

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RAYMARINE, INC.
Petitioner

v.

NAVICO HOLDING AS
Patent Owner

Case IPR2013-00496
Patent 8,305,840

Before SALLY C. MEDLEY, KARL D. EASTHOM, and
BRYAN F. MOORE, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*.

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

I. INTRODUCTION

Raymarine, Inc. (“Petitioner”) filed a Petition requesting an *inter partes* review of claims 3, 10-11, 24, 26, 29, 31, 33, 44, 46-53, 56-62, and 69 of U.S. Patent No. 8,305,840 (Ex. 1001, “the ’840 patent”). Paper 2 (“Pet.”). In response, Navico Holding AS (“Patent Owner”) filed a Patent Owner Preliminary Response on November 13, 2013. Paper 8 (“Prelim. Resp.”). We have jurisdiction under 35 U.S.C. § 314.

The standard for instituting an *inter partes* review is set forth in 35 U.S.C. § 314(a) which provides as follows:

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.

Pursuant to 35 U.S.C. § 314, the Board authorizes an *inter partes* review to be instituted as to claims 3, 10-11, 24, 26, 29, 31, 33, 44, 46-53, 56-62, and 69 of the ’840 patent.

A. Related Proceedings

Petitioner indicates that the ’840 patent is involved in *Navico, Inc. v. Raymarine, Inc.*, Case No. 4:13-cv-251 (N.D. Okla., filed Apr. 29, 2013). Pet. 1. Patent Owner indicates that the ’840 patent also is involved in *Navico, Inc. v. Raymarine, Inc.*, Inv. No. 337-TA-2981 (International Trade Commission). Paper 6. Petitioner has filed two additional petitions seeking *inter partes* review of the ’840 patent (IPR2013-00355 and IPR2013-00497).

B. The '840 Patent

The '840 patent is described in the decision to institute in co-pending *inter partes* review IPR2013-00355. We incorporate that description here.

C. Exemplary Claim

The challenged claims are all dependent claims depending from independent claims 1 and 23. Claim 1 is exemplary of the claimed subject matter of the '840 patent, and is reproduced as follows:

1. A sonar assembly for imaging an underwater environment beneath a watercraft traveling on a surface of a body of water, the sonar assembly comprising:
 - a housing mountable to the watercraft;
 - a single linear downscan transducer element positioned within the housing, the linear downscan transducer element having a substantially rectangular shape configured to produce a fan-shaped sonar beam having a relatively narrow beamwidth in a direction parallel to a longitudinal length of the linear downscan transducer element and a relatively wide beamwidth in a direction perpendicular to the longitudinal length of the transducer element, the linear downscan transducer element being positioned with the longitudinal length thereof extending in a fore-to-aft direction of the housing;
 - wherein the linear downscan transducer element is positioned within the housing to project fan-shaped sonar beams in a direction substantially perpendicular to a plane corresponding to the surface of the body of water, said sonar beams being repeatedly emitted so as to sequentially insonify different fan-shaped regions of the underwater environment as the watercraft travels; and
 - a sonar signal processor receiving signals representative of sonar returns resulting from each of the fan-shaped sonar beams and processing the signals to produce sonar image data for each fan-shaped region and to create an image of the underwater environment

as a composite of images of the fan-shaped regions arranged in a progressive order corresponding to the travel of the watercraft.

D. Prior Art Relied Upon

Petitioner relies upon the following prior art references:

Adams	US 5,184,330	Feb. 2, 1993	(Ex. 1004)
Chiang	US 6,842,401	Jan. 11, 2005	(Ex. 1007)
Boucher '798	US 6,904,798	Jun. 14, 2005	(Ex. 1006)
Boucher '552	US 7,961,552	Jun. 14, 2011	(Ex. 1005)

DE JONG, C.D. ET AL., HYDROGRAPHY (1st ed. 2002) (“Hydrography,” Ex. 1003).

DEROOS, BRADLEY G. ET AL., TECHNICAL SURVEY AND EVALUATION OF UNDERWATER SENSORS AND REMOTELY OPERATED VEHICLES (May 1993) (“DeRoos,” Ex. 1008).

RAYMARINE, E-SERIES NETWORKED DISPLAY: REFERENCE MANUAL (March 2006), (“E-Series,” Ex. 1009).

E. The Asserted Grounds

Petitioner asserts that the challenged claims are unpatentable based on the following grounds:

Reference[s]	Basis	Claims challenged
Hydrography and Adams	§ 103	3, 10-11, 26, 29, 31, 33, 44, 46, 49-53, 56-62, and 69
Hydrography, Boucher '552, and Adams	§ 103	3, 10-11, 26, 29, 31, 33, 44, 46, 49-53, 56-62, and 69
Hydrography, Boucher '798, DeRoos, and	§ 103	3, 10-11, 26, 29, 31, 33, 44, 46, 49-53, 56-62, and 69

Adams		
Hydrography, Adams, Chiang, and E-Series	§ 103	24 and 47-48
Hydrography, Boucher '552, Adams, Chiang, and E-Series	§ 103	24 and 47-48
Hydrography, Boucher '798, DeRoos, Adams, Chiang, and E-Series	§ 103	24 and 47-48

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, claim terms are given their ordinary and customary meaning, as would be understood by one of ordinary skill in the art in the context of the entire disclosure. *In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007). Any special definition for a claim term must be set forth with reasonable clarity, deliberateness, and precision. *In re Paulsen*, 30 F.3d 1475, 1480 (Fed. Cir. 1994).

The following terms are construed in the decision to institute in co-pending *inter partes* review IPR2013-00355: a single linear downscan transducer element (independent claims 1 and 23); sequentially insonify different fan-shaped regions of the underwater environment; composite of images of the fan-shaped regions; and the linear downscan transducer element being positioned with the longitudinal length thereof extending in a fore-to-aft direction of the housing. For the purpose of this decision, we adopt the constructions of those terms recited therein.

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.