

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,
Petitioner,

v.

SITNET, LLC,
Patent Owner.

IPR2024-00531
Patent 11,470,682 B1

Before THU A. DANG, NEIL T. POWELL, and KARA L.
SZPONDOWSKI, *Administrative Patent Judges*.

DANG, *Administrative Patent Judge*.

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

I. INTRODUCTION

A. Background

Meta Platforms, Inc. (“Petitioner”) filed a Petition requesting an *inter partes* review of claims 1–20 (“the challenged claims”) of U.S. Patent No. 11,470,682 B1 (Ex. 1001, “the ’682 patent”). Paper 1 (“Pet.”). SitNet, LLC (“Patent Owner”) did not file a Preliminary Response.

Under 37 C.F.R. § 42.4(a), the Board has authority to determine whether to institute an *inter partes* review. Applying the standard set forth in 35 U.S.C. § 314(a), which requires demonstration of a reasonable likelihood that Petitioner would prevail with respect to at least one challenged claim, we grant Petitioner’s request and institute an *inter partes* review of all challenged claims.

B. Related Proceedings

The parties identify the ’682 patent as the subject of *SitNet, LLC v. Meta Platforms, Inc.*, No. 1:23-CV-06389 (S.D.N.Y.) (“the district court litigation”). Pet. 3; Paper 4.

Petitioner also identifies the following USPTO proceedings challenging other, related patents asserted by Patent Owner in the district court litigation: *Meta Platforms, Inc. v. SitNet, LLC*, IPR2024-00528 (PTAB), challenging U.S. Patent No. 8,249,932 B1; *Meta Platforms, Inc. v. SitNet, LLC*, IPR2024-00529 (PTAB), challenging U.S. Patent No. 8,332,454 B1; and *Meta Platforms, Inc. v. SitNet, LLC*, IPR2024-00530 (PTAB), challenging U.S. Patent No. 9,877,345 B2. Pet. 3.

C. The '682 Patent

The '682 patent, titled “Method and System for Using a Situational Network,” issued on October 11, 2022, from Application No. 16/730,339 filed on December 30, 2019. Ex. 1001, codes (54), (45), (21), (22). The '682 patent discloses a network system for accessing situation related information. *Id.* at code (57). The system includes a network connection for receiving an indication of an occurrence of a situation, and a situational network formed based on the occurrence of the situation. *Id.* The situational network includes a plurality of participant devices determined to be geographically proximate to the situation. *Id.* The system further includes a second network connection for presenting a roll call query to each of the plurality of participant devices soliciting a reply related to a status of the participant, a plurality of network connections established for receiving a status response from the participant devices, and a database for aggregating the status responses from responsive participants into a roll call list. *Id.*

Figure 1 of the '682 patent, reproduced below, illustrates a network diagram for a situational network (SitNet). *Id.* at 2:7–8, 4:12–16.

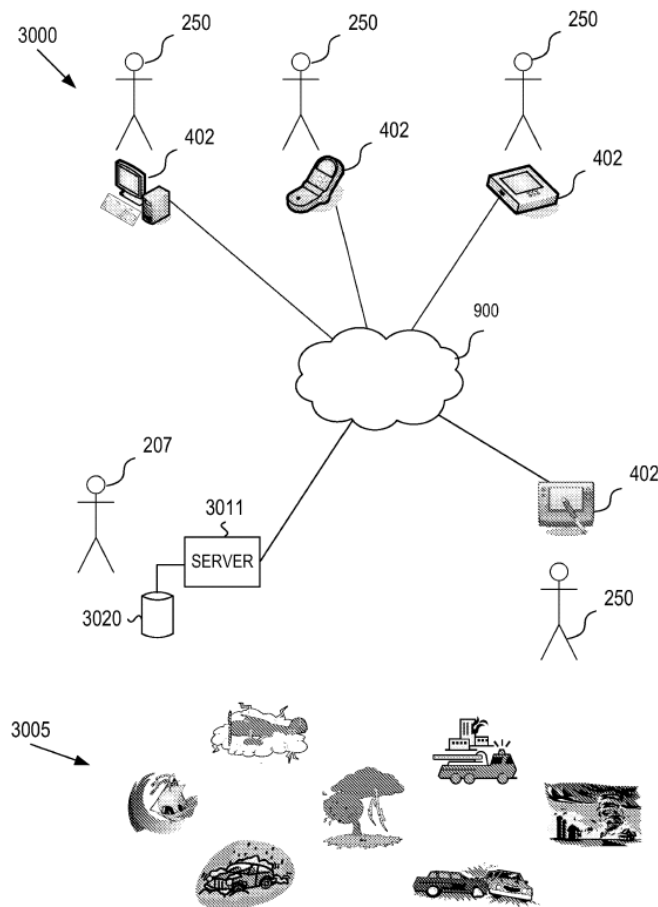


Fig. 1

Figure 1 illustrates a network diagram for a Situational Network 3000.
Id. at 2:7–8, 4:12–16.

Situational network (SitNet) 3000 illustrated in Figure 1 is created when occurrence of event or situation 3005 causes connections/links to be established between, within, or among a set of participants 250, 207. *Id.* at 4:12–25. SitNet 3000 allows the participants (e.g., 250, 207) to interact and exchange information over connections to, or through, computer network 900 regarding event or situation 3005. *Id.* Examples of events or situations 3005 that may initiate the formation of a situational network include a weather phenomenon (e.g., hurricanes), emergency situations (e.g., building fires), weather related activities (e.g., skiing or surfing), and

navigation or travel incidents (e.g., road closures or construction). *Id.* at 5:1–5:11. The connections, or links, established in forming and sustaining SitNet 3000 may be persistent or temporary. *Id.* at 4:57–67. A persistent connection allows participants to exchange information without requiring the user to re-authenticate, re-authorize, or re-create the connection. *Id.* Temporary connections require one or both sides of the link to re-authenticate or re-authorize the connection each time information is to be sent or received. *Id.*

If the event or situation is not stationary, or changes over time (e.g., in scope or location, such as, for example, a weather event with a time-dependent trajectory or size), participants in SitNet 3000 may also change as the situation evolves over time. *Id.* at 5:18–26.

Participants 207 in SitNet 3000 are “external entities . . . also called situation authorities, central authorities or trusted providers, that generally are able to aggregate and provide comprehensive information related to the situation,” and include news organizations, weather agencies, traffic agencies, emergency relief organizations, and government agencies (e.g., local fire departments, state Departments of Transportation, and Federal Emergency Management Agency (FEMA)). *Id.* at 4:25–36. Situation authority server 3011 (also called an event node server) corresponds to each situation authority 207. *Id.* at 4:36–41. Situation authority server 3011 may be connected to database 3020 for storing information related to situation 3005 or data related to other participants in SitNet 3000. *Id.*

Participants 250 in SitNet 3000 are “users . . . which are alternately referred to as individuals or members,” and they are connected via SitNet 3000 using devices 402 (such as cell phones, PDA’s, personal computers,

and so on). *Id.* at 4:42–56. Devices 402 may be connected into SitNet 3000 automatically, by requesting a connection, or by receiving an invitation to connect. *Id.*

Figure 31 of the '682 patent, reproduced below, illustrates an example of an event relative embodiment of a SitNet. *Id.* at 3:20–21, 5:34–35.

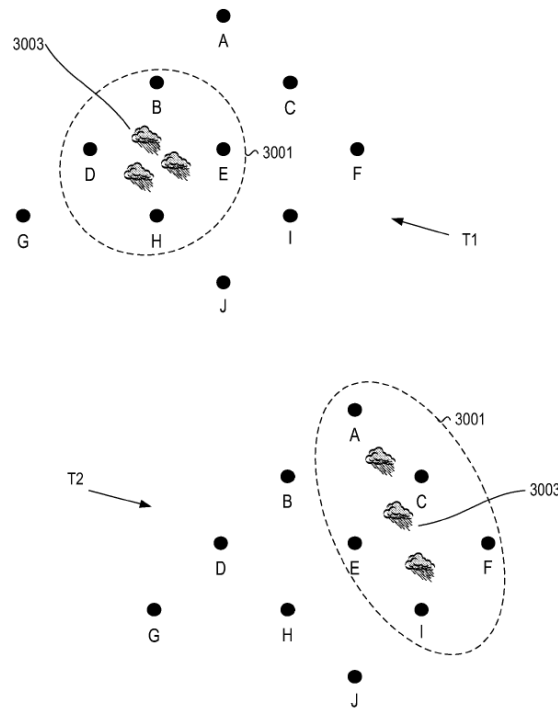


Fig. 31

Figure 31 illustrates an example of an event relative embodiment of a SitNet. *Id.* at 3:20–21, 5:34–35.

