UNITED STATES PATENT AND TRADEMARK OFFICE

————————

BEFORE THE PATENT TRIAL AND APPEAL BOARD

————————

RELOADED GAMES, INC.
Petitioner

v.

PARALLEL NETWORKS LLC
Patent Owner

————————

Case IPR2014-00139
Patent 7,730,262 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 5, "Pet.") to institute an *inter partes* review of all claims, claims 1-27 (the "challenged claims"), of U.S. Patent No. 7,730,262 B2 (Ex. 1001, "the '262 patent") pursuant to 35 U.S.C. § 311. Patent Owner Parallel Networks LLC ("Parallel Networks") timely filed a Preliminary Response (Paper 10, "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 are persuaded 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 1-27 of the '262 patent.

B. Related Matters

Reloaded Games indicates that Parallel Networks asserted the '262 patent against it in *Parallel Networks LLC v. Reloaded Games, Inc.*, No. 1:13-cv-00827 (D. Del.). Pet. 58. In its Notice of Appearance, Parallel Networks identifies *Reloaded Games, Inc. v. Parallel Network LLC*, No. IPR2014-00136, as a matter that would affect or be affected by the decision in this proceeding. Paper 8, 2.

C. The '262 Patent (Ex. 1001)

The '262 patent, titled "Method and System for Dynamic Distributed Data Caching," issued June 1, 2010 from application 11/681,544, filed on March 2, 2007, which is a division of application 09/759,406, now U.S. Patent No. 7,188,145 B2, whose claims are challenged in IPR2014-00136. The '262 patent provides dynamic distributed data caching with more efficient use of bandwidth. Ex. 1001, 1:45-46.

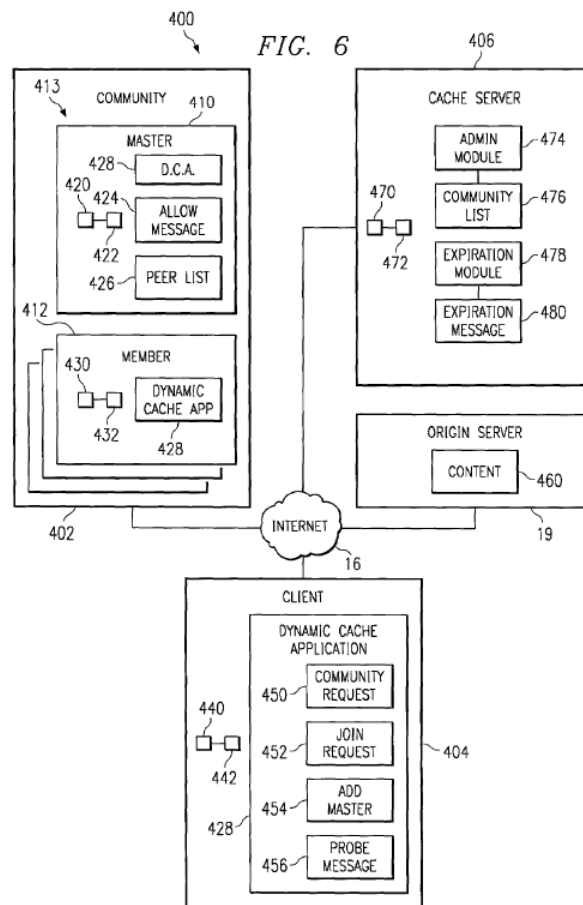Figure 6 of the '262 patent, reproduced below.

FIG. 6

Figure 6 depicts a block diagram illustrating a dynamic caching system according to one embodiment. *Id.* at 4:56-57. Community 402 comprises one or more peers 413, and peers 413 further comprise master 410 and member 412. *Id.*

at 17:45-48. Each peer 413 includes dynamic cache application 428, which provides functionality to support distributed caching system 10. *Id*. at 17:53-54.

Browser 30 generates request 32 for content 548, and cache portion 500 of dynamic cache application 428 at member 412A receives request 32. *Id*. at 22:42-46. Cache portion 500 determines if requested content 548 is available at member 412A. *Id*. at 22:46-48. If requested content 548 is available at member 412A, then cache portion 500 returns requested content 548 to browser 30. *Id*. at 22:53-56. If not, cache portion 500 generates location request 550, which is communicated to cache portion 500 of master 410. *Id*. at 22:57-60. Cache portion 500 of master 410 examines allocation list 500 to determine which peer 413 would cache the requested content 548. *Id*. at 22:60-62. Cache portion 500 of master 410 then generates location response 554, which is communicated to member 412A. *Id*. at 22:63-65. After receiving location response 554, cache portion 500 of member 412A forwards request 32 to peer 412B with the requested content 548 in its cache. *Id*. at 22:66-23:2. Peer 412B determines whether requested content 548 is available, and if so, peer 412B returns requested content 548 to cache portion 500 of member 412A. *Id*. at 23:2-7. If requested content 548 is not available at member 412B, then member 412B forwards request 32 to origin server 19.

D. Illustrative Claim

Claims 1, 10, and 19 are independent. Claim 1 is reproduced below.

> 1. A method for dynamic distributed data caching, comprising:
> generating a content request for requested content at a first peer in a cache community;
> determining a second peer associated with the requested content, the second peer being associated with the cache community; and
> retrieving, by the first peer, the requested content from the second peer;

wherein determining the second peer includes:

generating, by a cache portion associated with the first peer, a location request;

communicating the location request to a master associated with the cache community; and

receiving a location response from the master, the location response indicating the second peer.

E. Prior Art Relied Upon

Reloaded Games relies upon the following prior art references:

Chase, U.S. Patent No. 5,944,780, issued Aug. 31, 1999 ("Chase") (Ex. 1004); Dean Povey and John Harrison, "A Distributed Internet Cache," Proceedings of the 20th Australasian Computer Science Conference (1997) ("Povey") (Ex. 1005); Jussi Kangasharju et al., "Locating Copies of Objects Using the Domain Name System," WCW 1999, 4th Web Caching Workshop (1999) ("Kangasharju") (Ex. 1006); Smith, U.S. Patent No. 6,341,311 B1, issued Jan. 22, 2002 ("Smith") (Ex. 1007); and Scharber, U.S. Patent No. 6,542,964 B1, issued Apr. 1, 2003 ("Scharber") (Ex. 1008).

F. Alleged Grounds of Unpatentability

Reloaded Games contends that the challenged claims of the '262 patent are unpatentable under 35 U.S.C. § 102 and § 103 based on the following grounds. Pet. 2.

Reference(s)	Basis	Claims Challenged
Chase	§ 102	1, 5-10, 14-19, and 23-27
Kangasharju	§ 102	1-27
Povey	§ 102	1, 5-10, 14-19, and 23-27

Explore Litigation Insights

DOCKET ALARM

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.

WHAT WILL YOU BUILD? | sales@docketalarm.com | 1-866-77-FASTCASE

fastcase
Smarter legal research.