

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

CORE WIRELESS LICENSING S.A.R.L.,
Patent Owner.

Case IPR2015-01898
Patent 8,434,020 B2

Before JAMESON LEE, DAVID C. MCKONE, and
KEVIN W. CHERRY, *Administrative Patent Judges*.

CHERRY, *Administrative Patent Judge*.

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

Apple Inc. (“Petitioner”) filed a Petition requesting *inter partes* review of claims 1, 2, 6, 8, 10, 11, 13, and 16 of U.S. Patent No. 8,434,020 B2 (Ex. 1001, “the ’020 patent”). Paper 2 (“Petition” or “Pet.”). Pursuant to 35 U.S.C. § 314(a), we determined the Petition showed a reasonable likelihood that Petitioner would prevail in establishing the unpatentability of

IPR2015-01898
Patent 8,434,020 B2

claims 1, 2, 6, 8, 10, 11, 13, and 16, and we instituted an *inter partes* review of these claims on certain asserted grounds of unpatentability. Paper 7 (“Inst. Dec.”). Patent Owner Core Wireless Licensing S.A.R.L. (“Patent Owner”) filed a Patent Owner Response. Paper 18 (“PO Resp.”). Petitioner filed a Reply to Patent Owner’s Response. Paper 27 (“Reply”). An oral hearing was held on December 14, 2016, pursuant to requests by both parties. Paper 38 (“Tr.”); *see* Papers 31, 34, 35.

We issue this Final Written Decision pursuant to 35 U.S.C. § 318(a) and 37 C.F.R. § 42.73. For the reasons that follow, we determine Petitioner has proven by a preponderance of the evidence that claims 1, 2, 6, 8, 10, 11, 13, and 16 of the ’020 patent are unpatentable. *See* 35 U.S.C. § 316(e).

I. BACKGROUND

A. RELATED PROCEEDINGS

According to Petitioner and Patent Owner, the ’020 patent is involved in, at least, the following lawsuits: *Core Wireless Licensing S.A.R.L. v. Apple, Inc.*, No. 6:14-cv-00751 (E.D. Tex.), and *Core Wireless Licensing S.A.R.L. v. LG Electronics, Inc.*, No. 2:14-cv-00911 (E.D. Tex.). Pet. 5; Paper 5, 2. The ’020 patent is also the subject of IPR2015-01984. Paper 13, 2. A related patent, U.S. Patent No. 8,713,476, is at issue in IPR2015-01899 and IPR2015-01985.

B. THE ’020 PATENT

The ’020 patent relates to a computing device with an improved user interface for applications. Ex. 1001, 1:14–15. The ’020 patent describes a “snap-shot” view of an application that brings together, in one summary window, a limited list of common functions and commonly accessed stored

data. *Id.* at 2:26–30. Preferably, where the summary window for a given application shows data or a function of interest, the user can select that data or function directly, which causes the application to open and the user to be presented with a screen in which the data or function of interest is prominent. *Id.* at 2:31–35. The '020 patent explains that this summary window functionality saves the user from navigating to the required application, opening it up, and then navigating within that application to enable the data of interest to be seen or a function of interest to be activated. *Id.* at 2:35–39. Figure 2 of the '020 patent is reproduced below.

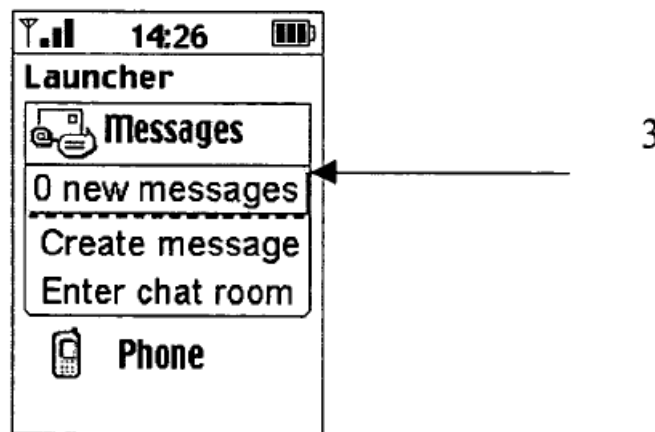


Figure 2

Figure 2, reproduced above, illustrates an implementation of the summary window (at 3) of the '020 patent. Ex. 1001, 3:31–32.

C. ILLUSTRATIVE CLAIM

Claim 1, a device claim, and claim 16, a computer program product claim, are the only independent claims of the '020 patent. The remaining challenged claims, claims 2, 6, 8, 10, 11, and 13, all depend, directly or

indirectly, from claim 1. Claim 1 is illustrative of the subject matter in this proceeding, and is reproduced below (formatting added).

1. A computing device comprising a display screen,
the computing device being configured to display on the screen a main menu listing at least a first application, and
additionally being configured to display on the screen an application summary window that can be reached directly from the main menu,
wherein the application summary window displays a limited list of at least one function offered within the first application,
each function in the list being selectable to launch the first application and initiate the selected function, and
wherein the application summary window is displayed while the application is in an unlaunched state.

Id. at 5:33–43.

D. EVIDENCE RELIED UPON

Petitioner relies upon the following prior art references.

Schnarel	US 7,225,409 B1	May 29, 2007 ¹	Ex. 1004
Aberg	US 6,993,362 B1	Jan. 31, 2006 ²	Ex. 1005
Nason	US 6,593,945 B1	July 15, 2003 ³	Ex. 1007
Wagner	US 6,256,516 B1	July 3, 2001 ⁴	Ex. 1010

¹ Schnarel was filed August 25, 1999.

² Aberg was filed March 13, 2000.

³ Nason was filed May 19, 2000.

Yurkovic US 6,668,353 B1 Dec. 23, 2003⁵ Ex. 1018

Petitioner also relies upon the Declaration of Dr. Brad A. Myers, dated September 11, 2015. Ex. 1003. Petitioner also relies on the Rebuttal Declaration of Dr. Brad A. Myers, dated October 17, 2016. Ex. 1038.

Patent Owner relies on the Declaration of Scott A. Denning, dated July 15, 2016. Ex. 2011.

Patent Owner also submitted observations on cross examination of Dr. Myers. *See* Paper 32. Petitioner submitted responsive observations. *See* Paper 36. We have considered both.

E. INSTITUTED GROUNDS OF UNPATENTABILITY

We instituted an *inter partes review* on the following grounds of unpatentability:

Reference(s)	Basis	Challenged Claim(s)
Schnarel ⁶	§ 103(a)	1, 2, 6, 8, 10, 11, 13, and 16
Schnarel and Aberg	§ 103(a)	1, 2, 6, 8, 10, 11, 13, and 16
Schnarel and Yurkovic	§ 103(a)	6
Schnarel, Aberg, and Yurkovic	§ 103(a)	6
Nason ⁷	§ 103(a)	1, 2, 6, 8, 10, 11, 13, and 16
Nason and Yurkovic	§ 103(a)	6
Wagner and Nason	§ 103(a)	11

⁴ Wagner was filed September 24, 1999.

⁵ Yurkovic was filed March 25, 1999.

⁶ Petitioner includes “the knowledge of a POSITA [(person of skill in the art)]” in all of the Schnarel grounds. Pet. 13. Because an obviousness inquiry always includes the knowledge of person of ordinary skill, it is unnecessary to list explicitly such knowledge in the grounds.

⁷ As with Schnarel, Petitioner lists alternative grounds based on Nason that explicitly recite “the knowledge of a POSITA.” Pet. 37. For the reasons discussed in footnote 6, we do not list those alternative grounds separately.

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