Figure 31 shows an event relative SitNet at two different times T1 and T2. *Id.* at 5:34–43. At time T1, participants B, D, E, and H are connected to a situation authority in SitNet 3001 that has been established for a cluster of severe thunderstorms 3003. *Id.* At time T2, in response to changes in the location and shape of thunderstorm cluster 3003, participants A, C, F, and I have been added to the SitNet 3001, and participants B, D, and H have been

disconnected. *Id.* Participant E is included in the SitNet 3001 at both times T1 and T2. *Id.*

The '682 patent also describes a “roll-call” or “check-in” feature that may be included in a situational network for a disaster or emergency event, to establish a list of persons that might be missing or may need assistance. *Id.* at 27:10–37. A server corresponding to an event node of the SitNet may invite users determined to be physically threatened by a disaster or emergency event, to check-in. *Id.* The server of the event node may determine user Personal Information Aggregators (PIAs) that are to be contacted through stored lists, such as apartment or office building occupancy records, or postal records for streets or zip codes. *Id.* at 27:14–23; *see also id.* at 8:24–36 (describing PIAs). People identified with a PIA are sent an unsolicited message to reply if they are alright (i.e., provide a positive response). *Id.* at 27:20–27. A user may also respond to the check-in that they need assistance and provide location information to emergency responders. *Id.* Non-responding PIAs are reported to emergency management officials to decide further actions that may be required to locate those individuals. *Id.* at 29.

A situation authority or trusted provider establishing an event node for a server that hosts the roll-call or check-in feature, may provide a searchable message board to users connected to the SitNet (as well visitors not connected to the SitNet) that allows sharing of information about individuals in the SitNet with persons outside the SitNet. *Id.* at 27:38–45. The message board may be accessible by a website on the internet (outside the SitNet). *Id.* at 27:53–28:2. A visitor to the website can search the message board for information related to a specific situation or event. *Id.* The information may

be tagged with a location coordinate so that check-in and other information can be searched and obtained down to a zip code, street, or individual household level. *Id.*

D. The Challenged Claims

Of the challenged claims (claims 1–20), claims 1 and 11 are independent claims. Claim 1 is illustrative and is reproduced below:

1. A server for providing roll call based information, the server comprising:

a network controller configured to:

receive an information item from a user device, wherein the information item identifies a situation; and

make the information item available to a first plurality of user devices;

a central processing unit, coupled to the network controller, configured to verify that the information item is related to the situation; and

in response to the verifying, make a message board related to the situation available to a second plurality of user devices;

wherein the second plurality of user devices was identified based on the second plurality of user devices being geographically proximate to the situation; and

wherein the message board comprises a roll call list that includes status responses to roll call queries that were provided to the second plurality of user devices in order to solicit the status responses.

Ex. 1001, 34:17–38. Claim 11 recites similar limitations but is directed to a “method for providing roll call based information.” *Id.* at 35:13–30.

Asserted Grounds of Unpatentability

Petitioner challenges the patentability of claims 1–20 of the ’682 patent on the following grounds (Pet. 12):

Claims Challenged	35 U.S.C. § ¹	Reference(s)/Basis
1–20	103	Burfeind, ² Crowley ³
1–8, 11–18	103	Smith, ⁴ Sinha ⁵
9, 10, 19, 20	103	Smith, Sinha, Gage ⁶

¹ The Leahy-Smith America Invents Act (“AIA”), Pub. L. No. 112-29, 125 Stat. 284, 287–88 (2011), amended various provisions of 35 U.S.C. Because the ’682 patent claims the benefit of the filing date from an application filed before March 16, 2013, we apply the pre-AIA version of the statutory basis for unpatentability. *See* Ex. 1001, code (60) (indicating the ’682 patent is a “[c]ontinuation of application No. 16/207,059, filed on Nov. 30, 2018, now Pat. No. 10,524,307, which is a continuation of application No. 16/164,715, filed on Oct. 18, 2018, now Pat. No. 10,375,759, which is a continuation of application No. 15/638,722, filed on Jun. 30, 2017, now Pat. No. 10,117,290, which is a continuation of application No. 14/861,340, filed on Sep. 22, 2015, now Pat. No. 9,877,345, which is a continuation of application No. 13/612,964, filed on Sep. 13, 2012, now Pat. No. 9,143,535, which is a continuation of application No. 13/274,712, filed on Oct. 17, 2011, now Pat. No. 8,332,454, which is a division of application No. 11/924,711, filed on Oct. 26, 2007, now Pat. No. 8,069,202”).

² U.S. Patent Appl. Publication No. 2007/0233635 A1, published October 4, 2007, filed April 4, 2006 (Ex. 1004, “Burfeind”).

³ U.S. Patent Appl. Publication No. 2006/0270419 A1, published November 30, 2006, filed May 11, 2005 (Ex. 1005, “Crowley”).

⁴ U.S. Patent Appl. Publication No. 2005/0197775 A1, published September 8, 2005, filed December 30, 2004 (Ex. 1006, “Smith”).

⁵ U.S. Patent Appl. Publication No. 2008/0208605 A1, published August 28, 2008, filed October 20, 2007 (Ex. 1007, “Sinha”).

⁶ U.S. Patent Appl. Publication No. 2008/0139165 A1, published June 12, 2008, filed December 11, 2006 (Ex. 1009, “Gage”).

Petitioner relies on the declaration of Jeremy Cooperstock, Ph.D. (Ex. 1003) in support of its unpatentability contentions.

II. ANALYSIS

A. *Claim Construction*

We construe each claim “in accordance with the ordinary and customary meaning of such claim as understood by one of ordinary skill in the art and the prosecution history pertaining to the patent.” 37 C.F.R. § 42.100(b). Under this standard, claim terms are generally given their plain and ordinary meaning as would have been understood by a person of ordinary skill in the art (POSITA) at the time of the invention and in the context of the entire patent disclosure. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1313 (Fed. Cir. 2005) (en banc).

Petitioner “submits that no claim terms require construction and all claim terms should receive their plain and ordinary meaning in view of the ’682 patent.” Pet. 14 (citing Ex. 1003 ¶ 64).

At this time, we determine that no terms of the challenged claims require explicit construction. *See, e.g., Realtime Data, LLC v. Iancu*, 912 F.3d 1368, 1375 (Fed. Cir. 2019) (“The Board is required to construe ‘only those terms . . . that are in controversy, and only to the extent necessary to resolve the controversy.’” (quoting *Vivid Techs., Inc. v. Am. Sci. & Eng’g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999))).

B. *Principles of Law*

A patent claim is unpatentable under 35 U.S.C. § 103(a) if the differences between the claimed subject matter and the prior art are such that the subject matter, as a whole, would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. *KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 406 (2007). The question of obviousness is resolved on the basis of underlying factual determinations including (1) the scope and content of the prior art; (2) any differences between the claimed subject matter and the prior art; (3) the level of ordinary skill in the art; and (4) objective evidence of nonobviousness. *Graham v. John Deere Co. of Kan. City*, 383 U.S. 1, 17–18 (1966).

C. Claims 1–20 as Obvious over Burfeind and Crowley (ground 1)

Petitioner contends that claims 1–20 of the ’682 patent would have been obvious in view of Burfeind and Crowley. Pet. 12, 15–51.

We summarize the asserted art to Burfeind and Crowley below.

1. Burfeind

Burfeind is titled “Systems and Methods for Organizing an Event and Tracking Attendance Status,” and “describes systems and methods for organizing an event and tracking the attendance status of event participants.” Ex. 1004, codes (54), (57), ¶ 2. In accordance with Burfeind, when a user accesses an organization device and schedules a location-specific event, the user has the option of inviting event participants, who can send to the organization device a response regarding the participation status of the invitee. *Id.* at code (57). The organization device tracks the participation status of each invitee, and may also provide the participation status of each invitee to other invitees. *Id.* The organization device may also communicate with a portable, location-aware electronic device of one or more of the invitees, to track and provide arrival status of these invitees. *Id.* Figure 2 of Burfeind, reproduced below, illustrates a network including

multiple interconnected entities communicatively coupled to an organization device.

