

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PLAID TECHNOLOGIES, INC.
Petitioner

v.

YODLEE, INC.
Patent Owner

Case No. CBM2016-00045
U.S. Patent No. 6,317,783

PETITION FOR COVERED BUSINESS METHOD REVIEW
OF U.S. PATENT NO. 6,317,783

Mail Stop **Patent Board**
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

TABLE OF CONTENTS

	<u>Page</u>
TABLE OF AUTHORITIES	iv
EXHIBIT LIST	vii
I. INTRODUCTION	1
II. OVERVIEW OF THE '783 PATENT	1
A. Summary of the Specification	1
B. Summary of the Relevant Prosecution History	6
C. State of the Art	8
III. CLAIM CONSTRUCTION	11
A. Proposed Claim Constructions	12
1. “Non-Public Personal Information” (Claims 1, 18, 20)	12
2. “Intermediary Web Site” (Claims 14–17, 33–36)	17
3. “End User” (Claims 1, 4, 6, 13, 18–20, 23, 25–26, 32)	19
4. “Protocol” (Claims 1, 18, 20)	19
5. “Store” (Claims 1, 3, 6, 18, 20, 22, 24, 25)	19
6. “Formatted Web Elements” (Claims 10–11, 29–30)	22
7. “Executing a Transaction” (Claims 4, 23); “Transaction Execution” (Claim 24)	22
8. “Provider Data” (Claims 1, 4, 18, 20, 23)	24
9. “Monitoring for Changes” (Claims 2, 21)	24
10. “Processor” Retrieving “Personal Information” (Claims 1, 18, 20)	25
IV. GROUNDS FOR STANDING	26
A. The '783 Patent Is a Covered Business Method Patent	26
1. The '783 Patent Claims a Method or Apparatus Used in the Practice, Administration, or Management of a Financial Product or Service	26

TABLE OF CONTENTS *(continued)*

Page

2.	None of the Claims of the '783 Patent Are Directed to a Technological Invention.....	34
B.	Petitioner Has Been Sued for Infringement of the '783 Patent, and Is Not Estopped From Challenging the '783 Patent Claims	42
V.	THE CHALLENGED CLAIMS ARE UNPATENTABLE UNDER 35 U.S.C. § 101	43
A.	Claims 1–36 of the '783 Patent Are Directed to an Abstract Idea 43	
B.	Claims 1–36 of the '783 Patent Do Not Have an Inventive Concept.....	47
1.	Claim 1 Does Not Have an Inventive Concept	48
2.	Claim 2 Does Not Add an Inventive Concept to Claim 1	53
3.	Claim 3 Does Not Add an Inventive Concept to Claim 1	53
4.	Claim 4 Does Not Add an Inventive Concept to Claim 1	54
5.	Claim 5 Does Not Add an Inventive Concept to Claim 4.....	55
6.	Claim 6 Does Not Add an Inventive Concept to Claim 1	56
7.	Claim 7 Does Not Add an Inventive Concept to Claim 6.....	56
8.	Claim 8 Does Not Add an Inventive Concept to Claim 7.....	57
9.	Claim 9 Does Not Add an Inventive Concept to Claim 6.....	58
10.	Claim 10 Does Not Add an Inventive Concept to Claim 9.....	58
11.	Claim 11 Does Not Add an Inventive Concept to Claim 9.....	59
12.	Claim 12 Does Not Add an Inventive Concept to Claim 9.....	60
13.	Claim 13 Does Not Add an Inventive Concept to Claim 1	60
14.	Claim 14 Does Not Add an Inventive Concept to Claim 1	61
15.	Claim 15 Does Not Add an Inventive Concept to Claim 14.....	62
16.	Claim 16 Does Not Add an Inventive Concept to Claim 14.....	63
17.	Claim 17 Does Not Add an Inventive Concept to Claim 16.....	64
18.	Claim 18 Does Not Have an Inventive Concept	64
19.	Claim 19 Does Not Add an Inventive Concept to Claim 18.....	65
20.	Claim 20 Does Not Have an Inventive Concept	65
21.	Claim 21 Does Not Add an Inventive Concept to Claim 20.....	66
22.	Claim 22 Does Not Add an Inventive Concept to Claim 20.....	66
23.	Claim 23 Does Not Add an Inventive Concept to Claim 20.....	66
24.	Claim 24 Does Not Add an Inventive Concept to Claim 23.....	67
25.	Claim 25 Does Not Add an Inventive Concept to Claim 20.....	67
26.	Claim 26 Does Not Add an Inventive Concept to Claim 25.....	67

