

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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RPX CORPORATION,  
Petitioner,

v.

APPLICATIONS IN INTERNET TIME, LLC,  
Patent Owner.

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Case IPR2015-01751  
Case IPR2015-01752  
Patent 7,356,482 B2

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Before LYNNE E. PETTIGREW, MITCHELL G. WEATHERLY, and  
JENNIFER MEYER CHAGNON, *Administrative Patent Judges*.

CHAGNON, *Administrative Patent Judge*.

FINAL WRITTEN DECISION  
*Inter Partes* Review  
35 U.S.C. § 318(a) and 37 C.F.R. § 42.73

## I. INTRODUCTION

We have jurisdiction to hear this *inter partes* review under 35 U.S.C. § 6. This Final Written Decision is issued pursuant to 35 U.S.C. § 318(a) and 37 C.F.R. § 42.73. For the reasons discussed herein, we determine that Petitioner has shown, by a preponderance of the evidence, that claims 1, 3–8, and 10–40 of U.S. Patent No. 7,356,482 B2 (Ex. 1001,<sup>1</sup> “the ’482 patent”) are unpatentable.

### A. Procedural History

RPX Corporation (“Petitioner”) filed a Petition for *inter partes* review of claims 1, 7–21, 27–41, and 47–59 of the ’482 patent. IPR2015-01751, Paper 1 (“1751 Pet.”). Petitioner also filed a Petition for *inter partes* review of claims 2–6, 22–26, and 42–46 of the ’482 patent. IPR2015-01752, Paper 1 (“1752 Pet.”). Petitioner provided a Declaration of Mark E. Crovella, Ph.D. (Ex. 1002) to support its positions. Applications In Internet Time LLC (“Patent Owner”) filed a Preliminary Response in each proceeding. IPR2015-01751, Paper 20, Paper 26 (redacted version) (“1751 Prelim. Resp.”); IPR2015-01752, Paper 20, Paper 26 (redacted version) (“1752 Prelim. Resp.”). We also authorized additional briefing on issues relating to real parties-in-interest. *See* IPR2015-01751, Paper 28, Paper 29 (redacted version) (“RPI Reply”); IPR2015-01751, Paper 38, Paper 37 (redacted version) (“RPI Sur-Reply”) (the same documents also were filed in IPR2015-01752, Papers 28, 29, 37, 38).

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<sup>1</sup> Citations to exhibits herein are to the Exhibit numbers in IPR2015-01751. The same Exhibits may be found in IPR2015-01752. For example, Exhibit 1001 in IPR2015-01751 corresponds to Exhibit 1101 in IPR2015-01752.

Pursuant to 35 U.S.C. § 314(a), on February 25, 2016, we instituted *inter partes* review on the following asserted grounds:

<b>IPR2015-01751</b>		
<b>References</b>	<b>Basis</b>	<b>Claims Challenged</b>
Popp <sup>2</sup>	§ 102	1, 7, 8, 10–13, 18–21, 27–33, 38–40
Popp and Anand <sup>3</sup>	§ 103	13–17, 33–37
Kovacevic <sup>4</sup>	§ 102	1, 8, 10, 19–21, 28, 30, 39, 40
Balderrama <sup>5</sup> and Java Complete <sup>6</sup>	§ 103	1, 7, 8, 10–12, 19–21, 27–32, 39, 40

IPR2015-01751, Paper 51<sup>7</sup> (“1751 Inst. Dec.”).

<b>IPR2015-01752</b>		
<b>References</b>	<b>Basis</b>	<b>Claims Challenged</b>
Popp	§ 102	22
Popp and Codd <sup>8</sup>	§ 103	3–6, 23–26

<sup>2</sup> U.S. Patent No. 6,249,291 B1, issued June 19, 2001 (Ex. 1004).

<sup>3</sup> U.S. Patent No. 5,710,900, issued Jan. 20, 1998 (Ex. 1009).

<sup>4</sup> Srdjan Kovacevic, *Flexible, Dynamic User Interfaces for Web-Delivered Training*, in AVI '96 PROCEEDINGS OF THE WORKSHOP ON ADVANCED VISUAL INTERFACES 108–18 (1996) (Ex. 1005).