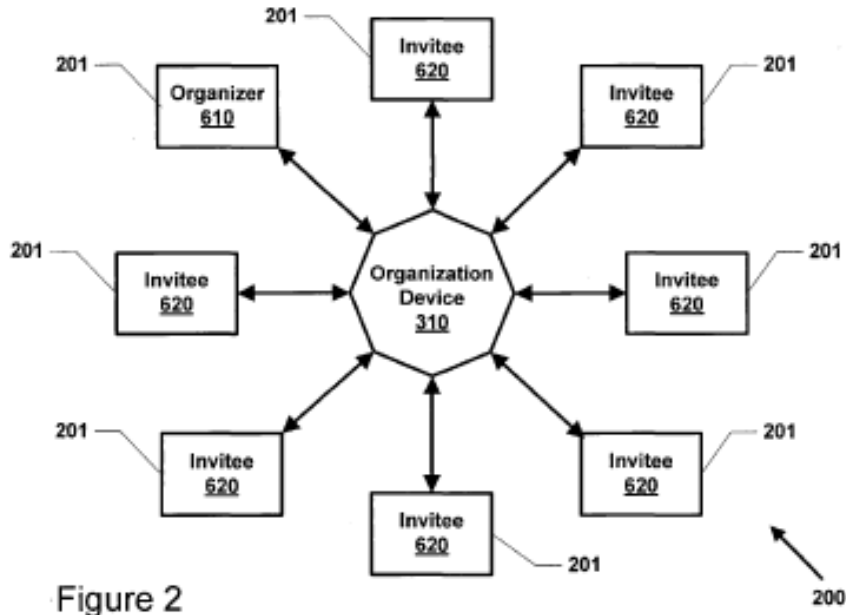


Figure 2 illustrates a schematic of a network including multiple interconnected entities communicatively coupled to an organization device 310. *Id.* ¶¶ 8, 10, 54, 59.

As shown in Figure 2, event participants include event organizer 610 and individuals invited to the event (invitees 620), with event organizer 610 creating an event using organization device 310 and sending invitations to event invitees 620 that employ user devices 210. *Id.* ¶¶ 54, 56. Figure 4 of Burfeind, reproduced below, illustrates organization device 310 in further detail.

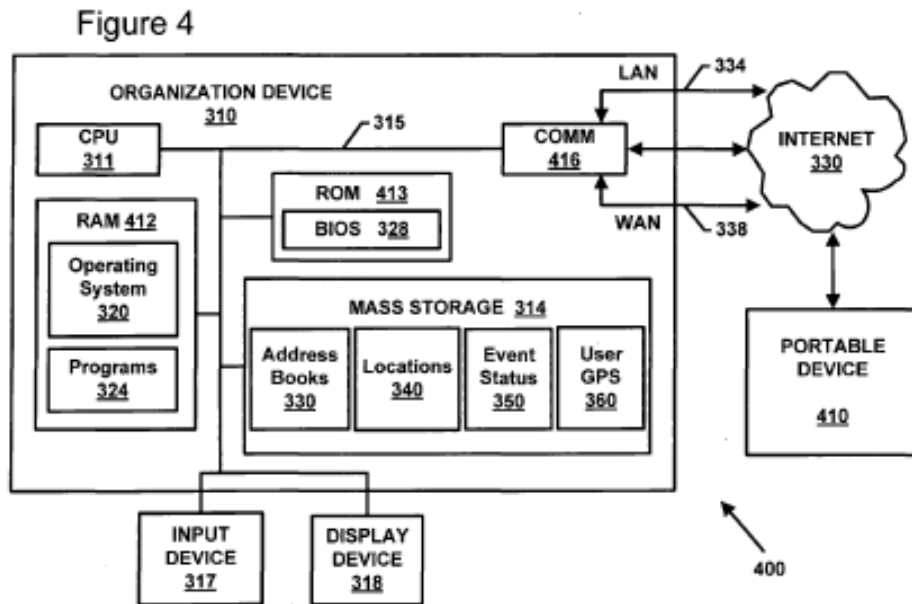


Figure 4 illustrates organization device 310.

As shown in Figure 4, organization device 310 is configured to transmit and receive information and requests for information, to and from user devices 210 and other computing devices (such as a server 240).

Id. ¶ 55. User devices 210 may be non-portable devices (such as desktop computers) and portable devices (such as cellular phones 41 and personal digital assistants). *Id.* ¶ 56. An event organizer accesses organization device 310 from a user device. *Id.* ¶ 57.

The event organizer may schedule an event and invite participants to the event using organization device 310, which executes a number of processes at the request of the event organizer. *Id.* ¶ 78. The event organizer may request organization device 310 to perform the processes through a series of interfaces displayed on a display screen (display screen 318) of organization device 310. *Id.* The event organizer also creates and maintains a contact list/address book of individuals that the event organizer

wishes to invite to an event, and the contact list may be stored in a database (address book database 330). *Id.* ¶ 81. The event organizer also creates and maintains a list of locations at which events can be scheduled, and the locations list may be stored in a database (locations database 330). *Id.* ¶ 99.

The event organizer can access and modify various databases stored on organization device 310, and can create an event and track attendance status of her guests on a cellular phone. *Id.* ¶¶ 147–148, 155. The event organizer creates a new event and invite guests to the event using a user interface. *Id.* ¶ 155. Invited contacts, or multiple contacts in a group, can be selected from a dropdown menu, with invitations sent thereto. *Id.* Thereafter, the event organizer can track the attendance status of the guests. *Id.* ¶¶ 159–160, 162.

2. Crowley

Crowley is titled “Location-Based Social Software for Mobile Devices,” and relates to “systems and methods for connecting people to each other, and more particularly to connections of acquaintances for activities such as socialization.” Ex. 1005, codes (54), (57), ¶ 2. Crowley discloses a method of establishing connection between users of mobile devices by receiving at a computer a location of a first user from a first mobile device, receiving from a second mobile device a location of a second user having an acquaintance relationship to the first user, and sending a message to the first mobile device based on the proximity of the first user to the second user. *Id.* at code (57). Crowley’s Figure 3, reproduced below, is a schematic representation of information flow in a system for providing communication among acquaintances. *Id.* ¶¶ 17, 38.

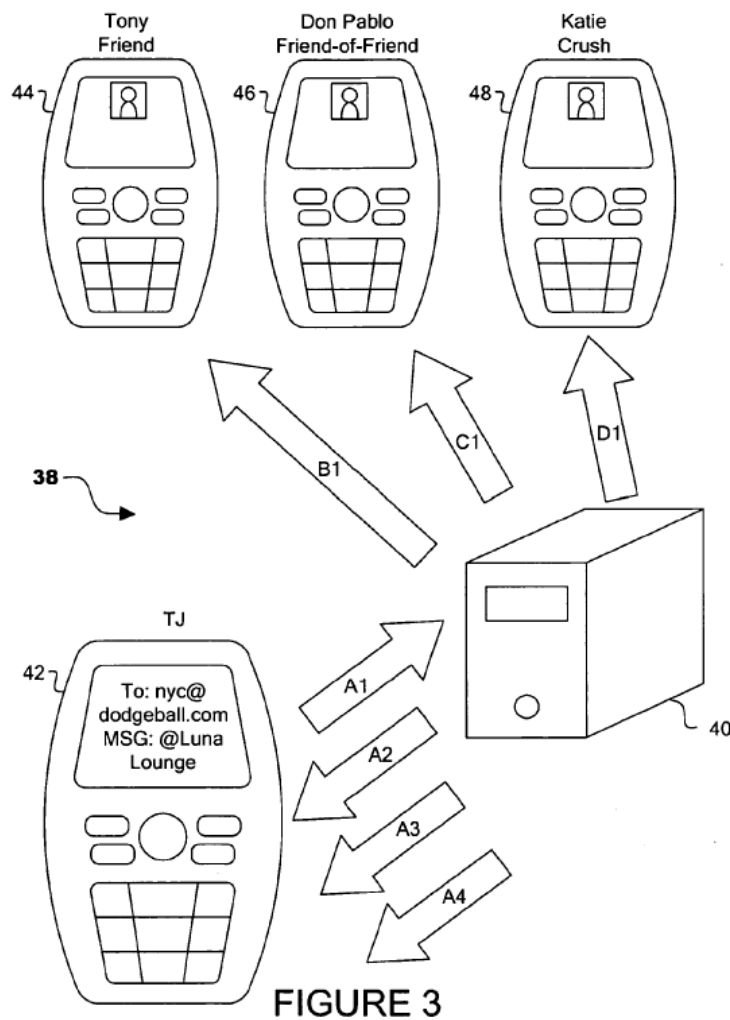


Figure 3 is a schematic representation of information flow in a system for providing communication among acquaintances. *Id.* ¶¶ 17, 38.