TABLE OF CONTENTS *(continued)*

	<u>Page</u>
27. Claim 27 Does Not Add an Inventive Concept to Claim 26.....	67
28. Claim 28 Does Not Add an Inventive Concept to Claim 25.....	68
29. Claim 29 Does Not Add an Inventive Concept to Claim 28.....	68
30. Claim 30 Does Not Add an Inventive Concept to Claim 28.....	68
31. Claim 31 Does Not Add an Inventive Concept to Claim 28.....	68
32. Claim 32 Does Not Add an Inventive Concept to Claim 20.....	68
33. Claim 33 Does Not Add an Inventive Concept to Claim 20.....	69
34. Claim 34 Does Not Add an Inventive Concept to Claim 33.....	69
35. Claim 35 Does Not Add an Inventive Concept to Claim 33.....	69
36. Claim 36 Does Not Add an Inventive Concept to Claim 35.....	69
C. Alternate Constructions Provided by the District Courts in <i>CashEdge</i> and <i>Block Financial</i> Do Not Transform the Claims Into Patent-Eligible Subject Matter.....	70
1. “Non-Public Personal Information”	70
2. “Intermediary Website”	71
3. “End User”	72
4. “Personal Information Store”	73
5. “Provider Store”	73
6. “User Store”	74
VI. STATEMENT OF THE PRECISE RELIEF REQUESTED FOR EACH CLAIM CHALLENGED	75
VII. MANDATORY NOTICES	75
A. Real Parties-in-Interest and Related Matters	75
B. Lead and Back-Up Counsel and Service Information	75
C. Certificate of Service on Patent Owner and Complete Fee	76
VIII. CONCLUSION	76

TABLE OF AUTHORITIES

	<u>Page(s)</u>
Cases	
<i>Accenture Global Servs., GmbH v. Guidewire Software, Inc.</i> , 728 F.3d 1336 (Fed. Cir. 2013)	35
<i>Alice Corp. Pty Ltd. v. CLS Bank Int'l</i> , 134 S. Ct. 2347 (2014).....	1, 36, 37, 43, 46, 47, 48, 54, 73, 74
<i>AllScripts Healthcare Solutions, Inc. v. MyMedicalRecords, Inc.</i> , CBM2015-00022, Paper 20 (Aug. 26, 2015)	71, 72, 75
<i>In re Am. Acad. of Sci. Tech. Ctr.</i> , 367 F.3d 1359 (Fed. Cir. 2004)	12
<i>Ariosa Diagnostics, Inc. v. Sequenom, Inc.</i> , 788 F.3d 1371 (Fed. Cir. 2015)	50
<i>buySAFE, Inc. v. Google, Inc.</i> , 765 F.3d 1350 (Fed. Cir. 2014)	35, 50
<i>Content Extraction, & Transmission, LLC v. Wells Fargo Bank</i> , 776 F.3d 1343 (Fed. Cir. 2014)	44, 72
<i>CRS Adv. Techs., Inc. v. Frontline Techs., Inc.</i> , CBM2012-00005, Paper No. 17 (Jan. 23, 2013)	35
<i>In re Cuozzo Speed Techs., LLC</i> , 793 F.3d 1268 (Fed. Cir. 2015)	11
<i>Cyberfone Sys., LLC v. CNN Interactive Grp., Inc.</i> , 558 F. App'x 988 (Fed. Cir. 2014)	45
<i>CyberSource Corp. v. Retail Decisions, Inc.</i> , 654 F.3d 1366 (Fed. Cir. 2011)	48
<i>DDR Holdings, LLC v. Hotels.com</i> , 773 F.3d 1245 (Fed. Cir. 2014)	51, 52
<i>Digitech Image Techs., LLC v. Elecs. for Imaging</i> , 758 F.3d 1344 (Fed. Cir. 2014)	44, 72
<i>Honeywell Int'l, Inc. v. ITT Indus., Inc.</i> , 452 F.3d 1312 (Fed. Cir. 2006)	12, 23, 31
<i>Intellectual Ventures I LLC v. Capital One Bank (USA)</i> , 792 F.3d 1363 (Fed. Cir. 2015)	45, 48, 52, 54, 65, 66

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.