Key) at [0019], [0067]-[0068], [0071], [0077]; Paper 1 (Petition) at 11-12, 38-39, 41-42, 49, 51

Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

**Patent Owner Witness Williams
Confirms that Key Teaches Providing
Owners, Approval Authority and
Inspectors Notifications via Email and
Other Means**

Williams (EX1040)

Q. And in this sentence in paragraph 70 of Key, Exhibit 1005, Key is affirming that inspectors, jurisdictional reviewers, and owner users are provided access to it via a web browser; correct?

A. (Document[s] reviewed.)

Yes, that's what that sentence says.

100:6-13

Q. Okay. And in paragraph 71, the first sentence reads "The notification system 414 is operative to send communication to users of the JOM. The notification can be accomplished by e-mail delivered via the internet 199." And there's other means, such as telephone calls, facsimiles, et cetera.

So here, Key is describing various notifications that may be provided to users of a system; right?

A. Generally, yes.

100:14-101:3 (objection omitted)

EX1040 (Williams) at 100:6-101:3; Paper 26 (Reply) at 10



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

Key teaches analyzing database for objects with upcoming inspection due dates and providing notifications of same

Key also teaches providing data to the approval authority

Key (EX1005)

[0018] Generally speaking, the invention manages required inspections mandated by a plurality of different jurisdictions performed by non-governmental entities. A central computer system receives object data for an object and most other information via a global computer network, typically the Internet. The object data is stored in a system database. Based upon the provided object data, the jurisdiction online manager can determine the controlling jurisdiction for the object. The controlling jurisdiction is the jurisdiction in which the object is located. After determining the controlling jurisdiction, the jurisdiction's inspection form or a similar inspection template can be provided to the inspectors, who will perform the actual physical inspections of the objects. In most cases, non-governmental inspectors perform the inspections. These inspectors generally work for inspection entities, usually insurance companies that perform the mandated inspections in a plurality of different jurisdictions.

[0019] After receiving inspection result data from the inspection, the inspection result data is stored in the system database. The inspection result data is then provided to the controlling jurisdiction. The controlling jurisdiction reviews the result data online and any review result data is stored in the system database. The reviewed result data is provided to the inspection entity, which can view the results online.

[0020] The system can manage most aspects of the statutorily required inspections. Other aspects of the managed inspection process can include managing inspector commission information. The inspector commission status can be verified prior to accepting inspection results by that inspector. In addition, the system can manage payment information. The system can receive payment information and verify object status prior to providing issuance of an object certificate of compliance. Lack of payment or any current violations can block the issuance of a compliance certificate. Furthermore, the system can perform scheduling functions. The system can automatically determine objects with upcoming inspections due dates and provide this information to the inspection entity. Inspectors at the inspection entity can calendar the inspections as desired.

[0076] The assignment unit 430 is operative to respond to communications, typically via a web browser, for the purpose of accepting or providing assignment information. Before allowing a user to access or modify assignment information, the unit 430 ensures the user has the proper authority to perform these actions. The work assignment unit automatically schedules inspection for objects with upcoming inspection due dates. The scheduled work assignment is operative to generate and place the task in the insurance company scheduled inspection listing. Upon completion of an inspection or repair, request for variance, or other actions requiring jurisdiction review, the work assignment unit 440 is operative to place the task in a review changes listing in the jurisdiction item task listing. Upon completion of a task, the assignment unit 440 removes the task from its respective task listing.

EX1005 (Key) at [0018]-[0020], [0076]; Paper 1 (Petition) at 11, 38-39, 42, 49, 51

Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

Key teaches analyzing database for objects with upcoming inspection due dates and providing notifications of same

Key (EX1005)

19. The method of claim 12, further comprising the steps of:
receiving an inspection notification; and
scheduling an inspection date.

[0080] FIG. 5 illustrates an inspection routine process executed by the JOM. The process is initiated by step 505, wherein the JOM determines whether new object information is to be entered. The determination is made by the selection of add object in the location unit. If object information is not to be entered, the NO branch of step 505 is followed to step 530, in which the JOM analyzes the database to determine those objects requiring scheduling of an inspection. If new object information has been selected, the YES branch of step 505 is followed to step 510.

[0083] Step 520 is followed by step 525, in which the JOM schedules the object for an inspection. The JOM determines from the object information in which jurisdiction the object is located. Some jurisdictions perform all initial inspections themselves. In these jurisdictions, a task will be generated and placed in a task listing for that jurisdiction. In jurisdiction where the initial inspection will be performed by the insurer, a task will be generated and placed in a task listing for that insurance company. Step 525 is followed by step 530.

[0084] In step 530, the JOM determines if any object requires inspections in the near future. If no object requires an upcoming inspection, the NO branch of step 530 is followed to step 540, in which a determination is made on whether a user desires to perform an inspection. If an object requires an upcoming inspection, the YES branch of step 530 is followed to step 535, in which the inspection is scheduled. The JOM computes the required inspection based upon the last performed inspection and the required inspection frequency. In step 535, a task is generated and placed in a task listing for the covering insurance company for those objects with upcoming required inspections. Step 535 is followed by step 540.

EX1005 (Key) at [0080], [0083]-[0084], claim 19; Paper 1 (Petition) at 39-40, 42

Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

Key teaches notification in advance of future inspections, repeated inspection cycles, and jurisdictionally mandated inspection frequencies

Key (EX1005)

[0077] The review unit 445 is operative to respond to communications, typically via a web browser, for the performance of a jurisdiction review. Before allowing a user to access review information, the unit 445 ensures the user has the proper authority to perform these actions. Proper authority to conduct reviews is a reviewer authorized by the jurisdiction to perform this function. The unit 445 is operative to display the information requiring a review, to display any changes in the reviewed information to assist in the review process and to accept comments. Upon acceptance of a review item, the item is deleted from a task listing. Upon rejection of the review, the owner is automatically notified and another inspection is scheduled.

[0099] Step 660 is followed by step 662, in which the JOM updates the inspection date. The updated inspection date is used by the JOM to calculate the next required inspection. Step 662 is followed to step 605, in which the review process is repeated.

[0047] Jurisdictions 120 are the regulatory entities that set the safety requirements and govern the issuance of certificates of compliance. Jurisdictions 120 are typically states, cities, or Canadian provinces. Each regulatory entity 120 has the authority to determine the required inspections and the inspection frequencies for pressure vessels and boilers 150 within their jurisdiction. In addition, each jurisdiction requires the inspection information in its format utilizing its categories and domains. Reviewers 125 at each jurisdiction 120 evaluate each inspection, repair, and other data to ensure compliance with the jurisdiction's requirements. Upon acceptance of the inspection data, the jurisdiction 120 authorizes the issuance of a compliance certificate that enables the object 150 to legally continue operating.

EX1005 (Key) at [0047], [0077], [0099]; Paper 1 (Petition) at 39, 41-43; Paper 25 (Reply) at 10



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

Key teaches inspection process repeats from object creation through decommission

Key (EX1005)

[0043] The disclosed embodiment provides a cost-effective system for the performance and jurisdictional review of boiler and pressure vessel inspections. The complexity of ensuring proper data nomenclature and format required by each specific jurisdiction is solved by the jurisdiction online manager. In addition, the system provides a comparison of changed information to facilitate efficient review of the inspection by the appropriate jurisdiction. The system also manages the payment of proscribed fees and the issuance of certificates. In summation, the jurisdiction online manager directs the inspection process from installation of the object to the object's decommission.

[0099] Step 660 is followed by step 662, in which the JOM updates the inspection date. The updated inspection date is used by the JOM to calculate the next required inspection. Step 662 is followed to step 605, in which the review process is repeated.

[0108] The object file, BOILER 1740, illustrates the stored detailed information about the object. Each object is identified by its jurisdiction assigned identifier and a separate other identifier such as the manufacturer's number. The object information includes the assigned owner identification; the location of the object, year installed, and if installed new, the year built, capacity of the object, and its current status. If an object is insured, the insurance information, INSURANCE 750, is associated with the object. In addition, information of its use is stored. Additional use data includes the method of fire, energy input, heating surface, and fuel type. Safety information is also recorded in conjunction with object. This safety information includes safety valve information, the maximum allowable working pressure (MAWP), and the low water cut-off (LWCO). If the object is moved and requires a variance, any approved variance by the jurisdiction is recorded. Each object is required to pass periodic inspections to ensure the object is in compliance with the jurisdiction's regulations. The inspection files, e.g. INSPECTION 1760, are associated with the object. Additionally, the payment of the requisite fees must be current before a certificate can be issued. Payment information is stored in associated payment files, e.g. PAYMENT 1730. In Addition, object repair information is associated with each object to provide a historical view of the object.

EX1005 (Key) at [0043], [0099], [0108]; Paper 1 (Petition) at 39, 42-44; Paper 26 (Reply) at 10-11



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

State of the art confirms repeated mandatory inspection cycles

Lloyd'150 (EX1021)

These testing and maintenance requirements as set forth in NFPA Standard 25, and elsewhere, are to be conducted weekly, monthly, quarterly or annually depending on the pertinent code. In simplified terms, the applicable NFPA Standard 25 codes are as follows:

2:23-27

Fire detection/alarm system test, inspection, and maintenance requirements are as diverse as the systems themselves. These requirements vary depending on system configuration and integration to any water-based fire protection or life safety system, but based upon, but not limited to, NFPA 70, 71 and 72 (D,E,G,H, et al) can be generalized in simplified terms to include, but not be limited to: periodic (daily, weekly, monthly, quarterly, semi-annually, annually, depending on the specific code requirement) testing of smoke detectors, heat detectors, and pull stations; testing of flow switch signal, tamper switch signal, fire pump signal reception/activation; testing of alarm notification devices; and testing of central station service. In general, these requirements shall be met by qualified personnel activating the requisite system components or simulating an activation via test methods, and by direct visual or mechanical inspection.

6:5-21

EX1021 (Lloyd'150) at 2:23-27, 6:5-21; Paper 26 (Reply) at 10-11



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

Key teaches that steps can be performed in different orders

Key (EX1005)

[0063] With the foregoing in mind, the drawing figures starting with FIG. 4 illustrate various functions, processes, or routines carried out by an embodiment of the present invention in which the disclosed jurisdiction online management system 100 carries out the functions described in connection with the flow charts and database maintenance. The functions or processes in these figures are carried out in the disclosed embodiment of the present invention by software executing in computers associated with the jurisdiction reviewers 125, insurance company inspectors 135, and the jurisdiction online manager 110. Depending upon the particular operation, the computers are connected for data communications via a network such as the Internet 199. It will also be understood that the processes and methods presented here may be arranged differently, or steps taken in a different order. In other words, some processes and methods may be deleted, repeated, re-ordered, combined, or blended to form similar processes and methods.

EX1005 (Key) at [0063]; Paper 26 (Reply) at 11



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

Key and state of the art explain reasons for keeping relevant parties informed

Key (EX1005)

[0014] Clearly, a need exists for an efficient, economical process for the transfer of information between jurisdictions and the entities that are mandated to perform required activities.

Campion (EX1007)

status, test results and the like. The data and authenticated forms can be used to provide notification to a building owner of inspections required during a particular time frame, notification of upcoming inspections and scheduling of upcoming inspections through calendars or other schedule management tools. The data can also include inventories of equipment or the like.

McKinney (EX1020)

[0045] Monitoring systems for environmental equipment such as wastewater treatment systems are known, as discussed hereinbefore; however, the inventor has determined that the following problems still exist that prevent or frustrate reliable environmental regulation oversight by the appropriate environmental regulatory body(s). The regulatory body typically has a limited number of employees and limited funds, and therefore has limited ability to conduct investigations of thousands (or tens or hundreds of thousands) of separately owned home wastewater treatment facilities to verify compliance with regulations. For instance, it is presently impractical for a regulatory body to reliably verify occurrence of equipment failures at each of thousands of homeowner wastewater treatment facilities and whether the equipment failures are timely reported or reported at all. Even for those systems that automatically report failures to the service company, the regulatory body has no practical way of determining if and when repairs have been made. Moreover, if the homeowner decides not to renew a maintenance contract with a certified service company, the regulatory body has little or no practical way of determining the renewal status of the maintenance contract without use of extensive personnel time. If repairs are made, there is also no practical way for the regulatory body to determine whether repairs have been made within the time period, e.g., forty-eight hours, that is required by the regulations. As well, there is no practical way for the regulatory body to determine, without extensive investigative time and money, whether routine inspections are consistently made according to the inspection schedules required by regulations and/or certification rules. For that matter, even the installation owner who may be ultimately responsible for compliance with regulations, such as a homeowner, may not know whether routine inspections in accordance with the terms of the service contract for which the installation owner pays are made as per regulations and/or whether repairs were made in a timely manner.