In the example in Figure 3, four users, as represented by their mobile devices, have previously established themselves as members of a community. *Id.* ¶ 38. Information flow is bi-directional and constantly changing, so that no user is necessarily a primary user. *Id.* The members “could have a variety of relationships to each other.” *Id.* In Figure 3, member TJ 42 enters, opts in, or logs into the system, thereby starting a number of message flows. *Id.* ¶ 40. The other members have already

identified themselves and their locations to the system, and are currently active in the system. *Id.*

In operation, a client first submits a device location, and the server receives that submission. *Id.* ¶ 59. For example, Figure 3 *supra*, the user sent the message to “nyc@dodgeball.com,” thus indicating the user was in New York, and wanted to use functionality of the system dedicated to New York City. *Id.* ¶ 60. The system extracts out of the “from” field identification information about the user, so as to allow access to the user’s profile. *Id.* ¶ 61. Such information is needed to determine, for example, who the user’s friends are, and what their preferences are. *Id.*

The server may then test for all acquaintances of the client’s user who are active in the system, retrieve their location coordinates, and check the first member’s location against those other locations (step 72). *Id.* ¶ 64. Friends-of-friends and other similar relationships (e.g., users sharing certain common features in their profiles) can also be identified, and the distance between users may be computed. *Id.* Once a subset of members, which consists of (1) acquaintances, (2) who are active in the system, and (3) are nearby, are identified, the system may then format and transmit appropriate messages to each relevant member (steps 74, 75), as described in, e.g., Figure 3 *supra*. *Id.*

3. Analysis

Petitioner contends that claims 1–20 would have been obvious in view of Burfeind and Crowley. Pet. 22–36. We address in detail Petitioner’s contentions with respect to the limitations of independent claims 1 and 11.

a. *Preamble – “providing roll call based information”
(claims 1, 11)*

Petitioner argues that, “[t]o the extent limiting,” Burfeind discloses the preambles. Pet. 22; *see also id.* 36. In particular, Petitioner contends that Burfeind’s organization device “track[s] the attendance status of each event invitee,” and “also provide[s] to event participants the attendance status of each invitee [] and other information pertaining to the event.” *Id.* at 23 (alterations in original) (citing Ex. 1004 ¶ 131, Fig. 2). Thus, according to Petitioner, Burfeind discloses “attendance status (*roll call based information*)” which “specifies ‘whether the invitee [] indicated that the invitee [] would be attending the event.’” *Id.* (alterations in original) (citing Ex. 1004 ¶ 131; Ex. 1003 ¶¶ 94–95).

Having reviewed all of Petitioner’s assertions regarding the preambles, as well as the supporting evidence, we determine on this record that Petitioner has made a sufficient showing the combination of Burfeind and Crowley teaches “providing roll call based information,” as recited in claims 1 and 11.⁷

b. *“receiv[ing] an information item from a user device,
wherein the information item identifies a situation”
(claims 1, 11)*

Petitioner contends that Burfeind’s organization device “includes a network controller in the form of a ‘communication device,’” wherein the communication device “is configured to receive an information item from a

⁷ Because we find availing Petitioner’s contention that the combination of Burfeind and Crowley teaches “providing roll call based information” recited in the preambles, for purposes of institution, we do not determine whether the preambles are limiting. *See Vivid*, 200 F.3d at 803.

user device” that “identifies a situation.” Pet. 23–24 (citing Ex. 1004 ¶¶ 64–66, 147, Fig. 4; Ex. 1003 ¶¶ 97–102). For example, according to Petitioner, Burfeind’s organization device “receives from a user device of an event organizer . . . ‘information specifying the time and location of an event’ (i.e., information items identifying a situation).” *Id.* at 24–25 (citing Ex. 1004 ¶¶ 57, 107, 146, 162, Fig. 4).

Having reviewed all of Petitioner’s assertions regarding this limitation, as well as the supporting evidence, we determine on this record that Petitioner has made a sufficient showing that the combination of Burfeind and Crowley teaches “receiv[ing] an information item from a user device, wherein the information item identifies a situation,” as recited in claims 1 and 11.

c. “mak[ing] the information item available to a first plurality of user devices” (claims 1, 11)

Petitioner contends that Burfeind’s organization device “transmits invitations to . . . the event invitees,” wherein the invitations “include ‘textual information identifying the location, date, and time of the event’ (i.e., *information items*) that was provided to the organization device by the event organizer.” Pet. 26–27 (citing Ex. 1004 ¶¶ 104, 115–116; Ex. 1003 ¶ 104). According to Petitioner, the invitations are sent “to ‘user devices’ of the respective invited individuals,” and thus, Burfeind discloses “communication device” that “makes the ‘event information’ (*information items*) included in the invitations available to user devices.” *Id.*

Having reviewed all of Petitioner’s assertions regarding this limitation, we determine on this record that Petitioner has made a sufficient showing that the combination of Burfeind and Crowley teaches “mak[ing]

the information item available to a first plurality of user devices,” as recited in claims 1 and 11.

d. “verify[ing] that the information item is related to the situation” (claims 1, 11)

Petitioner contends that, upon receiving information from the event organizer’s user device, Burfeind’s organization device “saves the information entered . . . to the organization device.” Pet. 28 (citing Ex. 1004 ¶¶ 110, 114, 162). Further, Petitioner contends Crowley teaches that, “when a user sends information relating to an event (e.g., a ‘venue’ location), the system verifies that the information is related to the event by ‘verify[ing] the user’ and ‘check[ing] to see if the location information . . . is present in the system.” *Id.* (alterations in original) (citing Ex. 1005 ¶¶ 59, 62–63, 66; Ex. 1003 ¶¶ 71–73). According to Petitioner, a POSITA would have found it obvious “to implement Crowley’s verification techniques in Burfeind to verify that the information provided by Burfeind’s event organizer is related to an event.” *Id.* at 29–30 (citing Ex. 1003 ¶¶ 114–120). That is, a POSITA “would have recognized the benefits of enabling Burfeind’s system to verify the validity of the event information, as taught by Crowley.” *Id.* at 30 (citing Ex. 1004 ¶¶ 57, 107, 146, 162; Ex. 1003 ¶¶ 114–118).

Having reviewed all of Petitioner’s assertions regarding this limitation, we determine on this record that Petitioner has made a sufficient showing that the combination of Burfeind and Crowley teaches “verify[ing] that the information item is related to the situation,” as recited in claims 1 and 11. Furthermore, based on this preliminary record, we are persuaded that Petitioner has made a sufficient showing that a POSITA would have had a reason to combine the teachings of Burfeind and Crowley.

- e. “in response to the verifying, mak[ing] a message board related to the situation available to a second plurality of user devices” (claims 1, 11)

Petitioner contends that Burfeind’s organization device “provides the participation statuses within an ‘event status interface’ (i.e., *message board*), and provides the event status interface to the invited participants’ user devices.” Pet. 32 (citing Ex. 1003 ¶¶ 125–126). Petitioner then contends that, in the combined system of Burfeind and Crowley, the provision of the event status interface would be “in response to the verifying” because the organization device would provide the event status interface “upon verifying that the information items are related to a valid event.” *Id.* at 31 (citing Ex. 1003 ¶ 124). That is, the organization device “would only create an event and provide the event status interface in response to the verifying that the event information was related to a valid event, in accordance with Crowley’s teachings.” *Id.*

Furthermore, Petitioner contends that Burfeind’s event organizer “can invite multiple ‘groups’ of contacts, such as a first group and a second group.” Pet. 33 (citing Ex. 1004 ¶¶ 89, 159; Ex. 1003 ¶ 127). Petitioner further contends that the combination of Burfeind and Crowley teaches “inviting a group of contacts (i.e., corresponding to a *second plurality of user devices*) who are geographically proximate to the event.” *Id.* Thus, according to Petitioner, in providing the event status interface to the invited participants, in the combined teachings, the organization device “invites and makes the event status interface available to the user devices of the second group (i.e., *second plurality of user devices*, which are geographically proximate to the event).” *Id.* at 33–34 (citing Ex. 1004 ¶¶ 131, 137, 169, Figs. 26, 36; Ex. 1003 ¶¶ 127–129).

