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Paper 21
Entered: February 12, 2013

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MOTOROLA MOBILITY LLC
Petitioner,

v.

MICHAEL **ARNOUSE**
Patent Owner.

Case IPR2013-00010 (MT)
Patent 7,516,484

Before MICHAEL P. TIERNEY, JONI Y. CHANG and
JENNIFER S. BISK, *Administrative Patent Judges*.

CHANG, *Administrative Patent Judge*

DECISION
Institution of *Inter Partes* Review
37 C.F.R. § 42.108

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I. BACKGROUND

On October 2, 2012, Motorola Mobility LLC ("Motorola") filed a petition requesting an *inter partes* review of U.S. Patent 7,516,484 ("the '484 patent").[1] ("Pet." Paper 2.) In response, the patent owner, Michael Arnouse ("Arnouse"), filed a preliminary response on January 7, 2013. ("PR" Paper 14.) We have jurisdiction under 35 U.S.C. §§ 6(b) and 314. The standard for instituting an *inter partes* review is set forth in 35 U.S.C. § 314(a) which provides:

> THRESHOLD -- The Director may not authorize an inter partes review to be instituted unless the Director determines that the information presented in the petition filed under section 311 and any response filed under section 313 shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.

Motorola challenges the patentability of claims 1, 3, 7, 15, 16, 18, and 20 of the '484 patent. We determine that the information presented in the petition and patent owner preliminary response shows that there is a reasonable likelihood that Motorola would prevail with respect to at least one challenged claim. Accordingly, we authorize an *inter partes* review to be instituted for the '484 patent.

Motorola indicates that the '484 patent is the subject of litigation styled *Arnouse Digital Devices Corp. v. Motorola Mobility, Inc.,* No. 5:11-cv-00155-cr (D. Vt.). (Pet. 2.)

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[1] The Board has determined that the petition was timely filed. (Paper 20.)

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A. The '484 Patent

The '484 patent describes a reader adapted for a portable computer. (Ex. 1001, Abs.) According to the '484 patent, when the reader and portable computer are connected together, the combined system becomes a fully functional personal computer. (*Id.*) By itself without connecting to the portable computer, the reader is a non-functioning "shell" that includes at least one input device and at least one output device, such as a keyboard and a display. (*Id.*) A user cannot interact with the portable computer without the reader. (Ex. 1001, Abs.) Figure 4, reproduced below, shows a computer system that has a portable computer and a plurality of readers:

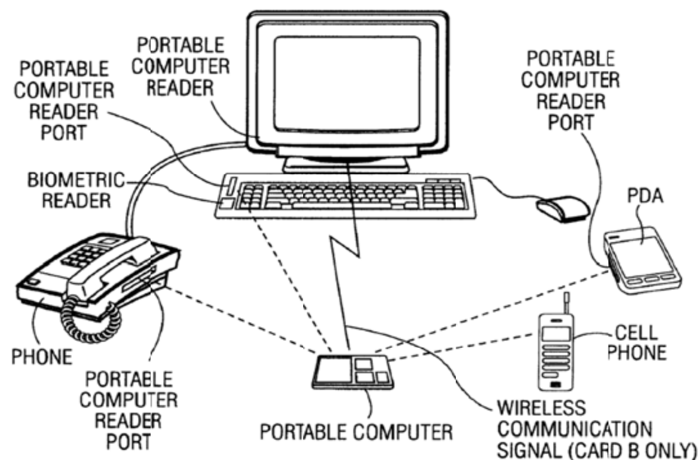

Figure 4 illustrates an embodiment of the '484 patent.

As shown in Figure 4, a plurality of readers may be located at various locations so that a user may use the portable computer in those remote locations. (Ex. 1001 6:59-7:6.) The main function of the readers is to allow a user to interact with the portable computer. (*Id.*)

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B. Representative Claim

On the claims challenged, claims 1 and 15 are the only independent claims. Claims 3 and 7 depend from claim 1, and claims 16, 18, and 20 depend from claim 15.

Claim 15, reproduced below, is representative:

A computing system comprising:

at least one portable computer, each comprising:

storage; and

at least one connector for connecting to at least one reader;

at least one reader, each comprising:

an input device;

an output device; and

a connector for connecting to the at least one portable computer,

wherein the portable computer excludes means for a user to interact directly with the portable computer,

wherein the reader and portable computer are configured to become a fully functioning computer when connected,

wherein the readers are configured so that they will not operate with a computer other than a portable computer of the system, and

wherein the reader is configured to be a non-functioning shell when not connected to the portable computer.

C. Prior Art Relied Upon

Motorola relies upon the following prior art references:

Nelson	U.S. Patent 5,436,857	Jul. 25, 1995	(Ex. 1004)
Kobayashi	U.S. Patent 5,463,742	Oct. 31, 1995	(Ex. 1003)
Jenkins	U.S. Patent 6,029,183	Feb. 22, 2000	(Ex. 1005)
Warren	U.S. Patent 6,999,792 B2	Feb. 14, 2006	(Ex. 1006)

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D. The Asserted Grounds

Motorola challenges the patentability of claims 1, 3, 7, 15, 16, 18, and 20 of the ’484 patent based on the following grounds (Paper 2 at 3-4):

1. Claims 1, 3, 7, 15, 16, 18, and 20 are unpatentable under 35 U.S.C. § 102(b) as anticipated by Warren.
2. Claims 1, 3, 7, 15, 16, 18, and 20 are unpatentable under 35 U.S.C. § 102(b) as anticipated by Kobayashi.
3. Claims 1, 3, 7, 15, 16, 18, and 20 are unpatentable under 35 U.S.C. § 102(b) as anticipated by Nelson.
4. Claims 1, 3, 7, 15, 16, 18, and 20 are unpatentable under 35 U.S.C. § 102(b) as anticipated by Jenkins.
5. Claims 1, 3, 7, 15, 16, 18, and 20 are unpatentable under 35 U.S.C. § 103(a) as unpatentable over Kobayashi, Nelson, or Warren in view of Jenkins.

II. ANALYSIS

A. Claim Construction

In an *inter partes* review, claim terms in an unexpired patent are given their broadest reasonable construction in light of the specification of the patent in which they appear. 37 C.F.R. § 42.100(b). Under the broadest reasonable construction standard, claims are to be given their broadest reasonable interpretation consistent with the specification, reading claim language in light of the specification as it would be interpreted by one of ordinary skill in the art. *In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 (Fed. Cir. 2004). This means that the words of the claim will be given

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