EX1005 (Key) at [0014]; EX1007 (Campion) at 8:24-29; EX1020 (McKinney) at [0045];
Paper 1 (Petition) at 18, 49-51; Paper 26 (Reply) at 12, 19



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

State of the art explains methods and reasons for keeping relevant parties informed

McKinney (EX1020)

[0056] Along with event data related to warnings, repairs, and inspections, receiver/processor 14 and/or website 18 may also receive and store data related to service contracts for each environmental installation and thereby automatically route the alarm to the correct environmental equipment installation. Receiver/processor 14 and/or website 18 stores the service contract data including renewal status and can send out renewal notices either directly to the homeowner or simply notify the appropriate service company. If the service contract is not renewed, as will normally be required by regulations, then receiver/processor 14 and/or website 18 stores this contract status information and preferably forwards or makes available the contract status information to regulatory agency 40. Responsible parties may also be notified. Regulatory agency 40 preferably may utilize software or systems in accord with the present invention that permit notification to the responsible parties, such as the homeowner and/or service company whose address and/or other contact information is stored by receiver/processor 14 and/or website 18, of noncompliance with regulations that require the homeowner to renew the service contract.

[0057] For example, in a preferred embodiment regulatory agency 40 may download form letters filled in and ready to mail. If desired, receiver/processor 14 and/or website 18 could also be utilized to automatically forward the form letter to the homeowner or responsible party on behalf of the regulatory agency and/or notify the agency by e-mail or other means that the noncompliance letter/e-mail/fax or the like has been sent and the date of mailing. Other types of communication besides form letters are also possible. When service contracts are renewed, the respective service company 38 notifies receiver/processor 14 and/or website 18 of the status, time period, particular installation, ownership and responsibility data, addresses, names, and so forth for the

* * * *

[0080] Likewise, service companies 104 can obtain many helpful and valuable services through interactive website 96 as indicated at 120, 122, 124, 126, 128, and 130. Moreover, service companies can enter a significant amount of data into website 96 for use by the service companies in the future for scheduling such as future inspections, future contract renewal requests for homeowners, and the like. Thus, at subscriber information 120, information about the service company is input including contact information, location, and so forth. Scheduled maintenance/inspection schedules are available at 122 and may be provided as a convenience for companies that might otherwise pay significant sums to develop or purchase software for scheduling purposes. The website may be used by companies to generate bills, renewal notices, service notices, and other comments or advisories to customers or other interested parties. In one embodiment, service personnel that are in a particular area for other reasons such as repairs may be able to log into or have the service company log into the scheduler to determine if efficiencies can be achieved by performing inspections while the service personnel is already in that area. Thus, scheduler function 122 is likely to reduce operating costs for the service company. Service companies may also be able to obtain event histories 124 relating to histories of operation, timely response, timely repair, records of repair for each service personnel and for each environmental equipment installation, types of installations, and so forth. If desired, the data may be limited to data related to those service companies' operations. The type of equipment installed on each site may be available at 126 along with repair/maintenance history and so forth. At 128, the service company inputs information about the subscriber contract status and may have preprinted forms mailed to the subscriber before the contract expires, with perhaps standardized warning letters to advise about regulations requiring renewal of the service contract. The users may print or save the above and other information to e-mail as desired as indicated at 130.

EX1020 (McKinney) at [0056]-[0057], [0080]; Paper 1 (Petition) at 18, 45; Paper 26 (Reply) at 12



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

State of the art explains methods and reasons for keeping relevant parties informed

Lloyd'150 (EX1021)

A system and method for operational criteria compliance verification of fire/life safety systems and components whose operation, maintenance and testing are established by predetermined operational criteria, such as industry standards and fire/life safety codes. The system comprises at least one sensor for sensing at least one parameter of or resultant indicator of one or more fire/life safety system components pertinent to operational criteria compliance verification of the fire/life safety system. A recorder records and date/time stamps data from at least one sensor. The system verifies the operational criteria compliance and generates an operational criteria compliance verification report based upon the sensor data. The system in its preferred form verifies compliance with fire/life safety codes and generates a code compliance verification report based on these codes and associated industry standards. These reports can be electronically forwarded to the owner, insurer, or management company at any time, or automatically forwarded on a scheduled basis for "normal" reporting. These reports further can include maintenance and notification summaries that document components that require attention depending on the nature of the problem. In the event of "trouble" conditions requiring immediate resolution, real-time notification to appropriate entities can also be accomplished.

Abstract

required time? Since these life safety systems perform a vital function in preventing the loss of life, there is need to verify their code compliance, which will help ensure that these systems are kept in a state of known operational readiness, thus improving their reliability and performance.

In spite of all of these deficiencies and needs, the fire protection industry as a whole, assumes that fire/life safety problems have been particular standards, such as, but not limited to, NFPA 13, 14, 20 and 25. It further assumes that: (1) every system is being installed, maintained and tested according to the code, (2) if not, at least the required once a year inspection is sufficient to ensure safety, or (3) a better method or system of ensuring compliance is unavailable.

Such assumptions are far from acceptable when lives and property rely so heavily on the proper operability of these fire/life safety systems. The current practice of the industry offers no method of verification that such tests have actually been conducted according to the required standards. Instead, the industry relies on only a minute sampling of the system's performance, once a year (i.e., one day out of 365) by inspectors of varying capability and integrity. It then assumes that for the remaining 364 days of the year the system remains fully functional.

Thus, there is a need for a system and method capable of notifying insurers, property management companies, building/structure owners or other interested entities of any discrepancies or deviations in the preparedness of fire/life safety systems. Such a system and method will bring about more strict code compliance, through improved testing and maintenance practices, so that reliability of fire/life safety systems will be greatly increased.

7:1-32

EX1021 (Lloyd'150) at Abstract, 7:1-32; Paper 1 (Petition) at 20-21, 27, 50; Paper 26 (Reply) at 12



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

State of the art explains methods and reasons for keeping relevant parties informed

Chauhan (EX1016)

[0085] Because the UtilityCenter™ is fully integrated with the utility's Customer Information and Accounting software, cost estimates can be generated quickly. The uaField™ 100 handles multiple job scenarios and provide estimates of their job costs. The user has the option to use either unit costs or hourly costs. Updated material cost and labor rates are utilized to formulate an accurate estimate of the cost of building the job as designed.

This information is invaluable when analyzing the efficiency of work processes, budgeting for future growth and preparing managerial cost reports. The UtilityCenter™ 10 makes managing work easier than ever before by giving managers fingertip access to information concerning job status. With the click of a mouse, managers can view what jobs are pending, assigned and in progress. Truck location can be displayed onscreen as crews move throughout the system completing assigned jobs.

[0166] ROW tree trimming cycles are tracked and maintained easily in the GIS 900. Initial ROW cycles are entered into the GIS 900 and viewed on-screen and color-coded to reflect projected schedules. Information regarding assigned contract or internal crews, situations, clean-up and clearing methods are stored in the system. Customers located in the current area being cleared are notified by mail or phone by simply tracing the affected circuit, generating a call or mail list and sending out notifications prior to the beginning of the cycle.

[0167] The UtilityCenter™ 10's Field Services Solution tracks and updates a variety of operations functions within the day-to-day workflow of utilities. From pole inspection to service order tracking, information from the field is input directly into the GIS 900 where managers can easily access updates and generate reports for management, boards and regulatory agencies.

EX1016 (Chauhan) at [0085], [0166]-[0167]; Paper 1 (Petition) at 45-46, 49-51, Paper 26 (Reply) at 12



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

State of the art explains reasons for keeping relevant parties informed

Woodings (EX1025)

[0006] Out-dated, erroneous or lost information, delays, reduced productivity, and low morale are just a few of the problems associated with conventional efforts to exchange documents with business partners and manage workers, documents and associated tasks or jobs. More importantly, in regulated industries, business owners must comply with a host of state and federal requirements and worker certifications, all of which must be tracked, kept current and provided to various business partners including government agencies. In addition, there are numerous issues associated with the proper allocation, tracking, and distribution of funds associated with the projects.

EX1025 (Woodings) at [0006]; Paper 1 (Petition) at 45-46, 49-51



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

State of the art explains methods and reasons for keeping relevant parties informed

Cober (EX2008)

[0071] The system 10 web site will provide commercial building owners the ability to enter data about their buildings and generate Fire Plans, both in printed format and electronic format, for each specific building. This information will also be exposed to the fire department to aid the building owner in compliance with fire code regulations. The email notification system will automatically send reminders to building owners to assist them in staying current with local testing and reporting compliance issues.

[0504] System 10 notifies Customer 30 days prior to expiry.

[0505] System 10 notifies Customer 10 days prior to expiry.

EX2008 (Cober) at [0071], [0504]-[0505]; Paper 26 (Reply) at 12

Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

State of the art explains methods for keeping relevant parties informed

Sweeney (EX1006)

[0017] Computerized reports may be generated from the archived project reports. The computerized reports may be generated according to at least one of project date, contractor, project type, project costs, construction asset location, or the like. Email notification may be provided to the asset owner notifying the asset owner of the posting of the project reports.

[0039] As shown in FIG. 1, a plurality of inspection reports (e.g., inspection reports 12, 12A, and 12B) corresponding to a plurality of construction assets of the asset owner may be archived on the database 10. The plurality of construction assets may be located at multiple locations. The asset owner may be provided with access to a web page listing all construction assets owned by the asset owner (e.g., an asset owner home page). Links may be provided on the asset owner home page to additional web pages dedicated to each asset. For example, a web page dedicated to each asset may include hyperlinks to the information shown in database 10 of FIG. 2 for that asset.

EX1006 (Sweeney) at [0017], [0039]; Paper 1 (Petition) at 46-47



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

Petitioner Witness MacInnes Confirms Obviousness of Keeping Relevant Parties Informed

MacInnes Declaration (EX1003)

107. As evidenced by my discussion above in Section X (Overview of the State of the Art), in this Section XIA (Overview Explanation of Why a POSITA Would Have Thought to Combine the References), and in Section XIB (my explanation of the specific prior art's teachings as applied to claims 8-14), the prior art teaches the claimed configurations, and a POSITA would have found obvious the claims. For example, as I explain in my declaration and evidenced by Key, Chauhan, Sweeney, McKinney and the other prior art I discuss, it was well known in the art and obvious to a POSITA:

- to provide a web-based asset management system and method for monitoring and inspecting for compliance various assets (such as fire hydrants, boilers, pressure vessels, elevators, sprinkler systems, amusement parks, fire pumps, construction assets, utilities and the like);
- that the system and method provides controlled access for viewing and data entry/manipulation (e.g., via a username and password), including updating status, to various user classes (including asset owners, asset inspectors and jurisdictional/authority reviewers/approvers);
- that the data for each asset is stored in a central database and accessible in real time;

- that the system and method provides relevant standard notices and reports to the various users including, e.g., notifying the owner of upcoming inspections and deadlines and the approval authority of inspection status and compliance or violations;
- that the owner can select particular qualified/certified inspectors within the particular jurisdiction in which the asset resides;
- that the system and method provides inspection templates to guide the inspector through the asset-inspection process resulting in an inspection report provided to the jurisdictional/authority reviewers/approvers for review including with any code violations; and
- that the system and method should provide compliance reporting and management throughout the entire life cycle to all relevant stakeholders such that the stakeholders can keep apprised of necessary events and status and take any needed actions as a result.

EX1003 (MacInnes Decl.) ¶107; Paper 1 (Petition) at 22-23



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

Petitioner Witness MacInnes Confirms Obviousness of Keeping Relevant Parties Informed

MacInnes Declaration (EX1003)

180. I further note that Key’s teachings to use standard forms and nomenclature (descriptions) are not limited to inspection forms. For example, Key discloses that “[t]he complexity of ensuring proper data nomenclature and format required by each specific jurisdiction is solved by the jurisdiction online manager” and also that its system is designed to “direct[] the inspection process from installation of the object to the object’s decommission.” Ex. 1005 at [0043]. That is, Key’s teachings apply throughout the entire asset lifecycle, which includes providing relevant information in a standardized jurisdictional format and nomenclature to the relevant stakeholders including owners, inspectors and authorities.

181. Consistent with the above-discussed disclosure in Key—including that relevant information is to be shared, particular formats and nomenclature are to be used, inspection dates are calculated, inspections are scheduled and must be paid for, and notices are provided about required inspections based on notification events including a designated interval in advance of an inspection deadline—a POSITA would have understood that the disclosed notifications would logically and advantageously be in a particular standard format description and include the relevant details for the owner (inspection type needed, inspection due date, cost due, etc.) sent based on a notification event at a particular set time in advance, e.g., such that the owner would have sufficient notice after which to schedule an inspection within the deadline. This is further evidenced by the state of the art, which likewise teaches standard format descriptions for notices. Ex. 1020 at [0080] (“standardized warning letters to advise about regulations requiring renewal of the service contract”), [0057] (“form letters” or “[o]ther types of communications” sent to homeowner); Ex. 1024 at 4 (disclosing inspection types in sample reports for users including asset owners); Ex. 1032, [0121] (setting and notifying of predetermined service intervals).

182. It was also known that it was necessary and important to provide stakeholders with relevant information needed to perform tasks, make decisions, etc. For example, Chauhan explains that providing cost information is “invaluable” for purposes of budgeting and preparing reports and that providing the relevant information “makes managing work easier than ever before by giving managers fingertip access to information concerning job status”:

Because the UtilityCenter™ is fully integrated with the utility’s Customer Information and Accounting software, cost estimates can be generated quickly. The uaField™ 100 handles multiple job scenarios and provide estimates of their job costs. The user has the option to use either unit costs or hourly costs. **Updated material cost and labor rates are utilized to formulate an accurate estimate of the cost of building the job as designed. This information is invaluable when analyzing the efficiency of work processes, budgeting for future growth and preparing managerial cost reports. The UtilityCenter™ 10 makes managing work easier than ever before by giving managers fingertip access to information concerning job status.** With the click of a mouse, managers can view what jobs are pending, assigned and in progress. Truck location can be displayed onscreen as crews move throughout the system completing assigned jobs.