Having reviewed all of Petitioner's assertions regarding this limitation, as well as the supporting evidence, we determine on this record that Petitioner has made a sufficient showing that the combination of Burfeind and Crowley teaches "in response to the verifying, mak[ing] a message board related to the situation available to a second plurality of user devices," as recited in claims 1 and 11.

f. "wherein the second plurality of user devices was identified based on the second plurality of user devices being geographically proximate to the situation" (claims 1, 11)

Petitioner contends that "Burfeind tracks user locations to determine 'arrival information' for the users," and thus, "Burfeind determines users' proximity to the event location." Pet. 34 (citing Ex. 1004 ¶¶ 131, 136, 138, 143–145, 169–171, Fig. 36). Petitioner then contends that Crowley provides "explicit disclosure" that "users are invited to the event based on their proximity." *Id.* (citing Ex. 1005 ¶ 45; Ex. 1003 ¶¶ 71–73, 130–131). According to Petitioner, the combination of Burfeind and Crowley teaches "automatically sending invitations to a group of contacts (i.e., second plurality of user devices) that are geographically proximate the event location." *Id.* at 34–35 (citing Ex. 1005 ¶¶ 45, 78; Ex. 1003 ¶¶ 131–132).

Having reviewed all of Petitioner's assertions regarding this limitation, as well as the supporting evidence, we determine on this record that Petitioner has made a sufficient showing that the combination of Burfeind and Crowley teaches "wherein the second plurality of user devices was identified based on the second plurality of user devices being geographically proximate to the situation," as recited in claims 1 and 11.

- g. “wherein the message board comprises a roll call list that includes status responses to roll call queries that were provided to the second plurality of user devices in order to solicit the status responses” (claims 1, 11)

Petitioner contends that Burfeind’s event status interface “is a *message board*,” wherein the message board “comprises a *roll call list* that specifies the participation statuses (*status responses*) of the invited participants (e.g., whether they will be attending the event).” Pet. 35 (citing Ex. 1004 ¶¶ 117–119, 131, 134, 138; Ex. 1003 ¶ 133). According to Petitioner, in Burfeind, upon receiving an invitation from the organization device, “participants provide ‘a response to the invitation’ by transmitting their respective participation statuses to the organization device.” *Id.* (citing Ex. 1004 ¶¶ 52, 199, 133; Ex. 1003 ¶ 134). Thus, Petitioner contends that Burfeind’s “invitations” thus “comprise the claimed *roll call queries*.” *Id.* at 36 (citing Ex. 1003 ¶ 134).

Having reviewed all of Petitioner’s assertions regarding this limitation, as well as the supporting evidence, we determine on this record that Petitioner has made a sufficient showing that the combination of Burfeind and Crowley teaches “wherein the message board comprises a roll call list that includes status responses to roll call queries that were provided to the second plurality of user devices in order to solicit the status responses,” as recited in claims 1 and 11.

g *Dependent claims 2–10 and 12–20*

Petitioner provides detailed explanations as to how the combination of Burfeind and Crowley teaches the limitations recited in dependent claims 2–10 and 12–20, citing Dr. Cooperstock’s testimony for support. Pet. 37–51 (citing Ex. 1004 ¶¶ 54, 57, 60, 107, 109–113, 136–139, 146–147, 162, 170–

174, 185, 197–201, Figs. 2, 18, 36, 44; Ex. 1003 ¶¶ 137–138, 140–143, 145–149, 151–152, 154–155, 157, 159–160, 162–163).

Having reviewed Petitioner’s arguments and supporting evidence in the present record, we determine Petitioner has made a sufficient showing that the combination of Burfeind and Crowley teaches the subject matter of dependent claims 2–10 and 12–20.

h. Conclusion

For the foregoing reasons, we determine that the evidence and arguments presented show a reasonable likelihood that Petitioner would prevail in establishing that the subject matter of claims 1–20 would have been obvious in view of Burfeind and Crowley.

D. Claims 1–8, and 11–18 as Obvious over Smith and Sinha (ground 2); and Claims 9, 10, 19, and 20 as Obvious over Smith, Sinha, and Gage (ground 3)

Petitioner contends that claims 1–8 and 11–18 of the ’682 patent would have been obvious in view of Smith and Sinha. Pet. 51–80. Petitioner then contends that dependent claims 9, 10, 19, and 20 would have been obvious over Smith and Sinha in further view of Gage. *Id.* at 80–83.

We summarize the asserted art to Smith, Sinha, and Gage below.

1. Smith

Smith is titled “User-Centric Event Reporting,” and “provides a method and apparatus for receiving event and/or hazard information by a portable electronic device and using that information to warn a device operator of a future event or hazard with respect to the specific device’s location.” Ex. 1006, codes (54), (57), ¶ 2. More particularly, Smith’s system and method receive hazard and event information in a mobile unit and use that information to warn a user of an event or future hazard with

reference to the mobile unit's location and/or intended direction of travel. *Id.* at code (57). A hazard location algorithm compares a forecast location of each mobile unit with a forecast hazard and transmits a warning to each mobile unit that is predicted to encounter the hazard. *Id.* As the mobile unit moves, its actual position is updated in an event center, and a revised warning is transmitted to the mobile unit as applicable. *Id.* Users may also wirelessly report events or hazards to a central server in an event center by sending data to the event center via a wireless communications network. *Id.*

Figure 1 of Smith, reproduced below, illustrates a system including an event center that provides hazard information to a plurality of recipients 107, 108 and 109. *Id.* ¶¶ 24, 45.

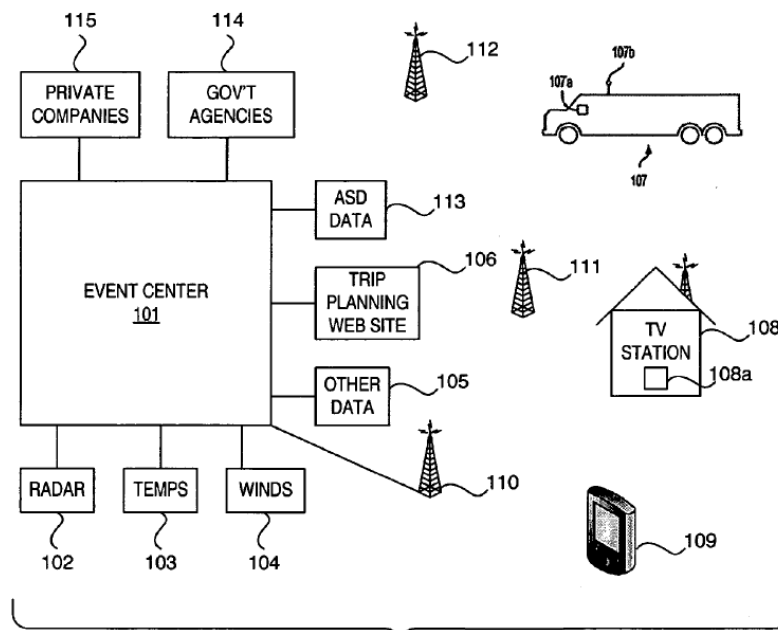


FIG. 1

Figure 1 illustrates a system including an event center that provides hazard information to a plurality of recipients 107, 108 and 109. *Id.* ¶¶ 24, 45.

