

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PLAID TECHNOLOGIES, INC.,
Petitioner,

v.

YODLEE, INC.,
Patent Owner.

Case CBM2016-00045
Patent 6,317,783 B1

Before KEVIN F. TURNER, MICHAEL W. KIM, and MICHAEL R.
ZECHER, *Administrative Patent Judges*.

KIM, *Administrative Patent Judge*.

DECISION

Denying Covered Business Method Patent Review
35 U.S.C. § 324(a) and 37 C.F.R. § 42.208

I. INTRODUCTION

A. *Background*

Plaid Technologies, Inc. (“Petitioner”) filed a Petition to institute a covered business method patent review of claims 1–36 of U.S. Patent No. 6,317,783 B1 (Ex. 1001, “the ’783 patent”). Paper 2 (“Pet.”). Yodlee, Inc. (“Patent Owner”) filed a Preliminary Response. Paper 6 (“Prelim. Resp.”). For the reasons given below, we determine that Petitioner, on this record, has not shown that it is more likely than not that claims 1–36 do not constitute statutory subject matter under 35 U.S.C. § 101, the only ground of unpatentability set forth in the Petition. Accordingly, we do not institute a covered business method patent review of the ’783 patent.

B. *Related Proceedings*

Petitioner and Patent Owner identify the following district court proceedings concerning the ’783 patent: *Yodlee, Inc. v. Plaid Technologies, Inc.*, Civ. No. 14-cv-01445 (D. Del.). Pet. 75; Paper 5, 1. Petitioner and Patent Owner identify also the following request for *inter partes* review of the ’783 patent involving the same parties: Case IPR2016-00273. Pet. 75; Paper 5, 1.

C. *Standing*

Section 18 of the American Invents Act (“AIA”) governs the transitional program for covered business method patent reviews. Section 18(a)(1)(B) of the AIA limits such reviews to persons, or their privies, that have been sued or charged with infringement of a covered business method patent. Petitioner asserts that, because it has been sued for infringement of the ’783 patent, it has standing to file its Petition. Pet. 42–43. Based on the record before us, we agree.

D. The '783 Patent

The '783 patent discloses the following under the heading “Field of Invention”:

The invention relates to an apparatus and process for automated aggregation and delivery of electronic personal information or data (PI). The invention further relates to the automation of transactions involving electronic PI.

Ex. 1001, 1:23–26. Figure 2 of the '783 patent is reproduced below.

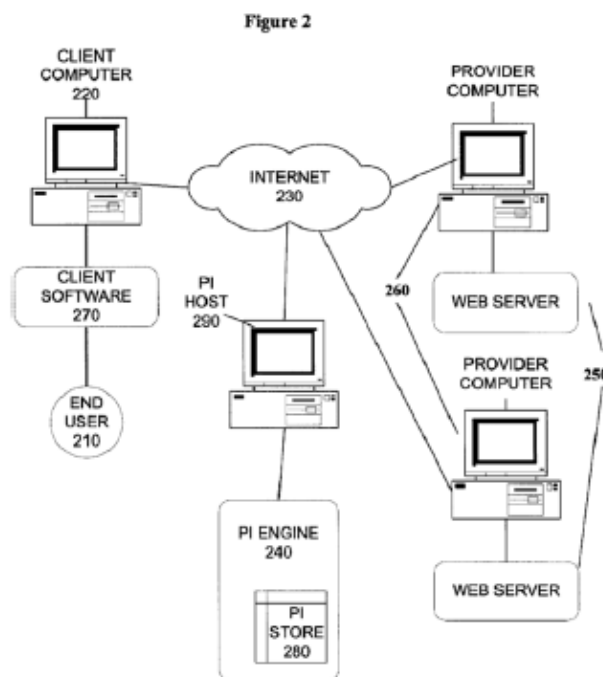


Figure 2 depicts end user 210, who accesses client computer 220 running client software 270 such as a web browser. Ex. 1001, 4:27–32. Client computer 220 accesses PI engine 240 running on PI host 290 via Internet 230, and client computer 220 can display PI accessed from PI engine 240 to end user 210 using client software 270. Ex. 1001, 4:33–34, 4:39–43. PI engine 240 includes PI store 280, which is examined for “freshness” and can be “refreshed by directly reacquiring the PI from the particular information

provider's Web site **250** running on the provider's computer system **260** accessed across the Internet **230.**" Ex. 1001, 4:34–47.

Figure 3 of the '783 patent is reproduced below.

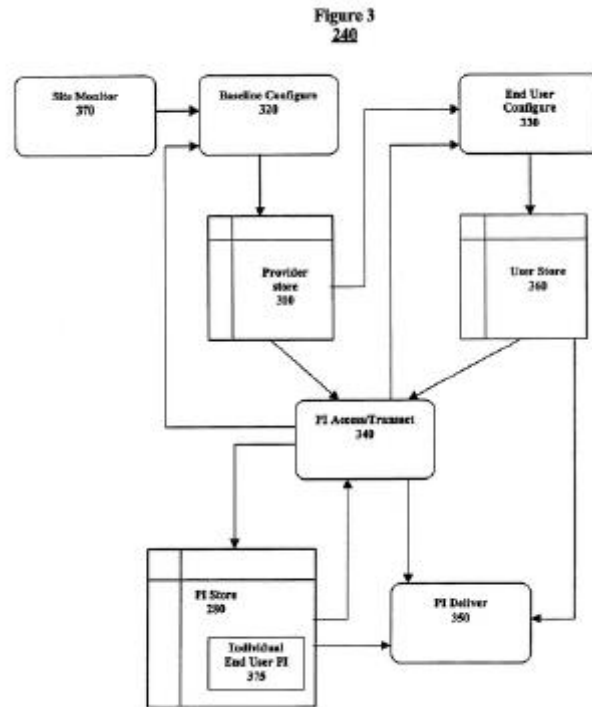


Figure 3 depicts a block diagram of the components of PI engine 240. Ex. 1001, 4:52–53. PI engine 240 can include PI access/transact component 340, which supports the update, acquisition, and transaction functionality of PI engine 240. Ex. 1001, 9:30–32. Access/transact component 340 utilizes “the access procedure and information needed for the particular PI” from provider store 310 along with “verification and access data” found in user store 360 for processing PI transactions. Ex. 1001, 9:38–48.

E. Illustrative Claim

Petitioner challenges claims 1–36 of the '783 patent. Claims 1, 18, and 20 are the only independent claims. Independent claim 1 is illustrative of the challenged claims and is reproduced below:

1. A method for delivering non-public personal information relating to an end user via a wide-area computer network to an end user from at least one of a plurality of information providers securely storing the personal information under control of a processor located remotely from the information providers and the end user, the method comprising the steps of:

(a) the processor connecting with at least one information provider;

(b) for a selected end user, the processor retrieving personal information for the selected end user from the connected at least one information provider based on end user data associated with the selected end user and information provider data associated with the connected one or more information providers, the end user data including information identifying the plurality of information providers securely storing the personal information relating to the end user, the provider data including a protocol for instructing the processor how to access the securely stored personal information via the network, the information accessible to the processor using the protocol also being accessible by the end user via the network independently of the system for delivering personal information; and

(c) the processor storing the retrieved personal information in a personal information store for access by the selected end user.

Ex. 1001, 16:46–17:6.

F. Covered Business Method Patent

Under § 18(a)(1)(E) of the AIA, we may institute a transitional review proceeding only for a covered business method patent. A “covered business method patent” is a patent that “claims a method or corresponding apparatus for performing data processing or other operations used in the practice, administration, or management of a financial product or service, except that the term does not include patents for technological inventions.” AIA

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