

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RELOADED GAMES, INC.
Petitioner

v.

PARALLEL NETWORKS LLC
Patent Owner

Case IPR2014-00136
Patent 7,188,145 B2

Before KRISTEN L. DROESCH, BRIAN J. McNAMARA, and
HYUN J. JUNG, *Administrative Patent Judges*.

JUNG, *Administrative Patent Judge*.

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

I. INTRODUCTION

A. Background

Petitioner Reloaded Games, Inc. (“Reloaded Games”) filed a petition (Paper 3, “Pet.”) to institute an *inter partes* review of all claims, claims 1-36 (the “challenged claims”), of U.S. Patent No. 7,188,145 B2 (Ex. 1001, “the ’145 patent”) pursuant to 35 U.S.C. § 311. Patent Owner Parallel Networks LLC (“Parallel Networks”) timely filed a Preliminary Response (Paper 9, “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:

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.

For the reasons set forth below, we conclude that Reloaded Games has shown that, under 35 U.S.C. § 314(a), there is a reasonable likelihood that it would prevail with respect to at least one of the challenged claims. We institute an *inter partes* review of claims 2-4, 6, 7, 10, 16-18, 20, 21, 24, and 29-36 of the ’145 patent.

B. Related Matters

Reloaded Games indicates that Parallel Networks asserted the ’145 patent against it in *Parallel Networks LLC v. Reloaded Games, Inc.*, No. 1:13-cv-00827 (D. Del.). Pet. 59. In its Notice of Appearance, Parallel Networks identifies *Reloaded Games, Inc. v. Parallel Networks LLC*, No. IPR2014-00139, as a matter that would affect or be affected by the decision

in this proceeding. Paper 8, 2.

C. The '145 Patent (Ex. 1001)

The '145 patent, titled "Method and System for Dynamic Distributed Data Caching," issued March 6, 2007 from application 09/759,406, filed on January 12, 2001. The '145 patent provides dynamic distributed data caching with more efficient use of bandwidth. Ex. 1001, 1:39-41.

Embodiments of the '145 patent include a method that comprises providing a cache community having at least one peer and allowing a client to join the cache community, and a system that comprises logic operable to provide a cache community with at least one peer and to allow a client to join the cache community. *Id.* at 1:42-52, 54-61.

Reproduced below is Figure 6 of the '145 patent.

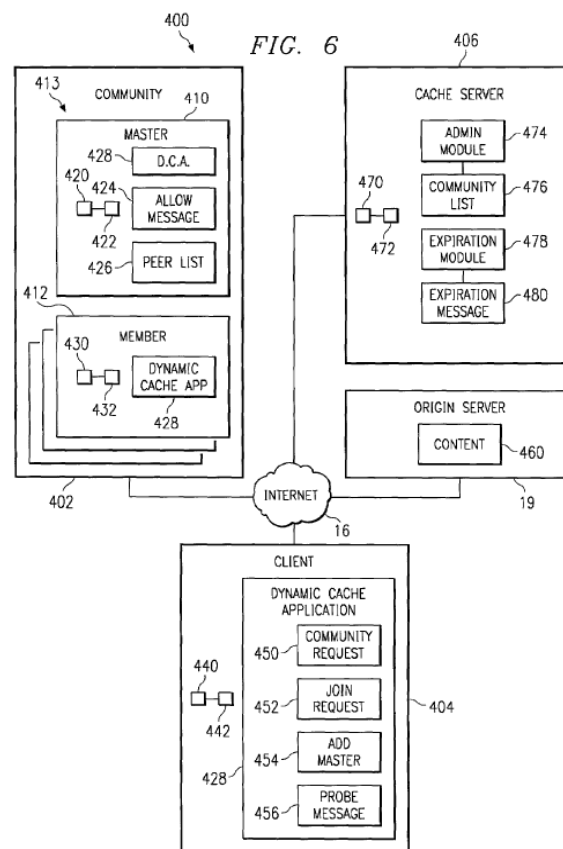


Figure 6 depicts a block diagram illustrating a dynamic caching system according to one embodiment. *Id.* at 4:56-58. Community 402 comprises one or more peers 413, and peers 413 further comprise master 410 and member 412. *Id.* at 17:60-63. Each peer 413 includes dynamic cache application 428, which provides functionality to support distributed caching system 10. *Id.* at 18:1-3. Client 404 comprises a computer also executing dynamic cache application 428 that is operable to generate join request 452, which is a data message indicating that client 404 wishes to join a particular community 402. *Id.* at 18:66-67, 19:14-15, 21-22. Master 410 is operable to generate allow message 424 that comprises a data message sent to client 404 to inform client 404 that it is being allowed to join community 402 or that entry to community 402 is denied. *Id.* at 18:22-27.

In operation, dynamic cache application 428 of client 404 generates community request 450, which is a request for a list of communities 402 that client 404 may attempt to join. *Id.* at 20:19-23; *see also id.* at 23:43-46 (describing a method for adding client 404 to community 402), fig. 9. Community request 450 is communicated to cache server 406. *Id.* at 20:23-24; *see id.* at 23:44-46. After selecting a particular community 402, dynamic cache application 428 of client 404 generates join request 452, which is communicated to master 410 of community 402. *Id.* at 20:41-48; *see id.* at 23:46-24:9. After receiving join request 452, master 410 determines whether to allow client 404 to become a member 412 of community 402 by use of a suitable criterion, such as whether the addition of client 404 would exceed the maximum number of members 412 for community 402 or whether the round trip transit time for data between client 404 and present members 412 is within a certain threshold. *Id.* at 20:49-58; *see also id.* at

24:65-25:8 (describing a method for allowing client 404 to join community 402), fig. 10. If master 410 determines that client 404 can be a member, dynamic cache application 428 at master 410 generates allow message 424, which then joins client 404 to community 402. *Id.* at 20:64-21:6; *see id.* at 25:9-10, 17-21. If master 410 determines that client 404 should not join community 402, then dynamic cache application 428 at master 410 generates allow message 424 indicating that client 404 has been denied entry to community 402, or may ignore join request 452 so that client 404 determines that it has been denied entry. *Id.* at 21:14-21; *see id.* at 25:10-16.

Once client 404 is allowed to join community 402, master 410 updates peer list 426 to include client 404, and communicates the updated peer list 426 to members 410 to inform them that client 404 has joined community 402. *Id.* at 21:7-9; *see id.* at 25:21-30. Dynamic cache application 428 then reallocates content 460 to be cached among master 410, members 412, and client 404. *Id.* at 21:10-13.

D. Illustrative Claims

Claims 1, 15, 29, 32, 35, and 36 are independent. Claims 1 and 29 are reproduced below.

1. A method for dynamic distributed data caching comprising:
 - providing a cache community on a first side of a point of presence, the cache community comprising at least one peer, the cache community being associated with content obtained from a second side of the point of presence, the content being cached by the at least one peer;
 - allowing a client to join the cache community;
 - updating a peer list associated with the cache community to include the client, the peer list indicating the peers in the cache community;
 - associating the content with the client based on joinder of the

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.