Ex. 1016 at [0085] (emphasis added), [0167].

EX1003 (MacInnes Decl.) ¶¶180-182; Paper 1 (Petition) at 44-45



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

Petitioner Witness MacInnes Confirms Obviousness of Keeping Relevant Parties Informed

MacInnes Declaration (EX1003)

183. This teaching in Chauhan regarding the importance of providing cost information would also apply to Key's system and the need to provide cost information to an owner to allow the owner to pay for services (e.g., inspections) as disclosed in Key. The known need to provide relevant information to the relevant user is further evidenced by other prior art, for example, Woodings explaining the need for owners in "regulated industries" to track information to comply with state and federal requirements, and provide such compliance certification information to various partners including government agencies. Ex.

1025 at [0006] ("Out-dated, erroneous or lost information, delays, reduced productivity, and low morale are just a few of the problems associated with conventional efforts to exchange documents with business partners and manage workers, documents and associated tasks or jobs. More importantly, in regulated industries, business owners must comply with a host of state and federal requirements and worker certifications, all of which must be tracked, kept current and provided to various business partners including government agencies. In addition, there are numerous issues associated with the proper allocation, tracking, and distribution of funds associated with the projects.").

187. As with the notice in Key to provide relevant information to the owner, Sweeney discloses providing relevant information (including cost, asset type, repairs, inspection history, etc.). This provides further confirmation to a POSITA that such relevant information is provided in a form report to the owner such that the owner can take the necessary actions, e.g., engage inspectors for the appropriate inspection, obtain the necessary repairs, and pay the appropriate amount for the same.

EX1003 (MacInnes Decl.) ¶¶183, 187; Paper 1 (Petition) at 45-47



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

Petitioner Witness MacInnes Confirms Obviousness of Keeping Relevant Parties Informed

MacInnes Declaration (EX1003)

200. Key provides additional disclosure regarding its notification process including that (a) “object data is stored in a system database,” (b) “[b]ased upon the provided object data, the jurisdiction online manage[r] can determine the controlling jurisdiction” and (c) “[t]he system can automatically determine objects with upcoming inspections due dates and provide this information to the inspection entity.” Ex. 1005 at [0018], [0020]. Although this particular disclosure in Key is describing providing information to the inspection entity based on the database analysis (and limitation [8d] concerned notification to owners), as I have discussed, a POSITA understood and found advantageous to provide relevant information to the appropriate JOM stakeholders such that they could take the appropriate actions (e.g., to the controlling jurisdiction such that they can passively monitor and keep up-to-date on compliance or inspection status of assets within their jurisdiction,

and better and more efficiently manage the mandatory inspection process and regulatory oversight, and improve information flow across the relevant stakeholders). Ex. 1005 at [0002], [0014]-[0015]; Ex. 1020 at [0045] (regulatory bodies have limited funds and employees and so there is a need for the body to automatically be notified of relevant information and events), [0032] (generating reports for regulatory body related to compliance), [0051] (“reports related to the service contracts to be forward to be regulatory body may be automatically generated based on whether the monitoring services utilizing unit 10 has been paid for by the service company”), [0073]; Ex. 1021, Abstract (automatic reporting to various stakeholders for purpose of notices and compliance).

EX1003 (MacInnes Decl.) ¶200; Paper 1 (Petition) at 50



Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

Regardless, Key also discloses web-based notice

Under Patent Owner's Practicing-the-Patent Theory, This is Enough

Chart for Patent Owner System (EX2018 at 6)

8[e]	based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;	TF's AHJ dashboard shows when status of an asset has changed. It reflects when an asset is coming up for inspection, if an inspector or owner has requested a change in the asset status or the addition of assets to the property, if the asset has been inspected and there is a report to be reviewed, and the compliance of that asset.																								
<table><tr><th colspan="2">Task</th><th colspan="2">Compliance Report</th></tr><tr><td>OverDue Properties</td><td>2</td><td>Corrections Required</td><td>1</td></tr><tr><td>Awaiting Re-submittal</td><td>1</td><td>Saved</td><td>0</td></tr><tr><td>Properties Pending Approval</td><td>1</td><td>Waiting Payment</td><td>0</td></tr><tr><td>Systems Pending Approval</td><td>1</td><td colspan="2">Showing Inspection company adding property to AHJ Jurisdiction</td></tr><tr><td>Cases</td><td>4</td><td colspan="2">Showing a system has been added to a property</td></tr></table>			Task		Compliance Report		OverDue Properties	2	Corrections Required	1	Awaiting Re-submittal	1	Saved	0	Properties Pending Approval	1	Waiting Payment	0	Systems Pending Approval	1	Showing Inspection company adding property to AHJ Jurisdiction		Cases	4	Showing a system has been added to a property	
Task		Compliance Report																								
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Awaiting Re-submittal	1	Saved	0																							
Properties Pending Approval	1	Waiting Payment	0																							
Systems Pending Approval	1	Showing Inspection company adding property to AHJ Jurisdiction																								
Cases	4	Showing a system has been added to a property																								

Key (EX1005)

2000

REVIEW CHANGES				
2010	2020	2030	2040	2050
	DATE	TYPE	DESCRIPTION	SUBMITTER
REVIEW	7/23/200	LOCATION	330 MAIN ST	
REVIEW	8/1/2000	BOILER	LA104332 - NB342322	
REVIEW	8/1/2000	PV	LA1023577- NB123123	
REVIEW	8/1/2000	INSPECTION	BOILER - LA1023343 -INTERNAL	

[0195] FIG. 20 illustrates a screenshot of a review web page 2000. The review page 2000 lists the open reviews needing performance. Column 2010 provides links to perform the review. Column 2020 lists the date of that the action was performed. Column 2030 lists the type of review required. The review can be change of location or object information, as well as the review of an inspection. A description column 2040 provides a summary of the review item. In addition column 2050 will list the submitter of review.

2100

REVIEW BOILER EDITS - 10/10/2000 BY "JURISDICTION REVIEWER"

2110	BOILER DETAILS	2140	2150
	JURISDICTION #	CURRENT VALUE	OLD VALUE
	INS CO #	LA1234567	
	OTHER #	NB123456	
	DATE LAST INSPECTED	10/10/1000	10/10/1999
	INSPECTION FREQUENCY	ANNUAL	
	SPECIFIC LOCATION	MAIN BLR RM	
	OWNER #		
	MANUFACTURER	CLEAVER	
	TYPE	PWB	
	YEAR BUILT	1972	
2120	BILLING/OWNER DETAILS		
2130	ENTER COMMENTS HERE		
	ACCEPT	REJECT	RESET
	2160	2170	2180

FIG. 21

[0196] FIG. 21 illustrates a screen shot of a review object web page 2100. The web page 2100 has a button 2110 to review object edit. In the illustrated screen shot, the object edit for review is a boiler. The web page 2100 lists the current values in column 2140. The web page also displays an old value column 2150 for those values that have changed. For example, the date of last inspection has been updated. The web page also has owner details button 2120 and a comment field 2130. The reviewer can accept the update by activation of the accept button 2160 or reject the update by activation of the reject button 2180. The reset button 2180 resets the screen.

EX1005 (Key) at [0195]-[0196], FIGs. 20-21; Paper 1 (Petition) at 52; EX2018 (Tegris Chart) at 6; Paper 26 (Reply) at 23

Issue #2: It would have been obvious to notify the owner and approval authority in advance of an inspection

Regardless, Key also discloses web-based notice

Under Patent Owner's Practicing-the-Patent Theory, This is Enough

Chart for Patent Owner System (EX2018 at 6)

8[e]	based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;	TF's AHJ dashboard shows when status of an asset has changed. It reflects when an asset is coming up for inspection, if an inspector or owner has requested a change in the asset status or the addition of assets to the property, if the asset has been inspected and there is a report to be reviewed, and the compliance of that asset. <table><tr><th>Task</th><th></th><th>Compliance Report</th><th></th></tr><tr><td>OverDue Properties</td><td>2</td><td>Corrections Required</td><td>1</td></tr><tr><td>Awaiting Re-submittal</td><td>1</td><td>Saved</td><td>0</td></tr><tr><td>Properties Pending Approval</td><td>1</td><td>Waiting Payment</td><td>0</td></tr><tr><td>Systems Pending Approval</td><td>1</td><td></td><td></td></tr><tr><td>Cases</td><td>4</td><td></td><td></td></tr></table> Showing Inspection company adding property to AHJ Jurisdiction Showing a system has been added to a property	Task		Compliance Report		OverDue Properties	2	Corrections Required	1	Awaiting Re-submittal	1	Saved	0	Properties Pending Approval	1	Waiting Payment	0	Systems Pending Approval	1			Cases	4		
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Properties Pending Approval	1	Waiting Payment	0																							
Systems Pending Approval	1																									
Cases	4																									

Key (EX1005)

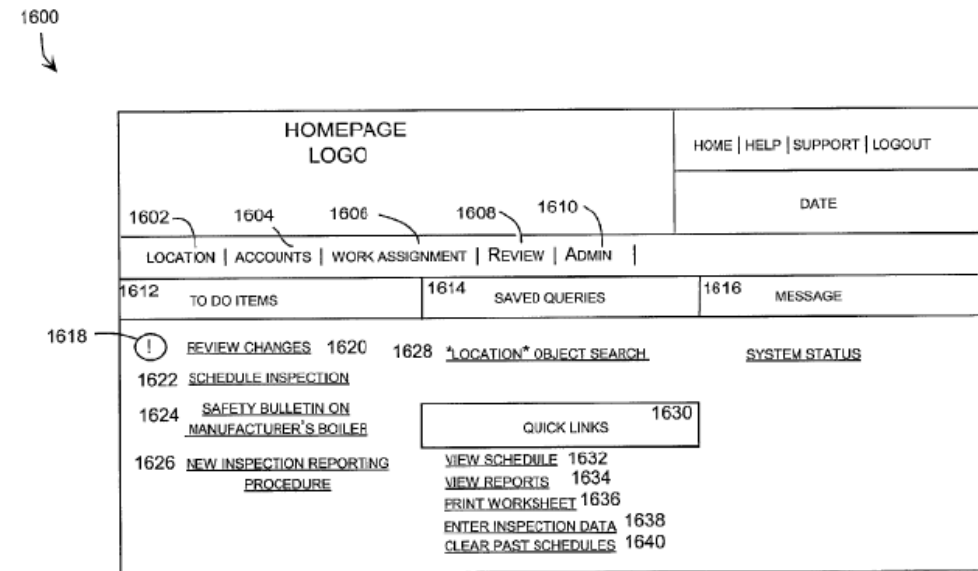


FIG. 16

EX1005 (Key) at FIG. 16; Paper 1 (Petition) at 41-42; EX2018 (Tegris Chart) at 6; Paper 26 (Reply) at 23

Issue #2: Regardless, the notice to the authority does not need to be in advance

Also regardless, notifications for upcoming inspections are not required in 8[e]

Petitioner Reply

- 8[c]’s “notification events” (plural) do not recite a particular event or content
- 8[d]’s “a notification event” (singular) already requires that “the notification event comprises a designatable interval in advance of an impending deadline”
- 8[e]’s sending specifies only that the notice be “of the status of the assets”

Paper 26 (Reply) at 3-4

Claim 8

- [8c] analyzing the records of assets from the database to identify notification events;
- [8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;
- [8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

EX1001 ('966 Patent), claim 8

EX1001 ('966 Patent), cl. 8; Paper 26 (Reply) at 3-4



Issue #2: Regardless, the notice to the authority does not need to be in advance

'966 Patent Discloses Notifications to Approval Authorities of Asset Status Both Before and After Inspection

'966 Patent at 4:49-67

cies. The registry communicates the approval process between all parties until approval or confirmation is received. At that time the owner is notified the inspection is complete and approved and awaiting payment. The registry prepares an invoice for the inspection company to send to the fire sprinkler system owner. The owner receives the invoice and is able to pay online through the registry. Money is transferred to the inspection company, to the city (for any declared city/FM charges), and to any other necessary parties. The registry sends a message to the inspection company to confirm payment has been received. The inspection company verifies payment. The registry confirms that all transaction fees and fire marshal review fees are paid. If fees are not paid then the final submission will not be complete. The inspection is sent to the registry for final submission when payment is confirmed and the registry transaction fees and fire marshal review fees are paid. Until then the registry continues to notify the fire marshal that the inspection is due/incomplete.

Claim 8

- [8c] analyzing the records of assets from the database to identify notification events;
- [8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;
- [8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

EX1001 ('966 Patent) at 4:49-67; Paper 26 (Reply) at 4



Remaining Issues

#	Issue
1	It would have been obvious to apply Key's JOM teachings to fire hydrant management.
2	It would have been obvious to notify the owner and approval authority in advance of an inspection; and regardless, the notice to the authority does not need to be in advance.
3	It would have been obvious to notify the owner of cost and inspection type.
4	It would have been obvious to send a standard format notice to the approval authority.
5	It would have been obvious for the owner to select a qualified inspector based on asset proximity.