As shown in Figure 1, an event center 101 receives event-related information from various sources, such as weather-related information from radar sources 102, temperature data sources 103, wind data sources 104, and other data sources 105. *Id.* ¶ 45. Antennas 110 coupled to weather center 101 may receive information regarding the location of mobile devices that use the system. *Id.* This information may also be received over the Internet, wireless network, or other computer network, or via dedicated dial-up telephone lines. *Id.* Additionally, Aircraft Situation Display (ASD) data 113 may be received from various sources, such as the FAA, which distributes information regarding the current location and identity of aircraft. *Id.* Event center 101 may also be connected to and receive information from non-weather related entities, such as Federal, State, and/or local emergency response agencies 114 (fire, police, EMS, 911, FEMA, etc.). *Id.* ¶ 46. Thus, center 101 is equipped to accept, provide, and/or relay information regarding life threatening or hazardous events. *Id.*

Each recipient 107, 108, and 109 includes a corresponding device (e.g., elements 107a, 108a, and 109) that receives event information from event center 101 pertaining to that device's current and/or future predicted location. *Id.* ¶ 48. A device may be equipped with a navigational device such as a GPS receiver that enables the device to determine its present position, and a radio frequency transmitter that transmits the device's current location to weather center 101. *Id.* Event center 101 generates event or hazard predictions for a plurality of geographic areas, and compares the location (current and predicted) of each cell in which there is a future event or hazard to device locations. *Id.* ¶ 50. For each event or hazard, event center 101 transmits a message to each device that is predicted to intersect

with or be located in the cell, and optionally provides information concerning the nature of the event (e.g., severe snowstorm, flood, chemical plume, etc.), the predicted time before the event will occur, based on the device's current path, and the predicted duration of the event. *Id.*

Figure 14 of Smith, reproduced below, illustrates a method for reporting follow up information based on the type of event initially selected by a user. *Id.* ¶¶ 44, 102.

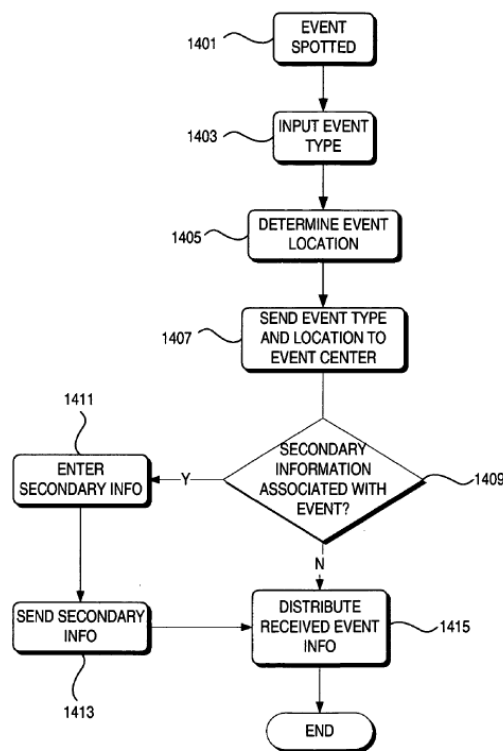


FIG. 14

Figure 14 illustrates a method for reporting follow up information based on the type of event initially selected by a user. *Id.* ¶¶ 44, 102.

As shown in Figure 14, a user of a mobile device (e.g., device 905 in Figure 9 *supra*) visually observes or learns of an event or hazard (a meteorological event, a medical event, etc.) regarding which the user desires to report back to the event center (step 1401). *Id.* ¶ 104. After visually

observing or learning about the event, the user inputs an event type in step 1403. *Id.* The device determines the event location (step 1405) based on a location (e.g., GPS location) determined automatically by the mobile device, based on the GPS location in conjunction with a user provided or automatically determined direction and distance from the mobile device of the event, or based on other user provided information. *Id.* ¶ 105. The mobile device (step 1407) sends the event type and event location to the event center via a wireless communications network. *Id.*

In step 1409, the mobile device determines whether any secondary information is associated with the selected event type, and provides such information (step 1411). *Id.* ¶¶ 106–107; *see also id.* ¶ 102. The mobile device transmits (step 1413) the entered secondary information to the event center. *Id.* ¶ 107. The event center distributes the received information to third parties (step 1415). *Id.* ¶ 108. Event center may display the reported information on a display device for an event center operator, and the server computer at the event center may log the event and store records for future use, and may also forward alerts to other personnel, as appropriate. *Id.*

2. Sinha

Sinha is titled “Systems and Methods for Responding to the Occurrence of an Event,” and “relates to systems and methods for providing a business application that provides business continuity for a workforce.”

Ex. 1007, code (54), ¶ 2.⁸ Sinha provides a business continuity application

⁸ Sinha was filed on October 20, 2007 and published on August 28, 2008. Petitioner submits evidence that Sinha is prior art because “it claims priority to U.S. Provisional Patent Application No. 60/862,365 (‘Sinha Provisional,’ EX1008), which was filed on October 20, 2006,” wherein “the Sinha Provisional provides written-description support for at least one claim of

to a portion of a displaced workforce of an organization when an event occurs. *Id.* at code (57). The business continuity application, executing on a server within a data center, is used to define a response scenario to the occurrence of an event. *Id.* The business continuity application allows for notifications to be sent to the workforce using a notification service that interfaces with the server. *Id.* Displays of portions of the business continuity application after the occurrence of the event are sent to end users that can access the computing device. *Id.*

In accordance with Sinha, a notification may be issued to at least a portion of the workforce by placing a call to a number designated by a caller so that communications can be established between a first endpoint and a second endpoint. *Id.* ¶ 8. In various embodiments, a business continuity management (BCM) portal provides a single point of contact for the set-up, registration, and access of business and workforce continuity services, such as in the case of a disaster or emergency. *Id.* ¶ 118. The BCM solutions provides scenario planning tools for Emergency Response Team personnel, for example, with web-portal and user interfaces. *Id.* ¶ 121.

Figure 4K of Sinha, reproduced below, depicts an embodiment of the emergency workplace portion of the BCM web portal.

Sinha as well as for the portions of Sinha relied on [in the Petition].” Pet. 4–11. At this stage of the proceeding, we need not address whether Sinha is prior art.

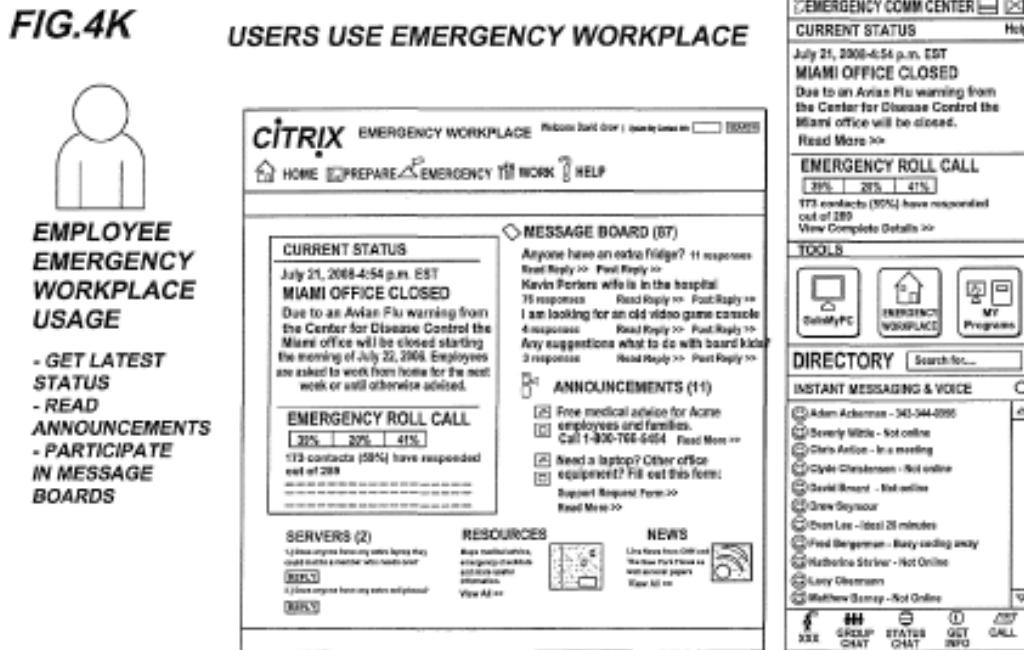


Figure 4K depicts an emergency workplace portion of the BCM web portal.

In one embodiment, a user can access the emergency workplace from the sidebar or employee communications center and then reviews the current status of the emergency or disruptive information. *Id.* ¶ 134. The employee reviews announcements and participate (post or reply) in message boards. *Id.* The user interface also displays information for the employee regarding the employee roll call. *Id.* The employee can provide information and status to the BCM system for updating reports and for tracking people and resources. *Id.*

3. Gage

Gage is titled "Disaster Response System for Conveying a Situation Status and Location of Subscribers and for Initiating Preconfigured

Response Plans,” and relates to “emergency notification systems for mobile telephone users within a disaster region to quickly and efficiently convey situational status indicators to concerned parties.” Ex. 1009, codes (54), (57), ¶ 2. The situational status and the location of a subscriber that is potentially affected by a disaster may be obtained by querying a centralized disaster response system, which, according to Gage, “is presumed to be outside a disaster region, thereby providing information to concerned parties without burdening a communication infrastructure of an affected area.” *Id.* ¶ 8. The disaster response system may automatically initiate a set of preconfigured, subscriber configurable actions. *Id.* More specifically, when a disaster is detected, mobile devices of subscribers may be queried for location and wireless connectivity by a centrally located disaster response system. *Id.* ¶ 9.

