### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Asghari-Kamrani et al.

U.S. Patent No.: 8,266,432 Attorney Docket No.: 36137-0007CP1

Issue Date: September 11, 2012

Appl. Serial No.: 12/210,926

Filing Date: September 15, 2008

Title: CENTRALIZED IDENTIFICATION AND

AUTHENTICATION SYSTEM AND METHOD

### **Mail Stop Patent Board**

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

PETITION FOR COVERED BUSINESS METHOD PATENT REVIEW OF UNITED STATES PATENT NO. 8,266,432 PURSUANT TO 35 U.S.C. § 321

AND § 18 OF THE LEAHY-SMITH AMERICA INVENTS ACT



### **TABLE OF CONTENTS**

I.	MANDATORY NOTICES UNDER 37 C.F.R §§ 42.8(a)(1), 42.8(b)(1),				
	42.8(b)(2), 42.8(b)(3) AND PAYMENT OF FEES UNDER 37 C.F.R § 42.103				
II.	REQUIREMENTS FOR CBM UNDER 37 C.F.R. § 42.3042				
	A.	Grounds for Standing Under 37 C.F.R. § 42.304(a)	2		
	B.	Challenge Under 37 C.F.R. § 42.304(b) and Relief Requested	2		
	C.	Claim Construction under 37 C.F.R. §§ 42.104(b)(3)	4		
	D.	The '432 Patent is a Covered Business Method Patent	9		
	E.	The '432 Patent Is Not Directed to a Technological Invention, And			
		Thus, Should Not Be Excluded From the Definition of a CBM Patent.	12		
III.	THERE IS A REASONABLE LIKELIHOOD THAT AT LEAST ONE				
	CLAIM OF THE '432 PATENT IS UNPATENTABLE16				
	A.	The Effective Priority Date for the '432 Patent is Sept. 15, 2008,			
		Because the Parent Fails to Provide Written Description Support for the	ne		
		Claims of the '432 Patent	.16		
		<ol> <li>The Parent Fails to Incorporate by Reference the Grandparent</li> <li>The Parent Lacks Written Description Support for the Claims of The '432 Patent.</li> <li>The Patent Owners (POs) Admit that the Parent Discloses A Different Invention than the '432 Patent, Precluding Continuity Disclosure.</li> </ol>	f .19		
	B.	GROUNDS 1 and 2- Norefors Anticipates Claims 1, 3, 5-8, 12-13, 15			
		27, 30-42, 44-45, 47-48, 50-52, and 54-55 While in the Alternative			
		Norefors in View of Rajasekaran Renders Obvious These Claims	.28		
		1. Overview of Norefors			
		2. Overview of Rajasekaran	.33		



# Attorney Docket No. 36137-0007CP1 Petition for CBMR of U.S. Patent No. 8,266,432

IV.	CC	NCLUSION	66
		<ol> <li>Overview of Norefors, Rajasekaran, and Brown</li> <li>The Combination of Norefors and Brown Renders Obvious Claims 2, 4, 9-11, 14, 28, 29, 43, 46, 49, and 53, While in the Alternative the Combination of Norefors, Rajasekaran, and Brow Renders Obvious Those Claims</li> </ol>	'n
		Obvious Those Claims	56
		Claims 2, 4, 9-11, 14, 28, 29, 43, 46, 49, and 53, While In the Alternative Norefors In View of Rajasekaran and Brown Renders	
	C.	3. Norefors Anticipates Claims 1, 3, 5-8, 12-13, 15-27, 30-42, 44-45, 47-48, 50-52, and 53-55 in a First Construction, and Those Claim Also Are Rendered Obvious by Norefors in View of Rajasekaran using a Second, Narrower Construction	ıs



# Attorney Docket No. 36137-0007CP1 Petition for CBMR of U.S. Patent No. 8,266,432

### **EXHIBITS**

USAA-1001	U.S. Patent No. 8,266,432 to Asghari-Kamrani et al. ("the '432 Patent" or "'432")
USAA-1002	Excerpts from the Prosecution History of the '432 Patent ("the Prosecution History")
USAA-1003	Declaration of Dr. Seth Nielson re the '432 Patent ("Nielson")
USAA-1004	Curriculum Vitae of Dr. Seth Nielson
USAA-1005	U.S. Patent No. 7,356,837 ("the '837 Patent" or "'837")
USAA-1006	Transitional Program for Covered Business Method Patents— Definitions of Covered Business Method Patent and Technological Invention, 77 Fed. Reg. 157 (August14, 2012)
USAA-1007	A Guide to the Legislative History of the America Invents Act; Part II of II, 21 Fed. Cir. Bar J. No. 4
USAA-1008	RESERVED
USAA-1009	PNC Bank v. Secure Axcess, LLC, CBM2014-00100 Paper 10 (entered September 9, 2014)
USAA-1010	RESERVED
USAA-1011	RESERVED
USAA-1012	RESERVED
USAA-1013	U.S. Patent Application Serial No. 12/210,926 ("the '926 Appln." or "Child")
USAA-1014	U.S. Patent Application Serial No. 11/239,046 ("the '046 Appln." or "Parent")



## Attorney Docket No. 36137-0007CP1 Petition for CBMR of U.S. Patent No. 8,266,432

USAA-1015	U.S. Patent No. 7,444,676 ("the '676 Patent" or "'676")
USAA-1016	U.S. Patent Application Serial No. 09/940,635 ("the '635 Appln." or "Grandparent")
USAA-1017	U.S. Patent Application Publication No. 2003/0046591 ("the '591 Pub." or "Grandparent Pub.")
USAA-1018	RESERVED
USAA-1019	In re Zletz, 893 F.2d 319 (Fed. Cir. 1989)
USAA-1020	In re Hogan, 559 F.2d 595; 194 USPQ 527 (CCPA 1997)
USAA-1021	Advanced Display Sys., Inc. v. Kent State Univ. 212 F.3d 1272 (Fed. Cir. 2000)
USAA-1022	RESERVED
USAA-1023	Cook Biotech Inc. v. Acell, Inc., 460 F.3d 1365, 1376 (Fed. Cir. 2006).
USAA-1024	Reiffin v. Microsoft Corp. 214 F.3d 1342, 1346 (Fed. Cir. 2000)
USAA-1025	Informatica Corp. v. Protegrity Corp., CBM2015-00010, Paper 13
USAA-1026	United Services Automobile Association v. NADER ASGHARI- KAMRANI and KAMRAN ASGHARI-KAMRANI, IPR2015- 01842, Paper 13
USAA-1027	United Services Automobile Association v. NADER ASGHARI- KAMRANI and KAMRAN ASGHARI-KAMRANI, IPR2015- 01842, Paper 7



# DOCKET

# 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.

