

*Petition for Inter Partes Review of  
U.S. Patent No. 7,188,145*

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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RELOADED GAMES, INC.  
Petitioner

v.

PARALLEL NETWORKS LLC  
Patent Owner

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Case No. IPR2014-00950  
Patent 7,188,145

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**PETITION FOR *INTER PARTES* REVIEW**

**OF U.S. PATENT NO. 7,188,145**

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## I. INTRODUCTION

Petitioner Reloaded Games, Inc. (“Petitioner”) requests an *Inter Partes* Review (“IPR”) of claims 1, 4, 5, 8, 9, 11-15, 18, 19, 22, 23 and 25-28 (collectively, the “Challenged Claims”) of U.S. Patent No. 7,188,145 (“the ’145 Patent”) issued on March 6, 2007 to Keith A. Lowery, et al. (“Applicants”). **Exhibit 1001**, ‘145 Patent.

On November 11, 2013, Petitioner filed a Petition for *Inter Partes* Review requesting review of claims 1-36 of the ‘145 Patent. **Exhibit 1011**, *Reloaded Games, Inc. v. Parallel Networks LLC*, Case No. IPR2014-00136 (KLD), Paper 4 [IPR Petition]. In the Board’s Decision on Institution it was ordered that the November 11, 2013 petition was granted with respect to challenges to claims 2-4, 6, 7, 10, 16-18, 20, 21, 24 and 29-36 based on the combination of Inohara and Smith. **Ex. 1012**, Case No. IPR2014-00136, Paper 15 [Institution Decision].

This petition challenges independent claim 1, from which previously instituted claims 2, 4 and 10 depend, and dependent claims 4, 5, 8, 9 and 11- 14. This petition also challenges claim 15, from which previously instituted claims 16, 18 and 24 depend. Finally, this petition challenges dependent claims 18, 19, 22, 23, and 25-28.

All of the claims challenged in the present petition are rendered obvious by Inohara in view of Smith. Petitioner below provides a detailed comparison of the claimed subject matter in view of the combination of Inohara and Smith. Claims 1, 4, 5,

8, 9, 11-15, 18, 19, 22, 23 and 25-28 are unpatentable in view of the combination of Inohara and Smith.

## **II. REQUIREMENTS FOR IPR UNDER 37 C.F.R. § 42.104**

Each requirement for IPR of the '145 Patent is satisfied under §42.104.

### **A. Grounds for Standing Under 37 C.F.R. § 42.104(a)**

Petitioner certifies that the '145 Patent is available for *inter partes* review and that Petitioner is not barred or estopped from requesting an *inter partes* review challenging these claims on the grounds identified in this petition. Although Petitioner was served more than one year ago with a complaint asserting infringement of this patent, the normal statutory one-year bar under 35 U.S.C. § 315(b) does not apply here because (1) the Board has already instituted an *inter partes* review trial on this patent on a timely first petition filed by Reloaded (**Ex. 1011**, Case No. IPR2014-00136, Paper 4 [IPR Petition]), and (2) Petitioner accompanies this second petition with a motion for joinder under 35 U.S.C. § 315(c).

### **B. Identification of Challenge Under 37 C.F.R. § 42.104(b) and Relief Requested**

In view of the prior art, evidence, and claims charts, claims 1, 5, 8, 9, 11-15, 19, 22, 23 and 25-28 of the '145 Patent are unpatentable and should be cancelled. 37 C.F.R. § 42.104(b)(1).

## 1. The Grounds For Challenge

Based on the prior art references identified below, IPR of the Challenged Claims should be granted. 37 C.F.R. § 42.104(b)(2).

<b>Proposed Statutory Rejections for the '145 Patent</b>	<b>Exhibit No.</b>
Claims <b>1, 4, 5, 8, 9, 11-15, 18, 19, 22, 23 and 25-28</b> are obvious under § 103(a) over Smith in view of Inohara.	<b>1006 and 1007</b>

Section IV identifies where each element of the Challenged Claims is found in the prior art patents. 37 C.F.R. § 42.104(b)(4). The exhibit numbers of the supporting evidence relied upon to support the challenges are provided above and the relevance of the evidence to the challenges raised are provided in Section IV. 37 C.F.R. § 42.104(b)(5). **Exhibits 1001 – 1013<sup>1</sup>** are also attached.

## 2. Claim Construction Under 37 C.F.R. § 42.104(b)(3)

### a) Broadest Reasonable Interpretation of the Claims

A claim subject to IPR receives the “broadest reasonable construction in light of the specification of the patent in which it appears.” 37 C.F.R. § 42.100(b). For purposes of IPR only, Petitioner submits that all terms of the '145 Patent claims should be given

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<sup>1</sup> Certain exhibit numbers are intentionally left blank so that the exhibit numbers correspond between this petition and IPR2014-000136.

<sup>2</sup> By applying the Board’s claim constructions in this Petition, Petitioners are not ceding

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