Figure 2 of Gage, reproduced below, illustrates a subscriber status reporting system 200 configured for use during disasters. *Id.* ¶¶ 16, 26.

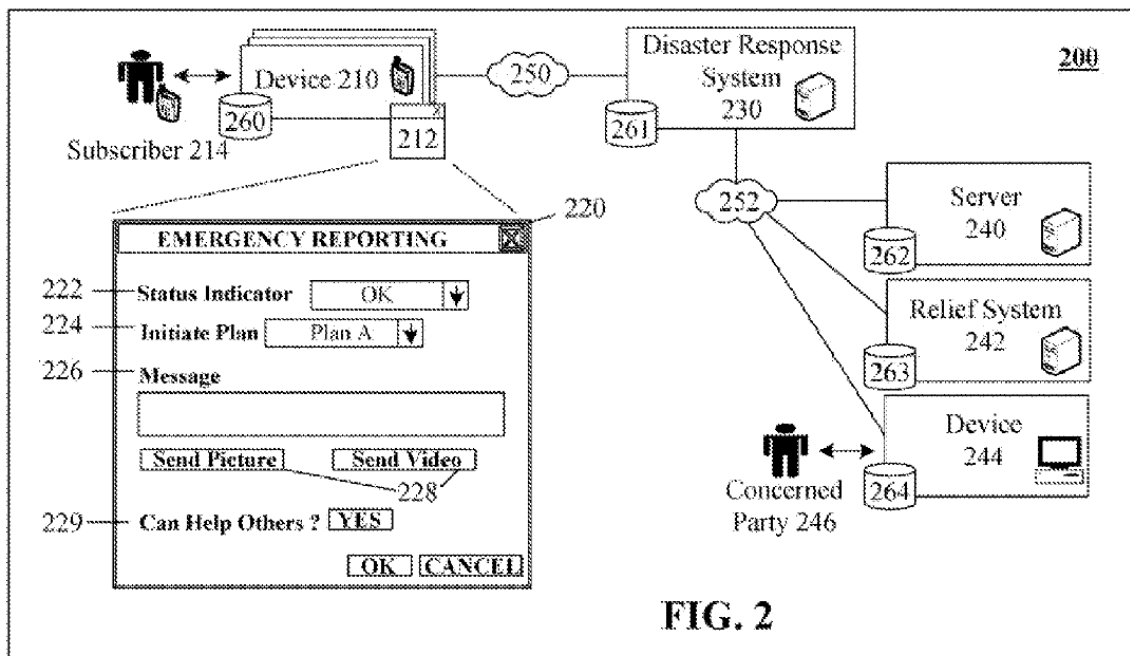


FIG. 2

Figure 2 illustrates a subscriber status reporting system 200 configured for use during disasters. *Id.* ¶¶ 16, 26.

In system 200 shown in Figure 2, a device 210 (e.g., a mobile telephone, a computer, a two-way radio, a GPS device, a media player) associated with a subscriber 214 may be linked to disaster response system 230 via network 250. *Id.* ¶¶ 26, 32. System 230 may be linked to server 240, relief system 242, and device 244 via network 252. *Id.* Device 244 is a device associated with concerned party 246. *Id.* Software 212 on device 210 permits subscriber 214 to report situation status information to system 230. *Id.* ¶ 27.

In operation, the server of a disaster response system requests conditions for each affected or queried subscriber. *Id.* ¶ 38. Then, a time-stamp response to each of these queries is placed in a corresponding database entry, and if no response is received within a predetermined time period, the response field is populated with an “[u]nknown” indication. *Id.* When all responses have been determined, responses are sent to each concerned party and/or to status reporting systems. *Id.*

4. Analysis

a. *Claims 1–8, and 11–18 as Obviousness Over Smith and Sinha (ground 2)*

Petitioner contends that claims 1–8, and 11–18 would have been obvious in view of Smith and Sinha. Pet. 12, 57–70.

We begin by addressing in detail Petitioner’s contentions with respect to the limitations of independent claims 1 and 11.

i. *Preamble – “providing roll call based information” (claims 1, 11)*

Petitioner argues that, “[t]o the extent limiting,” the combination of Smith and Sinha teaches the preambles. Pet. 57; *see also id.* 70–71. In particular, Petitioner contends that Smith teaches an “event center” that maintains a database “of hazards” across a large area, and “transmits a warning to each device that is predicted to encounter the hazard.” *Id.* (citing Ex. 1006 ¶¶ 17–18, 110). Petitioner further contends that Sinha teaches a “workforce continuity server” that “provides a ‘roll call report.’” *Id.* at 58 (citing Ex. 1007 ¶¶ 52, 82, 112, 133–134, Figs. 1, 4J–K). According to Petitioner, a POSITA “would have been motivated to implement Sinha’s message board and roll call features in Smith” to “enable concerned parties to determine the status of and communicate with users who are proximate a hazardous event.” *Id.* at 51–57 (citing Ex. 1003 ¶¶ 177–178).

Having reviewed all of Petitioner’s assertions regarding the preambles, as well as the supporting evidence, we determine on this record that Petitioner has made a sufficient showing that the combination of Smith and Sinha teaches “providing roll call based information,” as recited in claims 1 and 11. Furthermore, based on this preliminary record, we are persuaded that Petitioner has made a sufficient showing that a POSITA would have had a reason to combine the teachings of Smith and Sinha.⁹

⁹ Because we find availing Petitioner’s contention that the combination of Smith and Sinha teaches “providing roll call based information” recited in the preambles, for purposes of institution, we do not determine whether the preambles are limiting. *See Vivid*, 200 F.3d at 803.

- ii. “receiv[ing] an information item from a user device, wherein the information item identifies a situation” (claims 1, 11)

Petitioner contends that Smith’s event center “includes a *network controller*” (Pet. 59 (citing Ex. 1003 ¶ 184)) that is “configured to *receive an information item from a user device*.” *Id.* at 60 (citing Ex. 1003 ¶ 185). In particular, Petitioner contends that Smith’s mobile data processing device, i.e., “*user device*” “determines an event location in proximity to the mobile data processing device,” and “wirelessly sends . . . the event type and the determined event location” to the event center server. *Id.* (citing Ex. 1006 ¶¶ 20, 51, 107). According to Petitioner, “Smith’s ‘event type and [] determined event location’ are thus *information items* that *identify a situation*.” *Id.* at 61 (alteration in original) (citing Ex. 1006 ¶¶ 20–21).

Having reviewed all of Petitioner’s assertions regarding this limitation, as well as the supporting evidence, we determine on this record that Petitioner has made a sufficient showing that the combination of Smith and Sinha teaches “a network controller configured to: receive an information item from a user device, wherein the information item identifies a situation,” as recited in claims 1 and 11.

- iii. “mak[ing] the information item available to a first plurality of user devices” (claims 1, 11)

Petitioner contends that Smith’s event center “sends ‘information concerning the nature of the event’ to ‘each device that is predicted to intersect with or be located’ proximate to the event,” wherein the event center also “enables ‘authorized users or subscribers’ to access this information ‘remotely via a network connection.’” Pet. 61 (citing Ex. 1006

¶¶ 20–21, 50, 110–111, 115; Ex. 1003 ¶¶ 187–188). According to Petitioner, “[t]he user devices of authorized users or subscribers comprise the *first plurality of user devices*.” *Id.* (citing Ex. 1003 ¶ 187).

Having reviewed all of Petitioner’s assertions regarding this limitation, we determine on this record that Petitioner has made a sufficient showing that the combination of Smith and Sinha teaches “mak[ing] the information item available to a first plurality of user devices,” as recited in claims 1 and 11.

- iv. “*verify[ing] that the information item is related to the situation*” (claims 1, 11)

Petitioner contends that Smith’s event center server “includes a *central processing unit*” that is “configured to *verify that the information item is related to the situation* by ‘perform[ing] an integrity check on the reported data.’” Pet. 62 (citing Ex. 1006 ¶¶ 21, 50, 56, 69–70, 101, 108, 110, 124; Ex. 1003 ¶¶ 189–191).