<sup>5</sup> U.S. Patent No. 5,806,071, issued Sept. 8, 1998 (Ex. 1006).

<sup>6</sup> *Java Complete!*, 42 DATAMATION MAGAZINE 5, 28–49 (Mar. 1, 1996) (Ex. 1007).

<sup>7</sup> A public version of the Institution Decision is available as Paper 62.

<sup>8</sup> E. F. Codd, *Does Your DBMS Run By the Rules?*, XIX COMPUTERWORLD 42, 49–60 (Oct. 21, 1985) (Ex. 1008).

<b>IPR2015-01752</b>		
<b>References</b>	<b>Basis</b>	<b>Claims Challenged</b>
Balderrama and Java Complete	§ 103	22
Balderrama, Java Complete, and Codd	§ 103	3–6, 23–26
Kovacevic and Codd	§ 103	3–6, 23–26

IPR2015-01752, Paper 51<sup>9</sup> (“1752 Inst. Dec.”).

Subsequent to institution, Patent Owner filed a Patent Owner Response (IPR2015-01751, Paper 65 (“PO Resp.”)<sup>10</sup>), along with Declarations of H. V. Jagadish, Ph.D. (Ex. 2032) and James Flynn (Ex. 2033) to support its positions. Petitioner filed a Reply to the Patent Owner Response in each proceeding (IPR2015-01751, Paper 72 (“1751 Pet. Reply”); IPR2015-01752, Paper 70 (“1752 Pet. Reply”)), along with a Reply Declaration of Dr. Crovella (Ex. 1062). Pursuant to our authorization, Patent Owner filed a limited Sur-Reply (IPR2015-01751, Paper 75 (“PO Sur-Reply”)<sup>11</sup>). A combined oral hearing for Cases IPR2015-01750, IPR2015-01751, and IPR2015-01752 was held on November 8, 2016. A transcript of the hearing is included in the record. IPR2015-01751, Paper 79 (“Tr.”); IPR2015-01752, Paper 77.

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<sup>9</sup> A public version of the Institution Decision is available as Paper 60.

<sup>10</sup> Patent Owner filed an identical Patent Owner Response in IPR2015-01752 (Paper 63). For convenience, we refer to both documents as “PO Resp.” herein.

<sup>11</sup> Patent Owner filed an identical Sur-Reply in IPR2015-01752 (Paper 73).

IPR2015-01751, IPR2015-01752  
Patent 7,356,482 B2

*B. Related Proceedings*

The '482 patent is the subject of the following district court proceeding: *Applications in Internet Time LLC v. Salesforce.com, Inc.*, No. 3:13-cv-00628 (D. Nev.). 1751 Pet. 3; 1751 Paper 5, 2; 1752 Pet. 3; 1752 Paper 5, 2.

Claims 13–18 of related U.S. Patent No. 8,484,111 B2 are the subject of *inter partes* review in IPR2015-01750. 1751 Pet. 3; 1751 Paper 5, 2; 1752 Pet. 3; 1752 Paper 5, 2.

*C. The '482 Patent*

The '482 patent, titled “Integrated Change Management Unit,” relates to an “integrated system for managing changes in regulatory and non-regulatory requirements for business activities at an industrial or commercial facility.” Ex. 1001, Abstract. The integrated system described in the '482 patent manages data that is constantly changing by (1) “provid[ing] one or more databases that contain information on operations and requirements concerning an activity or area of business,” (2) “monitor[ing] and evaluat[ing] the relevance of information on regulatory and non-regulatory changes that affect operations of the business and/or information management requirements,” (3) “convert[ing] the relevant changes into changes in work/task lists, data entry forms, reports, data processing, analysis and presentation . . . of data processing and analysis results to selected recipients, without requiring the services of one or more programmers to re-program and/or re-code the software items affected by the change,” and (4) “implement[ing] receipt of change information and dissemination of data processing and analysis results using the facilities of a network, such as the Internet.” *Id.* at 8:30–46, 66–67.

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