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Paper 22
Entered: November 24, 2014

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARRIS GROUP, INC.,
Petitioner,

v.

C-CATION TECHNOLOGIES, LLC,
Patent Owner.

Case IPR2014-00746
Patent 5,563,883

Before KRISTEN L. DROESCH, KALYAN K. DESHPANDE, and MIRIAM L. QUINN, *Administrative Patent Judges.*

DROESCH, *Administrative Patent Judge.*

DECISION
Institution of *Inter Partes* Review
Motion to Seal Preliminary Response
37 C.F.R. §§ 42.14, 42.108

I. INTRODUCTION

Arris Group Inc. ("Petitioner") filed a Petition (Paper 1, "Petition" or "Pet.") to institute an *inter partes* review of claims 1, 3, 4, and 14 ("the challenged claims") of U.S. Patent No. 5,563,883 ("'883 Patent"). *See* 35 U.S.C. §§ 311–19. C-Cation Technologies, LLC ("C-Cation" or "Patent Owner") timely filed a Preliminary Response to the Petition. Paper 21 ("Prelim. Resp."). We determine under 35 U.S.C. § 314(a), and based on the record before us, that there is a reasonable likelihood that Petitioner would prevail with respect to claim 14. However, we determine under 35 U.S.C. § 314(a), and based on the record before us, that there is not a reasonable likelihood that Petitioner would prevail with respect to claims 1, 3, and 4.

A. Related Proceedings

Petitioner indicates the '883 Patent is at issue, and Petitioner is a named defendant, in *C-Cation Technologies, LLC v. Time Warner Cable Inc.*, No 2:14-cv-0059 (E.D. Tex. 2014). Pet. 1. Claims 1–20 of the '883 Patent were also the subject of the Petition in *Cisco Systems, Inc. v. C-Cation Technologies, LLC*, Case IPR2014-00454 (PTAB) ("IPR2014-00454"). *See* IPR2014-00454, Paper 1 (February 20, 2014). We denied institution of *inter partes* review of Cisco's Petition. *See* IPR2014-00454, Paper 12 (August 29, 2014).

B. The '883 Patent (Ex. 1001)

The '883 Patent relates to a "method and apparatus to support two-way multi-media communication services on a multiple access communication system, which comprises a central controller, a shared

transmission media[,] and a plurality of remote terminals dispersed throughout the network." Ex. 1001, Abs.; *see id*. at col. 2, l. 65–col. 3, l. 1.

Figure 1 of the '883 Patent is reproduced below:

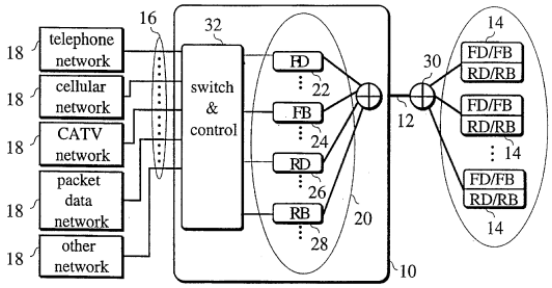

Figure 1 illustrates a multiple access communication system architecture with interconnections between remote terminals 14, central controller 10, and wide area networks 18. Ex. 1001, col. 4, ll. 21–25. Communication channels 16 are provided to wide area networks 18, and communication channels 20 are provided for supporting remote terminals 14. *Id.* at col. 5, ll. 12–15. Central controller 10 includes switch and control mechanism 32, forward signaling data channel (FD) 22, forward traffic bearer channel (FB) 24, reverse signalling data channel (RD) 26, and reverse traffic bearer channel (RB) 28 receivers. *Id*. at col. 5, ll. 15–21, 31–36.