Having reviewed all of Petitioner’s assertions regarding this limitation, we determine on this record that Petitioner has made a sufficient showing that the combination of Smith and Sinha teaches “verify[ing] that the information item is related to the situation,” as recited in claims 1 and 11.

- v. “*in response to the verifying, mak[ing] a message board related to the situation available to a second plurality of user devices*” (claims 1, 11)

Petitioner contends that Smith’s event center “‘transmits a warning’ in ‘the form of text, audio and/or a visual display’ to *a second plurality of user devices* that are ‘predicted to encounter the hazard.’” Pet. 63 (citing

Ex. 1006 ¶ 18; Ex. 1003 ¶¶ 192–194). According to Petitioner, this warning “is transmitted in response to performing the integrity check on the reported data (*the verifying*).” *Id.* (citing Ex. 1006 ¶¶ 101–102, 119, Fig. 12; Ex. 1003 ¶¶ 192–194). Petitioner then contends that, although Smith does not teach a “*message board*,” “such a *message board* would have been obvious in view of Sinha’s teachings.” *Id.* (citing Ex. 1003 ¶ 192). According to Petitioner, a POSITA would have found it obvious to combine Smith and Sinha “to make a message board available to user devices that are located near one of the Smith’s events (*second plurality of user devices*).” *Id.* at 64 (citing Ex. 1003 ¶¶ 193–194).

Having reviewed all of Petitioner’s assertions regarding this limitation, as well as the supporting evidence, we determine on this record that Petitioner has made a sufficient showing that the combination of Smith and Sinha teaches “in response to the verifying, mak[ing] a message board related to the situation available to a second plurality of user devices,” as recited in claims 1 and 11.

- vi. “*wherein the second plurality of user devices was identified based on the second plurality of user devices being geographically proximate to the situation*” (*claims 1, 11*)

Petitioner contends that Smith’s event center ““transmits a warning to each device that is predicted to encounter the hazard’ (i.e., that is *geographically proximate to the situation*),” and thus, “Smith identifies a plurality of user devices to warn about an event based on the plurality of user devices being *geographically proximate* to the event.” Pet. 65 (citing Ex. 1006 ¶¶ 18, 50; Ex. 1003 ¶¶ 195–196). Petitioner then contends that

Sinha’s message board “is provided to team members within ‘geographical zones’ that are affected by an event.” *Id.* (citing Ex. 1007 ¶¶ 26, 130, Fig. 4G; Ex. 1008, 22:24–26, 38:15–21, Fig. 5G; Ex. 1003 ¶ 197).

According to Petitioner, a POSITA would have found it obvious “for the Smith-Sinha system to make a message board available to user devices that are located near one of Smith’s events (*second plurality of user devices*).” *Id.* at 66 (citing Ex. 1003 ¶ 198).

Having reviewed all of Petitioner’s assertions regarding this limitation, as well as the supporting evidence, we determine on this record that Petitioner has made a sufficient showing that the combination of Smith and Sinha teaches “wherein the second plurality of user devices was identified based on the second plurality of user devices being geographically proximate to the situation,” as recited in claims 1 and 11.

vii. “*wherein the message board comprises a roll call list that includes status responses to roll call queries that were provided to the second plurality of user devices in order to solicit the status responses*” (claims 1, 11)

Petitioner contends that “Sinha teaches a *message board* that *comprises a roll call list*.” Pet. 66–67 (citing Ex. 1007 ¶¶ 58, 72, 134, Fig. 4K; Ex. 1008, 5:27–6:4, 22:14–19, 24:28–25:2, Fig. 5K; Ex. 1003 ¶¶ 200–202). Further, Petitioner contends that, in the combined teachings of Smith and Sinha, “the roll call list *includes status responses to roll call queries that were provided to the second plurality of user devices*.” *Id.* at 69 (citing Ex. 1003 ¶¶ 203–205). In particular, according to Petitioner, “Sinha’s roll call includes ‘statistics and a bar graph showing the number of employees who have responded to the alert’” (*id.* (citing Ex. 1008, 139:16–

20)), while “each of Smith’s user devices sends its ‘present position’ to the event center, which in turn determines whether to send a warning to the devices.” *Id.* at 70 (citing Ex. 1006 ¶¶ 48, 50).

Having reviewed all of Petitioner’s assertions regarding this limitation, as well as the supporting evidence, we determine on this record that Petitioner has made a sufficient showing that the combination of Smith and Sinha teaches “wherein the message board comprises a roll call list that includes status responses to roll call queries that were provided to the second plurality of user devices in order to solicit the status responses,” as recited in claims 1 and 11.

viii. Dependent claims 2–8 and 12–18

Petitioner provides detailed explanation as to how the combination of Smith and Sinha teaches the limitations recited in dependent claims 2–8 and 12–18, citing Dr. Cooperstock’s testimony for support. Pet. 71–80 (citing Ex. 1006 ¶¶ 20–21, 95–101, 107; Ex. 1007 ¶¶ 122, 133, Figs. 4J–K; Ex. 1008, 22:20–29, 24:23–27, 98:1–17, 101:5–11, Figs. 5J–K; Ex. 1003 ¶¶ 208, 210–212, 215–218, 220–221, 223–226, 229–230, 232–234).

Having reviewed Petitioner’s arguments and supporting evidence in the present record, we determine Petitioner has made a sufficient showing that the combination of Smith and Sinha teaches the subject matter of claims 2–8 and 12–18.

ix. Conclusion

For the foregoing reasons, we determine that the evidence and arguments presented show a reasonable likelihood that Petitioner would prevail in establishing that the subject matter of claims 1–8 and 11–18 would have been obvious in view of Smith and Sinha.

b. Claims 9, 10, 19, and 20 as Obvious over Smith, Sinha, and Gage (ground 3)

Petitioner provides detailed explanation as to how claims 9, 10, 19, and 20 would have been unpatentable over Smith and Sinha, in further view of Gage. Pet. 80–83. In particular, Petitioner contends that, “to the extent the Smith-Sinha combination does not expressly teach social connections indicative of family and friends, Gage does.” *Id.* at 80. According to Petitioner, Gage’s disaster response system “can make the status indicator and the location available to concerned parties,” such as “friends,” “a mother” and/or “an aunt.” *Id.* at 81 (citing Ex. 1009, Abstract, ¶ 46). Petitioner contends that a POSITA would have found it obvious to combine the teachings of Gage to those of Smith and Sinha “to grant the concerned parties access to the message board and roll call list already implemented,” because the Smith and Sinha combination “was ready for improvement to provide wider access to the message board and roll call list.” *Id.* at 83 (citing Ex. 1003 ¶ 244).

Having reviewed Petitioner’s arguments and supporting evidence in the present record, we determine Petitioner has made a sufficient showing that the combination of Smith, Sinha and Gage teaches the subject matter of claims 9, 10, 19, and 20. Furthermore, based on this preliminary record, we are persuaded that Petitioner has made a sufficient showing that a POSITA would have had a reason to combine the teachings of Smith, Sinha and Gage.

For the foregoing reasons, we determine that the evidence and arguments presented show a reasonable likelihood that Petitioner would

prevail in establishing that the subject matter of claims 9, 10, 19, and 20 would have been obvious in view of Smith, Sinha, and Gage.

III. CONCLUSION

Because we determine that Petitioner has demonstrated a reasonable likelihood that it would prevail in showing at least one of the challenged claims is unpatentable, we institute *inter partes* review as to all challenged claims and grounds presented in the Petition. At this stage of the proceeding, we have not made a final determination as to the patentability of any of these challenged claims.

IV. ORDER

For the reasons given, it is

ORDERED that pursuant to 35 U.S.C. § 314, an *inter partes* review is instituted as to claims 1–20 of the '682 patent to determine whether:

- 1) claims 1–20 are unpatentable under 35 U.S.C. § 103 as obvious over Burfeind and Crowley;
- 2) claims 1–8 and 11–18 are unpatentable 35 U.S.C. § 103 as obvious over Smith and Sinha;
- 3) claims 9, 10, 19, and 20 are unpatentable under 35 U.S.C. § 103 as obvious over Smith, Sinha, and Gage; and

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

IPR2024-00531
Patent 11,470,682 B1

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