

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

METARAIL, INC.,
Patent Owner.

IPR2024-01272
Patent 10,152,734 B1

Before STACEY G. WHITE, FRANCES L. IPPOLITO, and
BRIAN P. MURPHY, *Administrative Patent Judges*.

MURPHY, *Administrative Patent Judge*.

DECISION
Denying Petitioner's Request for Rehearing
37 C.F.R. § 42.71(d)

I. INTRODUCTION

Google LLC (“Petitioner”) filed a Petition pursuant to 35 U.S.C. § 311 requesting institution of *inter partes* review of claims 1–20 of U.S. Patent No. 10,152,734 B1 (Ex. 1001, “the ’734 patent”). Paper 2 (“Pet.”). Metarail, Inc. (“Patent Owner”) filed a Patent Owner Preliminary Response. Paper 6 (“Prelim. Resp.”). On April 24, 2025 we denied institution of the requested *inter partes* review. Paper 11 (“Decision” or “Dec.”). On May 27, 2025, Petitioner timely filed a Request for Rehearing of our Decision. Paper 12 (“Rehearing Request” or “Req.”).

II. ANALYSIS

A request for rehearing “must specifically identify all matters the party believes the Board misapprehended or overlooked, and the place where each matter was previously addressed in a motion, an opposition, a reply or sur-reply.” 37 C.F.R. § 42.71(d). The party challenging a decision bears the burden of showing the decision should be modified. *Id.* We address Petitioner’s rehearing arguments below.

The Rehearing Request asserts that (1) we misapprehended the scope of the claims because we “misapplie[d] the claimed determining **step** as unclaimed UVM **structure**,” (2) the Petition showed that Halevy’s form database as modified in the asserted Oldham-Halevy combination meets the claimed Universal Variable Map (“UVM”), and (3) we “effectively limited the claims to the ‘non-limiting’ . . . Table 1 of the specification.” Req. 12, 4.

The Rehearing Request is based on the faulty premise that the Board misconstrued the determining steps recited in claim limitations [1B] and [1C] by referencing a particular UVM embodiment (limitation [1A]) disclosed in the ’734 patent, rather than by comparing the Oldham-Halevy

prior art to the recited claim limitations. *Id.* at 1–5. Petitioner focuses in particular on limitation [1C]: “*determining, by the computer, field identifiers of a networked data target that are mapped to the field identifiers of the networked data source in the universal variable data database.*”

Petitioner asserts that:

nothing in the claims requires that any kind of “**map[ing]**” between field identifiers be “**stored**” in the UVM; field identifiers must **be** “mapped” as part of performing the method, but that does not mean that the UVM itself must store a mapping, much less any particular kind of mapping. The Board’s denial of institution misapplies the claimed determining **step** as unclaimed UVM **structure**, which it is not.

Id. at 1. In essence, Petitioner asserts that our analysis improperly reads a structural storage limitation of the UVM recited in limitation [1A] into the determining step in limitation [1C]. *Id.* at 1–2.

First, nowhere does our Decision indicate that “the UVM itself must store a mapping,” particularly with regard to limitations [1B] and [1C], as asserted by Petitioner. *See* Dec. 12–29. Nor did we compare the prior art Oldham-Halevy combination to the preferred embodiment in Table 1 of the ’734 patent. *Id.* In fact, the Request repeatedly relies on the only reference to Table 1 in our Decision, which appears on page 6 in our Introduction and background section, where we described the UVM embodiment in Table 1 of the ’734 patent as “an example” of the claimed invention, nothing more. Req. 1, 5, 9 (citing Dec. 6). Our Decision compared the Oldham-Halevy prior art asserted in the Petition to the determining step limitations [1B] and [1C] and found the Petition’s evidence and argument insufficient to support institution. Dec. 21–29. Thus, we did not misapprehend the “correct analysis and compare[] the prior art to Table 1 of the ’734 Patent’s

specification, rather than comparing the art [Oldham-Halevy] to the claim language as required,” as asserted by Petitioner. Req. 4–5.