Issue #3: It would have been obvious to notify the owner of cost and inspection type

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

Key teaches costs and inspection type

[0043] The disclosed embodiment provides a cost-effective system for the performance and jurisdictional review of boiler and pressure vessel inspections. The complexity of ensuring proper data nomenclature and format required by each specific jurisdiction is solved by the jurisdiction online manager. In addition, the system provides a comparison of changed information to facilitate efficient review of the inspection by the appropriate jurisdiction. The system also manages the payment of proscribed fees and the issuance of certificates. In summation, the jurisdiction online manager directs the inspection process from installation of the object to the object's decommission.

[0097] In step 640, the JOM stores the review comments along with the review date and the name of the reviewer in association with the inspection and removes the inspection from the task listing. Step 640 is followed by step 645, in which the JOM performs notification of the acceptance and prompts payment. Notification can be performed by email or simply updating the accounting unit to reflect that the payment is due.

[0047] Jurisdictions 120 are the regulatory entities that set the safety requirements and govern the issuance of certificates of compliance. Jurisdictions 120 are typically states, cities, or Canadian provinces. Each regulatory entity 120 has the authority to determine the required inspections and the inspection frequencies for pressure vessels and boilers 150 within their jurisdiction. In addition, each jurisdiction requires the inspection information in its format utilizing its categories and domains. Reviewers 125 at each jurisdiction 120 evaluate each inspection, repair, and other data to ensure compliance with the jurisdiction's requirements. Upon acceptance of the inspection data, the jurisdiction 120 authorizes the issuance of a compliance certificate that enables the object 150 to legally continue operating.

Key (EX1005)

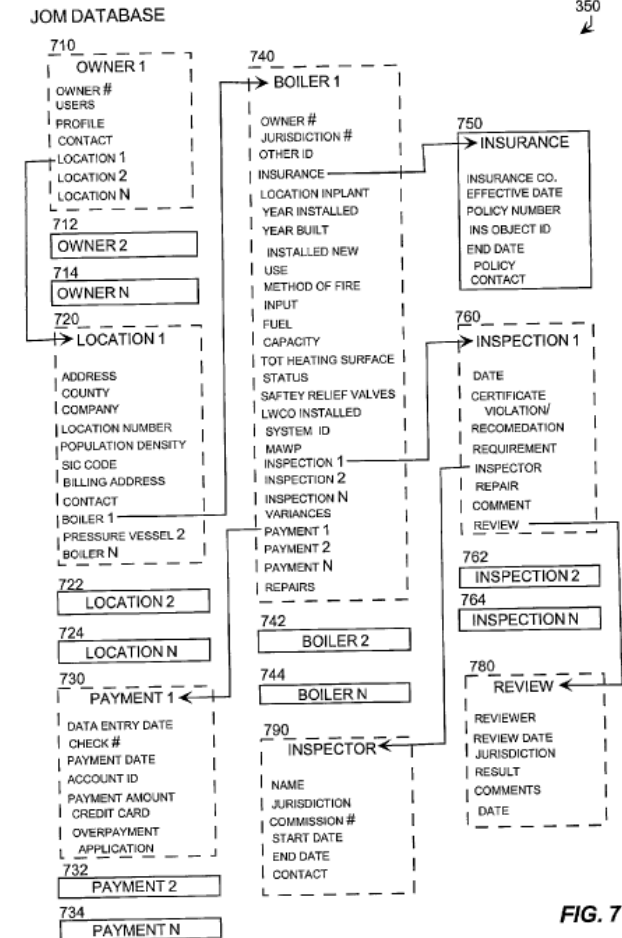


FIG. 7

EX1005 (Key) at [0043], [0047], [0097], FIG. 7; Paper 1 (Petition) at 43

Issue #3: It would have been obvious to notify the owner of cost and inspection type

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

State of the art confirms notification of relevant information including costs, inspection type, etc.

Sweeney (EX1006)

[0042] The server 80 may also include a report generator function 86 for generating computerized reports in response to user queries from the web browser 72. The reports may be provided in the form of web pages from the server 80 to the browser 72. The computerized reports may relate to one or more of the plurality of the construction assets and be generated according to at least one of age of the construction asset, a rated condition of the construction asset, a type of the construction asset, recommended repairs listed on the inspection report 12, date of construction, date of last repair, expected remaining lifetime of the construction asset, contractors responsible for construction of or repairs to the construction asset, a location of the construction asset, repair history, repair type, repair costs, defect history, and the like

McKinney (EX1020)

[0080] companies' operations. The type of equipment installed on each site may be available at 126 along with repair/maintenance history and so forth. At 128, the service company inputs information about the subscriber contract status and may have preprinted forms mailed to the subscriber before the contract expires, with perhaps standardized warning letters to advise about regulations requiring renewal of the service contract. The users may print or save the above and other information to e-mail as desired as indicated at 130.

Buildingreports.com (EX1024)

The screenshot shows a web interface for 'WebGuest's Inspection Portal'. At the top, it displays 'UserID: WebGuest', 'Logged In: 3:50:52 PM EST', and 'Time Online: 0 seconds'. Below this is a 'Your Messages' section with a 'Welcome Guest User' message. The main content area is divided into two sections: 'BRInspector™ Inspections' and 'FireScan™ Inspections - 2 Most Recent'. The 'BRInspector' section states 'There are currently no BRInspector™ inspections available for you to view.' The 'FireScan' section contains a table with the following data:

Building ID:	Status:	Building Name:	Inspection ID:	Date:
1181		Web Guest Headquarters	157	9/14/01
1399		Park Ave.	1150	7/11/01

Below the table is a section for 'ExtinguisherScan™ Inspections - 2 Most Recent'.

"The 5 most current inspections are listed and categorized by type of inspection (FireScan™, ExtinguisherScan™, SuppressionScan™, SprinklerScan™, or BRInspector™) for easy navigation and quick retrieval. Choose your desired inspection and go!"

EX1006 (Sweeney) at [0042]; EX1020 (McKinney) at [0080]; EX1024 (Buildingreports.com) at 4; Paper 1 (Petition) at 45, 47



Issue #3: It would have been obvious to notify the owner of cost and inspection type

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

Key and state of the art explain reasons for keeping relevant parties informed of relevant content

Key (EX1005)

[0014] Clearly, a need exists for an efficient, economical process for the transfer of information between jurisdictions and the entities that are mandated to perform required activities.

Lloyd'150 (EX1021)

A system and method for operational criteria compliance verification of fire/life safety systems and components whose operation, maintenance and testing are established by predetermined operational criteria, such as industry standards and fire/life safety codes. The system comprises at least one sensor for sensing at least one parameter of or resultant indicator of one or more fire/life safety system components pertinent to operational criteria compliance verification of the fire/life safety system. A recorder records and date/time stamps data from at least one sensor. The system verifies the operational criteria compliance and generates an operational criteria compliance verification report based upon the sensor data. The system in its preferred form verifies compliance with fire/life safety codes and generates a code compliance verification report based on these codes and associated industry standards. These reports can be electronically forwarded to the owner, insurer, or management company at any time, or automatically forwarded on a scheduled basis for "normal" reporting. These reports further can include maintenance and notification summaries that document components that require attention depending on the nature of the problem. In the event of "trouble" conditions requiring immediate resolution, real-time notification to appropriate entities can also be accomplished.

McKinney (EX1020)

[0045] Monitoring systems for environmental equipment such as wastewater treatment systems are known, as discussed hereinbefore; however, the inventor has determined that the following problems still exist that prevent or frustrate reliable environmental regulation oversight by the appropriate environmental regulatory body(s). The regulatory body typically has a limited number of employees and limited funds, and therefore has limited ability to conduct investigations of thousands (or tens or hundreds of thousands) of separately owned home wastewater treatment facilities to verify compliance with regulations. For instance, it is presently impractical for a regulatory body to reliably verify occurrence of equipment failures at each of thousands of homeowner wastewater treatment facilities and whether the equipment failures are timely reported or reported at all. Even for those systems that automatically report failures to the service company, the regulatory body has no practical way of determining if and when repairs have been made. Moreover, if the homeowner decides not to renew a maintenance contract with a certified service company, the regulatory body has little or no practical way of determining the renewal status of the maintenance contract without use of extensive personnel time. If repairs are made, there is also no practical way for the regulatory body to determine whether repairs have been made within the time period, e.g., forty-eight hours, that is required by the regulations. As well, there is no practical way for the regulatory body to determine, without extensive investigative time and money, whether routine inspections are consistently made according to the inspection schedules required by regulations and/or certification rules. For that matter, even the installation owner who may be ultimately responsible for compliance with regulations, such as a homeowner, may not know whether routine inspections in accordance with the terms of the service contract for which the installation owner pays are made as per regulations and/or whether repairs were made in a timely manner.

EX1005 (Key) at [0014]; EX1020 (McKinney) at [0045]; EX1021 (Lloyd'150) at Abstract; Paper 1 (Petition) at 20-21, 26-27, 49-51



Issue #3: It would have been obvious to notify the owner of cost and inspection type

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

State of the art explains reasons for keeping relevant parties informed of relevant content

Chauhan (EX1016)

[0085] Because the UtilityCenter™ is fully integrated with the utility's Customer Information and Accounting software, cost estimates can be generated quickly. The uaField™ 100 handles multiple job scenarios and provide estimates of their job costs. The user has the option to use either unit costs or hourly costs. Updated material cost and labor rates are utilized to formulate an accurate estimate of the cost of building the job as designed.

This information is invaluable when analyzing the efficiency of work processes, budgeting for future growth and preparing managerial cost reports. The UtilityCenter™ 10 makes managing work easier than ever before by giving managers fingertip access to information concerning job status. With the click of a mouse, managers can view what jobs are pending, assigned and in progress. Truck location can be displayed onscreen as crews move throughout the system completing assigned jobs.

[0167] The UtilityCenter™ 10's Field Services Solution tracks and updates a variety of operations functions within the day-to-day workflow of utilities. From pole inspection to service order tracking, information from the field is input directly into the GIS 900 where managers can easily access updates and generate reports for management, boards and regulatory agencies.

EX1016 (Chauhan) at [0085], [0167]; Paper 1 (Petition) at 45-46, 49-51



Issue #3: It would have been obvious to notify the owner of cost and inspection type

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

State of the art explains reasons for keeping relevant parties informed of relevant content

Woodings (EX1025)

[0006] Out-dated, erroneous or lost information, delays, reduced productivity, and low morale are just a few of the problems associated with conventional efforts to exchange documents with business partners and manage workers, documents and associated tasks or jobs. More importantly, in regulated industries, business owners must comply with a host of state and federal requirements and worker certifications, all of which must be tracked, kept current and provided to various business partners including government agencies. In addition, there are numerous issues associated with the proper allocation, tracking, and distribution of funds associated with the projects.

EX1025 (Woodings) at [0006]; Paper 1 (Petition) at 45-46, 49-51



Issue #3: It would have been obvious to notify the owner of cost and inspection type

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

State of the art explains reasons for keeping relevant parties informed of relevant content

Sweeney (EX1006)

[0017] Computerized reports may be generated from the archived project reports. The computerized reports may be generated according to at least one of project date, contractor, project type, project costs, construction asset location, or the like. Email notification may be provided to the asset owner notifying the asset owner of the posting of the project reports.

[0039] As shown in FIG. 1, a plurality of inspection reports (e.g., inspection reports 12, 12A, and 12B) corresponding to a plurality of construction assets of the asset owner may be archived on the database 10. The plurality of construction assets may be located at multiple locations. The asset owner may be provided with access to a web page listing all construction assets owned by the asset owner (e.g., an asset owner home page). Links may be provided on the asset owner home page to additional web pages dedicated to each asset. For example, a web page dedicated to each asset may include hyperlinks to the information shown in database 10 of FIG. 2 for that asset.

[0042] The server 80 may also include a report generator function 86 for generating computerized reports in response to user queries from the web browser 72. The reports may be provided in the form of web pages from the server 80 to the browser 72. The computerized reports may relate to one or more of the plurality of the construction assets and be generated according to at least one of age of the construction asset, a rated condition of the construction asset, a type of the construction asset, recommended repairs listed on the inspection report 12, date of construction, date of last repair, expected remaining lifetime of the construction asset, contractors responsible for construction of or repairs to the construction asset, a location of the construction asset, repair history, repair type, repair costs, defect history, and the like

EX1006 (Sweeney) at [0017], [0039], [0042]; Paper 1 (Petition) at 46-47



Issue #3: It would have been obvious to notify the owner of cost and inspection type

Petitioner Witness MacInnes Confirms Obviousness of Including Various Data with Notices

MacInnes Declaration (EX1003)

181. Consistent with the above-discussed disclosure in Key—including that relevant information is to be shared, particular formats and nomenclature are to be used, inspection dates are calculated, inspections are scheduled and must be paid for, and notices are provided about required inspections based on notification events including a designated interval in advance of an inspection deadline—a POSITA would have understood that the disclosed notifications would logically and advantageously be in a particular standard format description and include the relevant details for the owner (inspection type needed, inspection due date, cost due, etc.) sent based on a notification event at a particular set time in advance, e.g., such that the owner would have sufficient notice after which to schedule an inspection within the deadline. This is further evidenced by the state of the art, which likewise teaches standard format descriptions for notices. Ex. 1020 at [0080] (“standardized warning letters to advise about regulations requiring renewal of the service contract”), [0057] (“form letters” or “[o]ther types of communications” sent to homeowner); Ex. 1024 at 4 (disclosing inspection types in sample reports for users including asset owners); Ex. 1032, [0121] (setting and notifying of predetermined service intervals).