Figure 16 of the ’883 Patent is reproduced below:

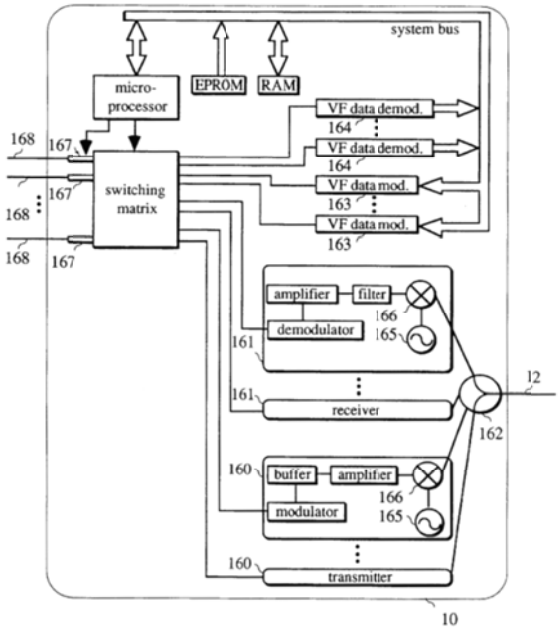

Figure 16 illustrates central controller 10. Ex. 1001, col. 5, ll. 1–2, col. 12, ll. 36–38. Central controller 10 includes a plurality of transmitters 160 and a plurality of transceivers 161 for communication on shared transmission media 12. *Id.* at col. 12, ll. 38–40. Voice Frequency (VF) data modulators 163 and VF data demodulators 164 are provided for transmitting and receiving signalling data. *Id.* at col. 12, ll. 44–47. Transmitters 160 and receivers 161 each include oscillator 165 for tuning to the corresponding channels. *Id.* at col. 12, ll. 47–49. A VF signal coming to transmitter module 160 is first modulated, buffered, amplified, and mixed with the oscillator’s frequency to the RF channel. *Id.* at col. 12, ll. 49–52. The radio frequency (RF) signal coming to receiver module 161 is translated to the intermediate frequency through mixer 166, then filtered, amplified, and demodulated back to the VF signal. *Id.* at col. 12, ll. 52–55. A switching matrix, under the control of a microprocessor, is used to connect VF signals between transmitters 160, receivers 161, telephone network interfaces 168,

VF data modulators 163, and VF data demodulators 164. *Id.* at col. 12, ll. 55–59. Random Access Memory (RAM) stores dynamic information, such as remote terminal and channel status. *Id.* at col. 12, ll. 63–65. Erasable Programmable Read Only Memory (EPROM) is used to store invariant information such as micro-processor startup instructions. *Id.* at col. 12, l. 65–col. 13, l. 1.

Figure 6 of the ’883 Patent is reproduced below:

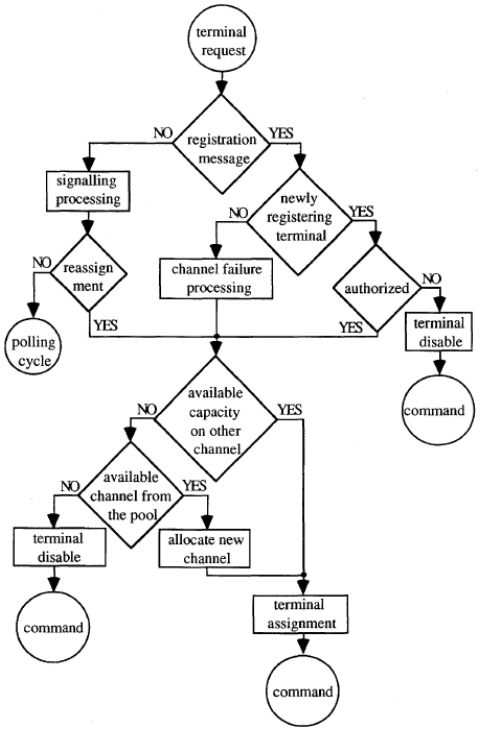

Figure 6 illustrates the logic flow for registration, channel allocation, terminal assignment, and reassignment processes at central controller 10. Ex. 1001, col. 4, ll. 37–39, col. 8, ll. 16–18. Upon receiving a registration message on primary reverse signalling data channel or backup reverse signalling data channel, central controller 10 checks if remote terminal 14 is a new registering terminal. *Id.* at col. 8, ll. 18–20; *see id.* at col. 6, ll. 49–51. If remote terminal 14 is a new registering terminal and is authorized, central

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