Second, limitation [1B] recites “*determining by the computer . . . , field identifiers of the networked data source stored in the universal variable data database.*” In our Decision, we made clear that we were not persuaded by the Petition’s assertion that Oldham-Halevy disclosed or taught limitation [1B] because:

The Petition has not sufficiently identified a teaching of the asserted “*field identifiers of the networked data source*” in Oldham’s external engine, or explained why any such field identifiers would be stored in Halevy’s form database (asserted “*universal variable data database*”). . . . As Dr. Malek explains, SO-properties [in Halevy] are not field identifiers from Oldham’s external engine. The Petition does not identify “*the field identifiers of the networked data source*” in Oldham’s system or explain why any such field identifiers would be stored in Halevy’s form data base (“*stored in the universal variable data database*”) for mapping with Halevy’s form field identifiers.

Dec. 26. We quoted extensively from the Patent Owner’s expert declaration of Dr. Malek in support. *Id.* at 25–26 (citing Ex. 2001 ¶¶ 59, 61–64). In short, our Decision did not “compare[] the prior art [Oldham and Halevy] to Table 1 of the ’734 Patent’s specification, rather than comparing the art to the claim” as asserted by Petitioner. Req. 4–6.

Third, limitation [1C] recites “*determining, by the computer, field identifiers of a networked data target that are mapped to the field identifiers of the networked data source in the universal variable data database.*” In our Decision, we made clear that we were not persuaded by the Petition’s assertion that Oldham-Halevy disclosed or taught limitation [1C] because:

[The Petition’s] assertions again improperly equate Halevy’s SO-

properties (normalized variables) to “*field identifiers*” from Oldham’s external engine (the asserted “*networked data source*”). As explained above, Halevy’s classified SO-properties are not “*field identifiers*” generated from a user’s search query in Oldham’s “*networked data source*,” even in the asserted combination of a modified Oldham-Halevy system. Moreover, the asserted mapping of query “keywords” to SO-properties does not satisfy the recited mapping between “*field identifiers*” of the networked data source and a networked data target. Thus, the Petition does not establish that field identifiers of Oldham’s external engine (“*field identifiers of a networked data source*”) are stored in Halevy’s form database (“*stored in the universal variable data database*”) and “mapped” to the form fields of a class of forms stored in Halevy’s form database (“*field identifiers of a networked data target*”).

Dec. 27 (citing Pet. 33–35). We again quoted extensively from Dr. Malek’s declaration emphasizing the weaknesses in the Petition. Dec. 28 (citing Ex. 2001 ¶ 67). Nor are we persuaded by Petitioner’s argument that we were somehow limiting the claims to the Table 1 embodiment in the ’734 patent because we referenced inconsistencies in the Petition. Req. 8–9 (citing Dec. 9–10, 24–26). We credited Dr. Malek’s testimony over Dr. Fox’s testimony because Dr. Malek underlined the distinctions between the asserted Oldham-Halevy prior art combination and limitation [1C]. Dec. 28 (citing Ex. 1003 ¶ 114; Ex. 2001 ¶ 67). In short, any confusion applying the prior art Oldham-Halevy references to the claim limitation is rooted in the Petition. The Board denied the Petition because the Petition did not demonstrate a reasonable likelihood of showing that Oldham-Halevy discloses or teaches limitation [1C] of the ’ 734 patent.

With regard to the Reply and Sur-Reply submitted by the parties, we did not take an improperly narrow view of the ’734 patent claims. Req. 9. In fact, we reviewed the parties’ discussion of claim construction, but ultimately

determined that “[f]or purposes of this Decision, we need not expressly construe any claim terms” to decide whether to institute. Dec. 12. The Board denied the Petition because the Petition did not demonstrate a reasonable likelihood of showing that Oldham-Halevy discloses or teaches limitations [1B] and [1C] of the ’734 patent.

Therefore, for the reasons given above, we *deny* Petitioner’s request for rehearing.

III. ORDER

It is hereby ORDERED that Patent Owner’s request for rehearing is *denied*.

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