182. It was also known that it was necessary and important to provide stakeholders with relevant information needed to perform tasks, make decisions, etc. For example, Chauhan explains that providing cost information is “invaluable” for purposes of budgeting and preparing reports and that providing the relevant information “makes managing work easier than ever before by giving managers fingertip access to information concerning job status”:

Because the UtilityCenter™ is fully integrated with the utility's Customer Information and Accounting software, cost estimates can be generated quickly. The uaField™ 100 handles multiple job scenarios and provide estimates of their job costs. The user has the option to use either unit costs or hourly costs. **Updated material cost and labor rates are utilized to formulate an accurate estimate of the cost of building the job as designed. This information is invaluable when analyzing the efficiency of work processes, budgeting for future growth and preparing managerial cost reports. The UtilityCenter™ 10 makes managing work easier than ever before by giving managers fingertip access to information concerning job status.** With the click of a mouse, managers can view what jobs are pending, assigned and in progress. Truck location can be displayed onscreen as crews move throughout the system completing assigned jobs.

Ex. 1016 at [0085] (emphasis added), [0167].

183. This teaching in Chauhan regarding the importance of providing cost information would also apply to Key's system and the need to provide cost information to an owner to allow the owner to pay for services (e.g., inspections) as disclosed in Key. The known need to provide relevant information to the relevant user is further evidenced by other prior art, for example, Woodings explaining the need for owners in “regulated industries” to track information to comply with state and federal requirements, and provide such compliance certification information to various partners including government agencies. Ex. 1025 at [0006] (“Out-dated, erroneous or lost information, delays, reduced productivity, and low morale are just a few of the problems associated with conventional efforts to exchange documents with business partners and manage workers, documents and associated tasks or jobs. More importantly, in regulated industries, business owners must comply with a host of state and federal requirements and worker certifications, all of which must be tracked, kept current and provided to various business partners including government agencies. In addition, there are numerous issues associated with the proper allocation, tracking, and distribution of funds associated with the projects.”).

EX1003 (MacInnes Decl.) ¶¶181-183; Paper 1 (Petition) at 44-46



Issue #3: It would have been obvious to notify the owner of cost and inspection type

Petitioner Witness MacInnes Confirms Obviousness of Including Various Data with Notices

MacInnes Declaration (EX1003)

186. Sweeney discloses that “[t]he asset owner may be provided with access to a web page listing all the construction assets owned by the asset owner (e.g., an asset owner home page)” and further individual web pages for each asset. Ex. 1006 at [0039]. Sweeney further discloses “generating computerized reports in response to user queries” that “may relate to one or more of the plurality of the construction assets and be generated according to at least one of age of the construction asset, a rated condition of the construction asset, a type of the construction asset, recommended repairs listed on the inspection report 12, date of construction, date of last repair, expected remaining lifetime of the construction asset, contractors responsible for construction of or repairs to the construction asset, a location of the construction asset, repair history, repair type, repair costs, defect history, and the like.” Ex. 1006 at [0042], [0017] (email notification to asset owners).

187. As with the notice in Key to provide relevant information to the owner, Sweeney discloses providing relevant information (including cost, asset type, repairs, inspection history, etc.). This provides further confirmation to a POSITA that such relevant information is provided in a form report to the owner such that the owner can take the necessary actions, e.g., engage inspectors for the appropriate inspection, obtain the necessary repairs, and pay the appropriate amount for the same.

EX1003 (MacInnes Decl.) ¶¶186-187; Paper 1 (Petition) at 46-47



Issue #3: It would have been obvious to notify the owner of cost and inspection type

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

Under Patent Owner's Practicing-the-Patent Theory, Cost Can be Non-Monetary and Claimed Data Can be Outside Notice

Patent Owner System

When the asset comes due for inspection a notice will be set out to the asset owner. The notice describes the type of inspection and a cost associated with the inspection. The '966 Patent uses the broad term 'cost' and includes (without limitation) 'time,' 'effort,' and 'price.' (EXHIBIT 1001, '966 Patent, 8:26-37). It may also include references to publications where additional costs may be listed. The TF notification letter satisfies the claim limitations.

Date notice sent → Notification Date 04/02/2024

 **City of Pasco
Inspection Services**
625 N 3100 Ave., Pasco, WA 99301
P: 509.543.5726
www.pasco-wa.gov
firesafety@pasco-wa.gov

REMINDER NOTICE
Property Access Code: 5786REY4737

For the following Property:
Reynas Auto Body
902 S MAITLAND AVE
PASCO, WA 99301

Carles
902 S MAITLAND AVE
PASCO, WA 99301

Type of inspection → Reference code

This is a reminder that your building has one or more fire detection and/or fire suppression system(s) due for inspection and confidence testing as shown on the table below.

This periodic testing is required by state and local ordinance (International Fire Code, Section 901) and is to be conducted by a state licensed and certified inspector on, or before, the due date shown.

System	Location	Coverage	Inspection Due Date	Frequency	Status
Commercial Hood Suppression System	PAINT BOOTH	PAINT BOOTH	05/02/2024	Semi Annual	Due

Instructions: Due date of inspection

- Using any resource you have available, hire a State Certified Inspector to perform your system inspections. TEGRIS Fire may be an additional resource for locating or requesting bids from inspection companies in your area via the "Request a Bid" link under Actions.
- The State Certified Inspector that you select to inspect your system will be required to fill out a report online and pay any required fees prior to submittal.
- Instruct your Inspection company to use your Property Access Code above to enter the inspection report online at www.tegrisfire.com.
- The inspection will be complete upon Fire Marshal review.
- If there are any deficiencies, these must be corrected and submitted prior to Fire Marshal approval.

If you would like to view information for your property follow the instructions below:

- Visit www.tegrisfire.com and sign in with your user name and password. If you do not have a username and password, click on the "Sign Up Here" link and fill in the requested information.
- Once logged in, enter the address of the property from this letter and click the magnifying glass icon.
- Click on the "Assign An Owner" icon to the right of the address and enter the Property Access Code (PAC) into the pop-up window.
- Provide a valid email address, review your contact, property, and fire safety system information and update if necessary.

For more information please visit www.tegrisfire.com or contact:
Inspection Services, City Of Pasco, Phone: (509) 543-5726, Email address: firesafety@pasco-wa.gov

EX2018 at 4-5

EX2018 (Tegris Chart) at 4-5; Paper 26 (Reply) at 20-21



Issue #3: It would have been obvious to notify the owner of cost and inspection type

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

Under Patent Owner's Infringement Theory, Cost Can be Outside Notice

Petitioner System

The following image from Brycer's Tumwater RFP response, page 18 shows a sample standard format notification to an owner of an asset due for inspection:

YOUR DEPARTMENT NAME 1234 STREET ADDRESS CITYOF, XX 99999		System Type - Contractor of Record: SYSTEM TESTING COMPANY (555) 555-5555 THFIRMAIL@COMPANY.COM
MONTH DAY, YEAR		
BUILDING IN YOUR CITY 1234 MAIN RD YOUR CITY, IL 60540		
Re: SYSTEM TYPE INSPECTION RENEWAL - 1234 MAIN RD, YOUR CITY, STATE ZIPCODE		
Dear Building Occupant/Owner:		
In accordance with the (YOUR CODE), our records indicate the SYSTEM TYPE is <u>coming due</u> for inspection by a licensed company and must be tested within the month of your renewal date which is 01/21/20 .		
It is the responsibility and requirement of the inspection company testing your system to submit all test reports to us via the web at www.thecomplianceengine.com .		
If you have questions regarding this notification, please contact our Compliance Program Partner BRYCER LLC at 630-413-9511 or via email at tce@mybrycer.com		
Sincerely Yours in Life & Fire Safety,		
DIGITAL SIGNATURE		
YOUR NAME YOUR TITLE YOUR DEPARTMENT NAME		

EX2019 at 13

EX2019 (TCE Chart) at 13; Paper 26 (Reply) at 20-21



Issue #3: It would have been obvious to notify the owner of cost and inspection type

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

Under Patent Owner's Infringement Theory, the "Costs"—which are Separate From the identified "Notice"—Do Not Need to be "Associated with the Type of Inspection"

It is a flat-fee price paid by inspectors to upload reports.

Petitioner System

The following image from Brycer's Tumwater RFP response, page 25 shows a sample notice of costs associated with each type of inspection.

System Type	Submittal Option	Price	Billing Frequency
5-Year Obstruction Sprinkler	Annual	\$15.00	Annual
Commercial Kitchen Exhaust Cleaning	Annual, Semi-Annual, Quarterly, Monthly	\$15.00	Per Submittal
Emergency Power Generator	Annual	\$15.00	Annual
Fire Alarm	Annual, Semi-Annual, Quarterly, Monthly	\$15.00	Annual
Fire Escape	Annual, 5-Year	\$15.00	Annual
Fire Pump	Annual, Quarterly, Monthly, Weekly	\$15.00	Annual
Hood Suppression System	Semi-Annual	\$15.00	Per Submittal
Paint/Spray Booth Suppression	Annual, Semi-Annual	\$15.00	Per Submittal
Private Fire Hydrant	Annual	\$15.00	Annual
Smoke Control System	Annual	\$15.00	Annual
Special Suppression	Annual, Semi-Annual	\$15.00	Per Submittal
Sprinkler System	Annual, Quarterly, Monthly	\$15.00	Annual
Standpipe	Annual, 5-Year	\$15.00	Annual

Revised November 2, 2020

Reports Submitted after 31 days of inspection date will be charged an additional \$5.00

EX2018 at 14

Pricing Breakdown: There is no cost to the City of Tumwater for the use of the solution. The \$15 fee is charged to the ITM Service Providers when uploading a report to the Fire Department via The Compliance Engine platform on a per system, per building, per code basis. For example, BRYCER does not charge per sprinkler riser or per hood. If an ITM service provider performs quarterly sprinkler inspections, BRYCER does not charge for each quarterly report, only the annual. Additionally, BRYCER does not charge the contractor of record for deficiency repair submissions.

EX1030 at 29

EX2019 (TCE Chart) at 14; EX1030 at 29; Paper 1 (Petition) at 46; Paper 26 (Reply) at 20-21



Remaining Issues

#	Issue
1	It would have been obvious to apply Key's JOM teachings to fire hydrant management.
2	It would have been obvious to notify the owner and approval authority in advance of an inspection; and regardless, the notice to the authority does not need to be in advance.
3	It would have been obvious to notify the owner of cost and inspection type.
4	It would have been obvious to send a standard format notice to the approval authority.
5	It would have been obvious for the owner to select a qualified inspector based on asset proximity.

Issue #4: It would have been obvious to send a standard format notice to the approval authority

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

Key teaches standard formatting

Key (EX1005)

[0043] The disclosed embodiment provides a cost-effective system for the performance and jurisdictional review of boiler and pressure vessel inspections. The complexity of ensuring proper data nomenclature and format required by each specific jurisdiction is solved by the jurisdiction online manager. In addition, the system provides a comparison of changed information to facilitate efficient review of the inspection by the appropriate jurisdiction. The system also manages the payment of proscribed fees and the issuance of certificates. In summation, the jurisdiction online manager directs the inspection process from installation of the object to the object's decommission.

1. A method for managing required inspections for a plurality of different jurisdictions by a central computer system, comprising the steps of:

- receiving object data for objects located in a plurality of jurisdictions in the central computer system via a global computer network;
- storing the object data in at least one database coupled to the central computer system;
- determining a controlling jurisdiction for each object;
- displaying customized online inspection template information based upon an object controlling jurisdiction;
- receiving inspection result data based upon the inspection template information from a plurality of non-governmental inspection entities via the global computer network, wherein the non-governmental inspection entities performs the required inspections in a plurality of different jurisdictions;
- storing the inspection result data in the at least one database;
- providing object inspection result data on-line to the object controlling jurisdiction via the global computer network;
- receiving review result data on-line from the object controlling jurisdiction via the global computer network;
- storing the review result data in the at least one database; and
- providing the review result data on-line to the original inspection entity via the global computer network.

EX1005 (Key) at [0043], cl. 1; Paper 1 (Petition) at 43-44, 51



Issue #4: It would have been obvious to send a standard format notice to the approval authority

[8e] based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;

State of the art explains existence of and reasons for standard format notices

McKinney (EX1020)

[0057] For example, in a preferred embodiment regulatory agency 40 may download form letters filled in and ready to mail. If desired, receiver/processor 14 and/or website 18 could also be utilized to automatically forward the form letter to the homeowner or responsible party on behalf of the regulatory agency and/or notify the agency by e-mail or other means that the noncompliance letter/e-mail/fax or the like has been sent and the date of mailing. Other types of communication besides form letters are also possible. When service contracts are renewed, the respective service company 38 notifies receiver/processor 14 and/or website 18 of the status, time period, particular installation, ownership and responsibility data, addresses, names, and so forth for the new contract. If monitoring utilizing unit 10 is not renewed, or if it is renewed, then such information may be implied while providing options to note changes. As discussed hereinafter, the respective service company and/or responsible party may simply fill out a suitable on-line form in a website to effect this action. If desired, verification of contract renewal and terms thereof can be sent by receiver/processor 14 and/or website 18 to the service company and homeowner or other responsible party by any messaging means such as fax, e-mail, or the like.

