Trials@uspto.gov
571-272-7822

Paper 7
Date Entered: March 17, 2016

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*.

DECISION
Institution of *Inter Partes* Review
37 C.F.R. § 42.108

I. INTRODUCTION

Petitioner, Apple Inc., filed a Petition requesting an *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") under 35 U.S.C. §§ 311–319. Paper 2 ("Petition" or "Pet."). Patent Owner, Core Wireless Licensing S.A.R.L., filed a Preliminary Response. Paper 6 ("Prelim. Resp."). Under 35 U.S.C. § 314, an *inter partes* review may not be instituted "unless . . . the information presented in the petition . . . 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 that follow, we institute an *inter partes* review of claims 1, 2, 6, 8, 10, 11, 13, and 16 of the '020 patent.

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.), *Core Wireless Licensing S.A.R.L. v. Apple, Inc.*, No. 6:14-cv-00752 (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. Petitioner indicates that the cases involving Apple, Inc., are being transferred to the Northern District of California. Pet. 5. The '020 patent is also subject to IPR2015-01984. Paper 5, 1. 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.

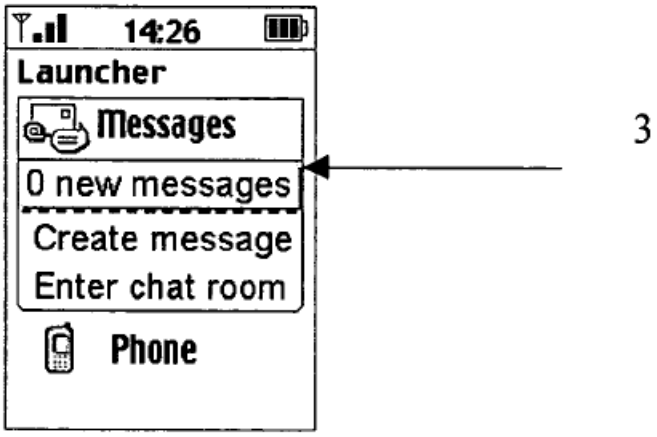

Figure 2

Figure 2 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 un-launched state.

Id. at 5:42–63.

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
Yurkovic	US 6,668,353 B1	Dec. 23, 2003[5]	Ex. 1018

[1] Schnarel was filed August 25, 1999.
[2] Aberg was filed March 13, 2000.
[3] Nason was filed May 19, 2000.
[4] Wagner was filed September 24, 1999.
[5] Yurkovic was filed March 25, 1999.

Petitioner also relies upon the Declaration of Dr. Brad A. Myers, dated September 11, 2015 ("Myers Declaration"). Ex. 1003.

E. Asserted Grounds of Unpatentability

Petitioner asserts 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

II. ANALYSIS

A. Claim Interpretation

In an *inter partes* review, claim terms in an unexpired patent are given their broadest reasonable construction in light of the specification of the patent in which they appear. *See* 37 C.F.R. § 42.100(b). Under the broadest reasonable construction standard, claim terms are given their ordinary and customary meaning, as would be understood by one of ordinary skill in the art in the context of the entire disclosure. *See In re Translogic Tech., Inc.*,

[6] Petitioner includes "the knowledge of a POSITA ([person of skill in the art)]" in a number of the Schnarel grounds. Pet. 13. Because an obviousness inquiry always includes the knowledge of person of ordinary skill, we do believe it is necessary to explicitly list 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. 38. For the reasons discussed in footnote 6, we do not list those alternative grounds separately.

DOCKET ALARM

Explore Litigation Insights

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.