[0058] Regulatory agency 40 can also obtain status reports regarding timely repairs, e.g., the exact time when the sensor originally signaled that repair was necessary and the exact time when the service personnel actually arrived at the environmental equipment system location. Thus, in one embodiment of the invention a status report can be printed by regulatory agency 40 that includes all repairs that were not made within the required time or that may not have been made at all. If desired, different levels of urgency can be assigned to the situations based on the length of time the repairs are overdue, whether repairs have been made at all, and/or repair history for a particular installation, a particular service provider, or a particular service personnel. Thus, form letters covering the different status types can be sent out automatically from regulatory agency 40 to the responsible parties.

[0080] tenance history and so forth. At 128, the service company inputs information about the subscriber contract status and may have preprinted forms mailed to the subscriber before the contract expires, with perhaps standardized warning letters to advise about regulations requiring renewal of the service contract. The users may print or save the above and other information to e-mail as desired as indicated at 130.

EX1020 (McKinney) at [0057]-[0058], [0080]; Paper 1 (Petition) at 18, 44-45, 50-51



Issue #4: It would have been obvious to send a standard format notice to the approval authority

Petitioner Witness MacInnes Confirms Obviousness of Standard Format Notices

MacInnes Declaration (EX1003)

179. Key also discloses using standard forms or templates as part of its system: the JOM “determine[s] the controlling jurisdiction for the object,” after which “the jurisdiction’s inspection form or a similar inspection template can be provided...” Ex. 1005, [0018]; [0045] (JOM “provides the appropriate jurisdiction forms” and “provides other functions which facilitate the boiler and pressure vessel inspection process.”), [0016] (“common interface and programs to support their mandated inspection functions”), [0047], [0087], claims 1, 12, 22, 32.

180. I further note that Key’s teachings to use standard forms and nomenclature (descriptions) are not limited to inspection forms. For example, Key discloses that “[t]he complexity of ensuring proper data nomenclature and format required by each specific jurisdiction is solved by the jurisdiction online manager” and also that its system is designed to “direct[] the inspection process from installation of the object to the object’s decommission.” Ex. 1005 at [0043]. That is, Key’s teachings apply throughout the entire asset lifecycle, which includes providing relevant information in a standardized jurisdictional format and nomenclature to the relevant stakeholders including owners, inspectors and authorities.

181. Consistent with the above-discussed disclosure in Key—including that relevant information is to be shared, particular formats and nomenclature are to be used, inspection dates are calculated, inspections are scheduled and must be paid for, and notices are provided about required inspections based on notification events including a designated interval in advance of an inspection deadline—a POSITA would have understood that the disclosed notifications would logically and advantageously be in a particular standard format description and include the relevant details for the owner (inspection type needed, inspection due date, cost due, etc.) sent based on a notification event at a particular set time in advance, e.g., such that the owner would have sufficient notice after which to schedule an inspection within the deadline. This is further evidenced by the state of the art, which likewise teaches standard format descriptions for notices. Ex. 1020 at [0080] (“standardized warning letters to advise about regulations requiring renewal of the service contract”), [0057] (“form letters” or “[o]ther types of communications” sent to homeowner); Ex. 1024 at 4 (disclosing inspection types in sample reports for users including asset owners); Ex. 1032, [0121] (setting and notifying of predetermined service intervals).

198. For example, as I explained, consistent with the disclosure in Key, a POSITA would have understood that the disclosed notifications would logically and advantageously be in a particular standard format and include the relevant details for the relevant stakeholder (for the approval authority, the status of the asset, inspection information, compliance information, etc.). This again is further evidenced by the state of the art, which likewise teaches standard format descriptions for notices. Ex. 1020, [0080] (“standardized warning letters to advise about regulations requiring renewal of the service contract”), [0057] (“form letters” or “[o]ther types of communications” sent to homeowner); Ex. 1024 at 4 (disclosing inspection types in sample reports for users including asset owners).

EX1003 (MacInnes Decl.) ¶¶179-181, 198; Paper 1 (Petition) at 44-45, 49-50



Issue #4: It would have been obvious to send a standard format notice to the approval authority

Regardless, Key also discloses web-based notice

Under Patent Owner's Practicing-the-Patent Theory, This is Enough

Chart for Patent Owner System (EX2018 at 6)

8[e]	based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;	TF's AHJ dashboard shows when status of an asset has changed. It reflects when an asset is coming up for inspection, if an inspector or owner has requested a change in the asset status or the addition of assets to the property, if the asset has been inspected and there is a report to be reviewed, and the compliance of that asset. <table><tr><th colspan="2">Task</th><th colspan="2">Compliance Report</th></tr><tr><td>OverDue Properties</td><td>2</td><td>Corrections Required</td><td>1</td></tr><tr><td>Awaiting Re-submittal</td><td>1</td><td>Saved</td><td>0</td></tr><tr><td>Properties Pending Approval</td><td>1</td><td>Waiting Payment</td><td>0</td></tr><tr><td>Systems Pending Approval</td><td>1</td><td colspan="2" rowspan="2"> Showing Inspection company adding property to AHJ Jurisdiction Showing a system has been added to a property </td></tr><tr><td>Cases</td><td>4</td></tr></table>	Task		Compliance Report		OverDue Properties	2	Corrections Required	1	Awaiting Re-submittal	1	Saved	0	Properties Pending Approval	1	Waiting Payment	0	Systems Pending Approval	1	Showing Inspection company adding property to AHJ Jurisdiction Showing a system has been added to a property		Cases	4
Task		Compliance Report																						
OverDue Properties	2	Corrections Required	1																					
Awaiting Re-submittal	1	Saved	0																					
Properties Pending Approval	1	Waiting Payment	0																					
Systems Pending Approval	1	Showing Inspection company adding property to AHJ Jurisdiction Showing a system has been added to a property																						
Cases	4																							

Key (EX1005)

2000

REVIEW CHANGES

	2010	2020	2030	2040	2050
		DATE	TYPE	DESCRIPTION	SUBMITTER
REVIEW		7/23/200	LOCATION	330 MAIN ST	
REVIEW		8/1/2000	BOILER	LA104332 - NB342322	
REVIEW		8/1/2000	PV	LA1023577- NB123123	
REVIEW		8/1/2000	INSPECTION	BOILER - LA1023343 -INTERNAL	

2100

REVIEW BOILER EDITS - 10/10/2000 BY "JURISDICTION REVIEWER"

2110	BOILER DETAILS	2140	2150
	JURISDICTION #	CURRENT VALUE	OLD VALUE
	INS CO #	LA1234567	
	OTHER #	NB123456	
	DATE LAST INSPECTED	10/10/1000	10/10/1999
	INSPECTION FREQUENCY	ANNUAL	
	SPECIFIC LOCATION	MAIN BLR RM	
	OWNER #		
	MANUFACTURER	CLEAVER	
	TYPE	PWB	
2120	YEAR BUILT	1972	
2130	BILLING/OWNER DETAILS		
	ENTER COMMENTS HERE		
	ACCEPT	REJECT	RESET
	2160	2170	2180

FIG. 21

[0195] FIG. 20 illustrates a screenshot of a review web page 2000. The review page 2000 lists the open reviews needing performance. Column 2010 provides links to perform the review. Column 2020 lists the date of that the action was performed. Column 2030 lists the type of review required. The review can be change of location or object information, as well as the review of an inspection. A description column 2040 provides a summary of the review item. In addition column 2050 will list the submitter of review.

[0196] FIG. 21 illustrates a screen shot of a review object web page 2100. The web page 2100 has a button 2110 to review object edit. In the illustrated screen shot, the object edit for review is a boiler. The web page 2100 lists the current values in column 2140. The web page also displays an old value column 2150 for those values that have changed. For example, the date of last inspection has been updated. The web page also has owner details button 2120 and a comment field 2130. The reviewer can accept the update by activation of the accept button 2160 or reject the update by activation of the reject button 2180. The reset button 2180 resets the screen.

EX1005 (Key) at [0195]-[0196], FIGs. 20-21; Paper 1 (Petition) at 52; EX2018 (Tegris Chart) at 6; Paper 26 (Reply) at 23

Remaining Issues

#	Issue
1	It would have been obvious to apply Key's JOM teachings to fire hydrant management.
2	It would have been obvious to notify the owner and approval authority in advance of an inspection; and regardless, the notice to the authority does not need to be in advance.
3	It would have been obvious to notify the owner of cost and inspection type.
4	It would have been obvious to send a standard format notice to the approval authority.
5	It would have been obvious for the owner to select a qualified inspector based on asset proximity.

Issue #5: It would have been obvious for the owner to select a qualified inspector based on asset proximity

[8f] upon logging on to a password controlled website configured to provide access to the fire hydrant management software, providing to an inspector the owner selects, the selection based upon a list of qualified inspectors that are available to inspect the asset based upon attributes including proximity to the asset, a web-based template configured to describe the asset and each of the steps of the inspection:

Key discloses requiring qualified inspectors within jurisdiction

Under Patent Owner's Infringement Theory This is Enough

⁹ That is, as is apparent from Patent Owner's infringement assertions in district court, Patent Owner asserts (albeit wrongly) that the claimed step is broad enough to cover simply allowing an inspector within a jurisdiction to perform the inspection, regardless of whether (i) the owner selects the inspector, (ii) the inspector is actually qualified and (iii) the inspector is within proximity of the asset. EX1023, 70-72. The prior art presented herein renders this claim obvious under both Patent Owner's (wrong) theory and under the plain and ordinary meaning of the claim.

Paper 1 (Petition) at 58 n.9

Key (EX1005)

[0048] Insurance companies 130 provide insurance coverage for most pressure vessels and boilers 150. Since the insurance companies 130 have a vested interest in ensuring safe performance, the jurisdictions 120 have delegated the responsibility of inspecting these objects 150 to the insurer. The insurance companies 130 provide the inspectors 135 that physically travel to the object's location and perform the required inspections. An inspector 135 must be qualified by a jurisdiction 120 and receive a commission in order to perform an inspection in that jurisdiction 120. An inspector 135 can access the jurisdiction online manager 110 via the Internet 199 and print an inspection form for that jurisdiction prior to performing the inspection. Alternatively, the inspector 135 can enter the inspection data directly on-line through the use of a portable computing device utilizing wireless application protocol (WAP), or other suitable communication device.

[0051] Step 210 is followed by step 215 in which the physical inspection is performed. Inspections must be performed by an inspector commissioned to perform inspections in that particular jurisdiction. The commissioned inspector travels to the installation site and performs a physical inspection. Each jurisdiction may require recordation of different data, may have different domains, and may have diverse object categories.

EX1005 (Key) at [0048], [0051]; EX1023 at 70-72; Paper 1 (Petition) at 57-58; EX2019 (TCE Chart) at 19-23; Paper 26 (Reply) at 22



Issue #5: It would have been obvious for the owner to select a qualified inspector based on asset proximity

[8f] upon logging on to a password controlled website configured to provide access to the fire hydrant management software, providing to an inspector the owner selects, the selection based upon a list of qualified inspectors that are available to inspect the asset based upon attributes including proximity to the asset, a web-based template configured to describe the asset and each of the steps of the inspection:

Also Obvious Under Plain Meaning

Chauhan (EX1016)

[0217] Monitoring Crews by District has been introduced in to the second version, as well as some smart features like: Smart list of Crews, where only crews that are in the same district as the Outage will be returned for assignment, Smart list of Crews, where only crews that are in a specific search radius will be returned for assignment, and Smart list of Crews, where only crews that are of a specific type will be returned for Assignment.

Sweeney (EX1006)

[0043] An example embodiment of the present invention may further include the provision of bid information 38 for a construction project related to the construction asset. An online bid submission form may be provided to a plurality of contractors for use in submitting a bid on the project. Contractors (e.g., area, regional, or national contractors) may be notified by email of the bidding for the project and provided with access to the bid submission form and bid information 38. The bid submission form may be generated by a system manager 95 via the design and bid software 84 running on the server 80. The bid submission form may be provided as a web page on the web browser 72. The contractors may then review the online bid information 38 and, if desired, submit a bid online using the bid submission form. Contractor bids (e.g., contractor bids 92, 92A, and 92B) may be stored on the database 10. The asset owner can be provided with online access to the submitted bids 92, 92A, and 92B in order to selecting a winning bid from the submitted bids. For example, a web page may be provided to the browser 72 summarizing the submitted bids. Links may be provided on the web page to each bid submission form submitted by the contractors.

[0084] The asset owner is introduced to previously unknown contractors within a regional market that can provide repair and maintenance services.

McKinney (EX1020)

[0063] If desired, system 14 may also provide for online contracts or sales with service providers of choice whereby the homeowner or other responsible party can contract with, change contracts, or the like, with a desired service company online through website 18. Moreover system 14 may permit communications between the service companies and responsible parties concerning matters such as maintenance, contract information, repairs, complaints, commendations, and the like. If desired, service companies may place their own link on website 18 for advertising and the like. Thus, the present invention provides the capability for much greater oversight and control over the environmental systems, such as a wastewater system, by the responsible party.

[0080]

customers or other interested parties. In one embodiment, service personnel that are in a particular area for other reasons such as repairs may be able to log into or have the service company log into the scheduler to determine if efficiencies can be achieved by performing inspections while the service personnel is already in that area. Thus, scheduler function 122 is likely to reduce operating costs for the service company. Service companies may also be able to

EX1016 (Chauhan) at [0217]; EX1006 (Sweeney) at [0043], [0084]; EX1020 (McKinney) at [0063], [0080]; Paper 1 (Petition) at 58-61; Paper 26 (Reply) at 16

Issue #5: It would have been obvious for the owner to select a qualified inspector based on asset proximity

Petitioner Witness MacInnes Confirms Obviousness of Qualified Inspector Selection Based on Asset Proximity under Patent Owner's Infringement Theory

MacInnes Declaration (EX1003)

216. Key also discloses that each “inspector 135 must be **qualified by a jurisdiction 120** and receive a commission in order to perform an inspection **in that jurisdiction 120.**” Ex. 1005 at [0048] (emphases added), [0051]. A POSITA would have understood that Key discloses that inspections of the assets within a jurisdiction are by qualified inspectors that are located within proximity of the asset (*i.e.*, within the jurisdiction of the asset). In other words, in Key, being within the jurisdiction of an asset is a proxy for being within proximity of the asset. I note that this is consistent with the infringement position Patent Owner took in the district court case, asserting that, regardless of whether the owner actually selects the inspector or whether such owner-selected inspector was “available to inspect the asset based upon attributes including proximity to the asset,” the claimed limitation was still met. Ex. 1030 at 70-72.

EX1003 (MacInnes Decl.) ¶216; Paper 1 (Petition) at 57-58



Issue #5: It would have been obvious for the owner to select a qualified inspector based on asset proximity

Petitioner Witness MacInnes Confirms Obviousness of Qualified Inspector Selection Based on Asset Proximity Under Plain Meaning

MacInnes Declaration (EX1003)

221. Based on these teachings, a POSITA would have understood that it would have been logical and advantageous that the owner could select—*e.g.*, for reasons of efficiency to get the inspection performed quickly/immediately, reduced labor cost that could be passed on to the owner or benefit the inspector, and/or quality of work/bid parameters—a qualified inspector within proximity of the asset. The known and understood location-based selection of qualified workers is further evidenced by the prior art and state of the art. Ex. 1005 at [0048], [0051] (qualifying inspectors within a jurisdiction). Ex. 1006 at [0007], [0043]-[0044] (owner-selected contractors within area/region of asset); Ex. 1020, [0001], [0045], [0063]-[0064], [0080] (owner-selected qualified inspectors based on, *e.g.*, asset proximity); Ex. 1025 at Abstract, [0294], [0341] (selection based on verifications/representations); Ex. 1007 at 2:37-43 (“The term ‘inspector’ as used herein can refer to a Fire Official or inspector such as someone who is responsible

through authority bestowed by the town, municipality, county, state or other governmental agency or body, to certify that life safety/fire alarm safety equipment associated with a building is properly maintained and inspections are up to date and in conformance with any local, state, federal or other regulations,” that is, only those inspectors that are approved within the location of the asset may perform an inspection).

222. As an additional example allowing owner selection of qualified inspectors based on attributes including asset proximity that results in improvements/advantages when put into a system, Chauhan discloses “smart features” that allow selection of crews based on location (such as within a district or a search radius) as well as based on a specific type of crew, which a POSA would have understood improved response time, reduced costs, and ensured that the appropriate crew was selected. Ex. 1016 at [0217].

EX1003 (MacInnes Decl.) ¶¶221-222; Paper 1 (Petition) at 60-61

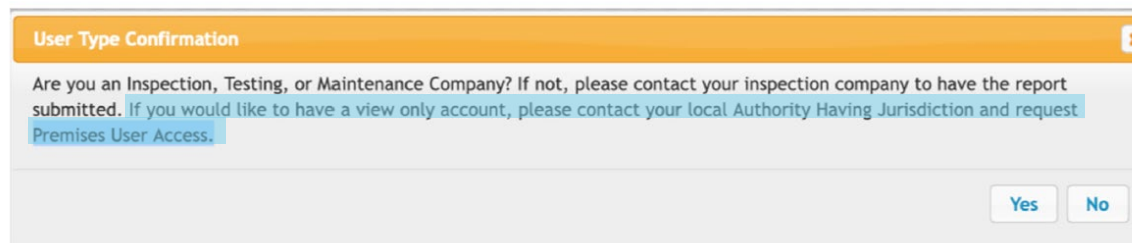


Secondary Considerations: Systems Do Not Practice the Claims

- Systems do NOT allow for “the owner of the asset, upon remotely accessing the ... registry, may update and review the status of the assets.”

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

Petitioner System



The screenshot shows a web-based dialog box titled "User Type Confirmation" with a close button (X) in the top right corner. The text inside the dialog box reads: "Are you an Inspection, Testing, or Maintenance Company? If not, please contact your inspection company to have the report submitted. If you would like to have a view only account, please contact your local Authority Having Jurisdiction and request Premises User Access." At the bottom right of the dialog box, there are two buttons labeled "Yes" and "No".

EX2019 at 6

Patent Owner System

The AHJ, Owner, and Inspector can all remotely access the management software compliance registry. All parties can review the asset. All asset changes can be made by the AHJ. The owner can request changes be made to the asset via the AHJ.

EX2018 at 6

EX2019 (TCE Chart) at 6; EX2018 (Tegris Chart) at 6; EX1030 at 27; Paper 1 (Petition) at 48; Paper 26 (Reply) at 21-22



Secondary Considerations: Systems Do Not Practice the Claims

- Systems do NOT allow for “the owner of the asset, upon remotely accessing the ... registry, may update and review the status of the assets.”

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

Patent Owner Witnesses: Owner Must Itself Perform Claimed Functions

Moren

Q. So, the owner could not take on that inspection responsibilities; is that correct?

A. That's correct.

Q. Okay. And conversely, the owner must, itself must be the one that performs the function assigned to it, in your invention in the '966 patent; is that correct?

A. Yes.

EX1039 at 46:15-22

Q. Of course. In Claim 8 of the '966 patent, the claimed classes of users themselves must be the ones that perform the roles that are respectively assigned to them.

Is that correct?

THE WITNESS: Yes.

EX1039 at 90:21-91:6
(objection omitted)

EX1039 (Moren Depo) at 46:15-22, 90:21-91:6; Paper 26 (Reply) at 22



Secondary Considerations: Systems Do Not Practice the Claims

- Systems do NOT allow for “the owner of the asset, upon remotely accessing the ... registry, may update and review the status of the assets.”

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

Patent Owner Witnesses: Owner Must Itself Perform Claimed Functions

Williams

Q. Okay. And each of those three classes of users must, themselves, have the ability to perform certain functions within the claim; is that right?

A. There is descriptions of various activities, I guess is the best word, by classes of user in claim 8, particularly with respect to the owner.

* * * *

Q. Those are the examples of the activities that are performed by the owner in claim 8?

A. Or "involving an owner," is probably a better word.

Q. What do you mean by "involving an owner"?

A. Well, if you're sending a notice to an owner, the owner is receiving that.

Now, you may subsequently perform some activities, but the actual act of receiving something. I'd say "involving" is a better word than "performing the receipt of a notice." It's just a better word.

Q. Okay. I understand. I appreciate the clarification.

So when the -- the "involving" is generally at least two things, which is receiving the information that's required within the claim and then performing certain functions that are also required by the owner

A. That's fair, with performing -- an example of performing would be reviewing and updating, for example.

EX1040 at 63:18-64:6, 65:3-66:7 (objections omitted)

EX1040 (Williams Depo) at 63:18-64:6, 65:3-66:7; Paper 26 (Reply) at 22



Secondary Considerations: Systems Do Not Practice the Claims

- No “notice includ[ing]... a cost associated with the type of inspection”

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

Patent Owner System

When the asset comes due for inspection a notice will be set out to the asset owner. The notice describes the type of inspection and a cost associated with the inspection. The ‘966 Patent uses the broad term ‘cost’ and includes (without limitation) ‘time,’ ‘effort,’ and ‘price.’ (EXHIBIT 1001, ‘966 Patent, 8:26-37). It may also include references to publications where additional costs may be listed. The TF notification letter satisfies the claim limitations.

Date notice sent → Notification Date 04/02/2024

 City of Pasco
Inspection Services
625 N 31RD Ave, Pasco, WA 99301
P: 509.543.5726
www.pasco-wa.gov
firesafety@pasco-wa.gov

REMINDER NOTICE
Property Access Code: 5786REY4737

For the following Property:
Reynas Auto Body
902 S MAITLAND AVE
PASCO, WA 99301

Carles
902 S MAITLAND AVE
PASCO, WA 99301

Type of inspection: [REDACTED] Reference code: [REDACTED]

This is a reminder that your building has one or more fire detection and/or fire suppression system(s) due for inspection and confidence testing as shown on the table below.

This periodic testing is required by state and local ordinance (International Fire Code, Section 901) and is to be conducted by a state licensed and certified inspector on, or before, the due date shown.

System	Location	Coverage	Inspection Due Date	Frequency	Status
Commercial Hood Suppression System	PAINT BOOTH	PAINT BOOTH	05/02/2024	Semi Annual	Due

Instructions:

Due date of inspection: [REDACTED]

- Using any resource you have available, hire a State Certified Inspector to perform your system inspections. TEGRIS Fire may be an additional resource for locating or requesting bids from inspection companies in your area via the "Request a Bid" link under Actions.
- The State Certified Inspector that you select to inspect your system will be required to fill out a report online and pay any required fees prior to submittal.
- Instruct your inspection company to use your Property Access Code above to enter the inspection report online at www.tegrisfire.com.
- The inspection will be complete upon Fire Marshal review.
- If there are any deficiencies, these must be corrected and submitted prior to Fire Marshal approval.

If you would like to view information for your property follow the instructions below:

- Visit www.tegrisfire.com and sign in with your user name and password. If you do not have a username and password, click on the "Sign Up Here" link and fill in the requested information.
- Once logged in, enter the address of the property from this letter and click the magnifying glass icon.
- Click on the "Assign An Owner" icon to the right of the address and enter the Property Access Code (PAC) into the pop-up window.
- Provide a valid email address, review your contact, property, and fire safety system information and update if necessary.

For more information please visit www.tegrisfire.com or contact:
Inspection Services, City Of Pasco, Phone: (509) 543-5726, Email address: firesafety@pasco-wa.gov

EX2018 at 4-5

EX2018 (Tegris Chart) at 4-5; Paper 26 (Reply) at 20-21



Secondary Considerations: Systems Do Not Practice the Claims

- No “notice includ[ing]... a cost associated with the type of inspection”

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

Petitioner System

The following image from Brycer's Tumwater RFP response, page 18 shows a sample standard format notification to an owner of an asset due for inspection:

YOUR DEPARTMENT NAME
1234 STREET ADDRESS
CITYOF, XX 99999

MONTH DAY, YEAR

BUILDING IN YOUR CITY
1234 MAIN RD
YOUR CITY, IL 60540



System Type - Contractor of Record:
SYSTEM TESTING COMPANY
(555) 555-5555
THFIRMAIL@COMPANY.COM

Re: SYSTEM TYPE INSPECTION RENEWAL - 1234 MAIN RD, YOUR CITY, STATE ZIPCODE

Dear Building Occupant/Owner:

In accordance with the (YOUR CODE), our records indicate the SYSTEM TYPE is coming due for inspection by a licensed company and must be tested within the month of your renewal date which is 01/21/20.

It is the responsibility and requirement of the inspection company testing your system to submit all test reports to us via the web at www.thecomplianceengine.com.

If you have questions regarding this notification, please contact our Compliance Program Partner BRYCER LLC at 630-413-9511 or via email at tce@mybrycer.com

Sincerely Yours in Life & Fire Safety,

DIGITAL SIGNATURE

YOUR NAME
YOUR TITLE
YOUR DEPARTMENT NAME

EX2019 at 13

EX2019 (TCE Chart) at 13; Paper 26 (Reply) at 20-21



Secondary Considerations: Systems Do Not Practice the Claims

- No “notice includ[ing]... a cost associated with the type of inspection”

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

Patent Owner Witness Moren

7 Q. Sitting here today, you do not have
8 any opinion as to where in the '966 patent I
9 could look, outside of Claim 8, to support your
10 opinion that cost means anything other than
11 money. Is that right?
12 A. No.

EX1039 at 84:7-12

'966 Patent: Cost = Money

necessary. Preferably the owner is sent recommendations on how the property is to be inspected, for example recommendations include names of inspectors, types of inspection needed and general costs associated with the inspection. The notification step is also used to alert the inspecting authority that an inspection is due. The inspecting authority is generally the organization in charge of ensuring compliance of the owned asset. For example a fire marshal is the inspecting authority for fire sprinkler systems. Generally, the inspecting authority receives information relating to all of the owned assets in their area of responsibility that are in need of an inspection.

8:26-37

Commonly, because of high software costs and the lack of organization, departments do not use a formal hydrant management software program and instead rely on pencil, paper, calendars, and file cabinets.

2:9-12

panies to inspect and maintain fire hydrants. Allowing an accessible format to independent contractors would allow cheaper maintenance costs and saves the department and taxpayer's money.

3:1-4

received. At that time the owner is notified the inspection is complete and approved and awaiting payment. The registry prepares an invoice for the inspection company to send to the fire sprinkler system owner. The owner receives the invoice and is able to pay online through the registry. Money is transferred to the inspection company, to the city (for any declared city/FM charges), and to any other necessary parties. The registry sends a message to the inspection company to confirm payment has been received. The inspection company verifies payment. The registry confirms that all transaction fees and fire marshal review fees are paid. If fees are not paid then the final submission will not be complete. The inspection is sent to the registry for final submission when payment is confirmed and the registry transaction fees and fire marshal review fees are paid. Until then the registry continues to notify the fire marshal that the inspection is due/incomplete.

4:51-67

EX1001 ('966 Patent) at 2:9-12, 3:1-4, 4:51-67, 8:26-37; EX1039 (Moren Depo) at 84:7-12; Paper 26 (Reply) at 20-21



Secondary Considerations: Systems Do Not Practice the Claims

- No “notice includ[ing]... a cost associated with the type of inspection”

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

Patent Owner Witnesses: Claim 8’s Cost = Money

Miller

Q. Do you have an understanding of what the term "cost" means in Claim 8 of the '966 patent?

A. So, Tegriss, yes.

Q. So, the term cost here is referring to money; is that correct?

A. That would be true. Yes.

EX1038 at 41:5-8, 42:3-5

McNulty

Q. Is the cost here referring to money?

A. Yes.

EX1037 at 69:5-6

EX1038 (Miller Depo) at 41:5-42:5; EX1037 (McNulty Depo) at 69:5-6; Paper 26 (Reply) at 20



Secondary Considerations: Systems Do Not Practice the Claims

- No “notice includ[ing]... a cost associated with the type of inspection”

[8d] based on the analysis, notifying an owner of an asset of a notification event, wherein the notice includes a standard format description of the type of inspection, and a cost associated with the type of inspection, and wherein the notification event comprises a designatable interval in advance of an impending deadline for the inspection, and wherein the owner of the asset, upon remotely accessing the fire hydrant management software compliance registry, may update and review the status of the assets;

Patent Owner Witness Williams: Notice Must be Self-Contained

Q. And the information that the notice itself must contain is the -- is a standard format description of the type of inspection and the cause* associated with the type of inspection; is that right?

And that's column 15, lines 34 through 36.

A. (Document[s] reviewed.)

Yes.

*sic: cost

EX1040 at 69:8-16

EX1040 (Williams Depo) at 69:8-16; Paper 26 (Reply) at 21



Secondary Considerations: Systems Do Not Practice the Claims

- Owner Cannot Select Inspector, Let Alone Qualified Inspector Based on Asset Proximity

[8f] upon logging on to a password controlled website configured to provide access to the fire hydrant management software, providing to an inspector the owner selects, the selection based upon a list of qualified inspectors that are available to inspect the asset based upon attributes including proximity to the asset, a web-based template configured to describe the asset and each of the steps of the inspection:

Petitioner System: No Allegation of Any Selection by Owner

The following image from the The Compliance Engine website shows an inspector's web-based template for inputting an inspection report:

The screenshot displays the 'Enter Report' form on the The Compliance Engine website. The form includes the following fields and options:

- Authority Having Jurisdiction: [Redacted]
- Premises: [Redacted]
- Inspection Company: [Redacted]
- Company Reference Number: [Redacted]
- Inspectors: [Redacted]
- System Type: [Dropdown menu open showing options: Fire Alarm (selected), Fire Escape, Fire Pump, Foam System, Generator, Hood Suppression System, Paint/Spray Booth Suppression, Private Fire Hydrant, Smoke Management Systems, Special System, Sprinkler System, Standpipe]
- Report Template: [Redacted]
- Inspection Date: [Redacted]
- Job Number: [Redacted]
- Central Station Monitoring: [Redacted]
- Monitoring Company: [Redacted]

EX2019 at 19-20; *see also* 21-23

EX2019 (TCE Chart) at 19-23; Paper 26 (Reply) at 22

Secondary Considerations: Systems Do Not Practice the Claims

- Owner Cannot Select Inspector, Let Alone Qualified Inspector Based on Asset Proximity

[8f] upon logging on to a password controlled website configured to provide access to the fire hydrant management software, providing to an inspector the owner selects, the selection based upon a list of qualified inspectors that are available to inspect the asset based upon attributes including proximity to the asset, a web-based template configured to describe the asset and each of the steps of the inspection:

Petitioner System: No Allegation of Any Selection by Owner

The following 2-part image from The Compliance Engine website shows how the inspector updates his account to include specific jurisdictions in their service area for mapping proximity to assets:

The screenshot displays the 'Edit Inspection Company' form on the The Compliance Engine website. The header includes the company logo, a support phone number (1-630-413-6511), and a welcome message. A navigation bar contains links for HOME, AHJs, MY COMPANY, PREMISES, HELP, and LOGOUT. A notification bar indicates '21 New AHJ(s) available!'. The form fields include: Name, Account Number, Inspection Licenses, Payment Profiles (Base: Card, Chicago: Card, eCheck), Inspectors, Address Line 1, Address Line 2, Postal Code, City, State/Province, Country (UNITED STATES), Time Zone (- Select Time Zone -), Phone, Emergency Phone, and Responsible Party.

EX2019 at 21; *see also* 22-23

EX2019 (TCE Chart) at 19-23; Paper 26 (Reply) at 22

Secondary Considerations: Systems Do Not Practice the Claims

Patent Owner's Additional Inconsistent Positions

- No allegation of “simultaneously” sending of notices, contrary to Patent Owner’s claim construction (8[d], 8[e]).
- Passive dashboard can meet notice requirement, contrary to Patent Owner’s proposed claim construction (8[e]).

Patent Owner’s “dashboard”

8[e]	based upon the analysis, sending a standard format notice to the approval authority of the status of the assets assigned to the approval authority, and wherein the approval authority, upon accessing the web-based registry, may update and review the status of the assets assigned;	TF's AHJ dashboard shows when status of an asset has changed. It reflects when an asset is coming up for inspection, if an inspector or owner has requested a change in the asset status or the addition of assets to the property, if the asset has been inspected and there is a report to be reviewed, and the compliance of that asset. <table><tr><th colspan="2">Task</th><th colspan="2">Compliance Report</th></tr><tr><td>OverDue Properties</td><td>2</td><td>Corrections Required</td><td>1</td></tr><tr><td>Awaiting Re-submittal</td><td>1</td><td>Saved</td><td>0</td></tr><tr><td>Properties Pending Approval</td><td>1</td><td>Waiting Payment</td><td>0</td></tr><tr><td>Systems Pending Approval</td><td>1</td><td></td><td></td></tr><tr><td>Cases</td><td>4</td><td></td><td></td></tr></table> Showing Inspection company adding property to AHJ Jurisdiction Showing a system has been added to a property	Task		Compliance Report		OverDue Properties	2	Corrections Required	1	Awaiting Re-submittal	1	Saved	0	Properties Pending Approval	1	Waiting Payment	0	Systems Pending Approval	1			Cases	4		
Task		Compliance Report																								
OverDue Properties	2	Corrections Required	1																							
Awaiting Re-submittal	1	Saved	0																							
Properties Pending Approval	1	Waiting Payment	0																							
Systems Pending Approval	1																									
Cases	4																									

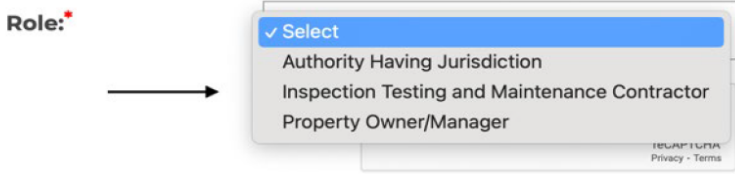
EX2018 at 6; *see also* 7-9

EX2018 (Tegris Chart) at 6; Paper 26 (Reply) at 23



Secondary Considerations: Systems Do Not Practice the Claims

No evidence that real-time asset records are retrieved

8[b]	retrieving, by a computer-based fire hydrant management software system, real time records of assets from a database, the database being accessible and augmentable by a classes of user;	The inspector accesses with their specific login and has access to view assets due for inspection, the inspector can submit a report against that asset, add properties for the Authority to approve, add assets to a property for the Authority to approve, view historical inspections, view systems that property owners have requested a bid for work, add inspectors to their account, those inspectors can have different credentials for different system types, upload certifications of systems they are certified to inspect, add information to the property journal, add GIS coordinates for the property or it's individual assets, they can see a list of authorities using the system, see status of reports submitted, and update any deficiency after repair. 
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EX2018 at 3

Patent Owner Witness Moren

Q. Okay. And if we go up to 8B, which is directly above it, on Page Number 3, there is a screenshot or image that is depicted.

Are you familiar with what this image is?

A. Yes.

Q. And what is this image showing?

A. This is a pull-down menu for someone signing on to the platform and being able to choose which role.

EX1039 at 101:5-14

EX2018 (TCE Chart) at 3; EX1039 (Moren Depo) at 101:5-14; Paper 26 (Reply) at 22-23



Secondary Considerations: Systems Do Not Practice the Claims

No evidence of analyzing records, let alone identifying notification events

8[c]	analyzing the records of assets from the database to identify notification events;	The database tracks the asset with the inspection frequency set by the AHJ. Edit System Property Department * System Type * Property System Inspection Frequency * System Location: Coverage Area: Due Date * Select Monthly Quarterly 4 Months Semi Annual Annually 18 Months Biennial 3 Years 4 Years 5 Years 10 Years 15 Years 20 Years 04-05-2024 Date format MM-DD-YYYY Submit Cancel Screenshot of the AHJ setting the inspection frequency on an asset
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EX2019 at 3-4

EX2019 (TCE Chart) at 3-4; Paper 26 (Reply) at 23



Secondary Considerations: “Studies” Never Discuss *Fire Hydrants*

The Benefits of 3rd Party Inspection Compliance Management For the Fire and Life Safety System Industry

*A One Year Case Study of Lynnwood, WA Fire Department
Improving Compliance by using TEGRIS Fire™ by Tegriss Inc.*

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Gig Harbor, WA 98335
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compliance@tegrissinc.com

1 |

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TEGRIS Exhibit 2004
Page 1 of 21

Database Quality

- # of known properties with at least one system (wet sprinkler, dry sprinkler, pre-action sprinkler, fire alarm, standpipe, hood suppression, or fire pump)
- # of known systems throughout the jurisdiction

EX2004 at 8

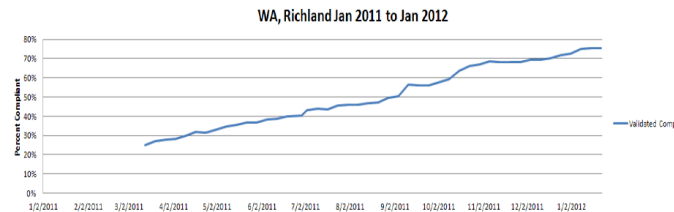
EX2004 (Lynnwood) at 1, 8; Paper 26 (Reply) at 24-26



Secondary Considerations: “Studies” Never Discuss *Fire Hydrants*

THE EFFECTS OF A SELF SUSTAINED ITM ENFORCEMENT MODEL FOR THE FIRE PROTECTION INDUSTRY

*A Case Study of Richland, WA Fire Department
Improving Compliance by using the Tegriss™ standard.*



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Gig Harbor, WA 98335
888-880-2467
compliance@tegrissinc.com

PROPERTY SURVEY – UPDATING RECORDS

Property Survey

! Are you aware of any of these types of systems on the property?

Asset Type	Definitely Yes	Definitely No	Not Sure
Dry sprinkler	☐	☐	☐
Wet sprinkler	☐	☐	☐
Fire alarm	☐	☐	☐
Deluge	☐	☐	☐
Range Hood	☐	☐	☐
Standpipe	☐	☐	☐
Fire Pump	☐	☐	☐

Save Cancel

EX2025 at 13

EX2025 (Richland) at 1, 13; Paper 26 (Reply) at 24-26

Secondary Considerations: No Supporting Data

No Evidence of Revenue, Number of Users, or Number of Reports

Q. Okay. Thank you. How many reports does Tegriss Fire process annually?

A. I don't know that exact number.

Q. Can you approximate it?

A. No.

EX1039 at 103:16-20

Q. Do you know approximately how many users there are of Tegriss Fire?

THE WITNESS: No.

EX1039 at 104:4-8

Q. Do you know how much revenue Tegriss generates on an annual basis from Tegriss Fire?

A. Yes.

Q. And how much revenue is that on an annual basis?

A. I would have to look at my records.

Q. So, sitting here today, you are unable to tell me how much revenue Tegriss generates on an annual basis from Tegriss Fire; is that right?

A. Yes.

EX1039 at 104:14-105:2

EX1039 (Moren Depo) at 103:16-105:2; Paper 26 (Reply) at 25

