

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WTS PARADIGM, LLC,
Petitioner,

v.

EdgeAQ, LLC,
Patent Owner.

Case IPR2016-00199
Patent 7,805,461 B2

Before JAMESON LEE, LYNNE E. PETTIGREW, and
JOHN F. HORVATH, *Administrative Patent Judges*.

HORVATH, *Administrative Patent Judge*.

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

I. INTRODUCTION

A. Background

WTS Paradigm, LLC (“Petitioner”) filed a Petition (Paper 1, “Pet.”) to institute *inter partes* review of claims 1–11 of U.S. Patent No. 7,805,461 B2 (Ex. 1004, “the ’461 patent”). EdgeAQ, LLC, (“Patent Owner”) filed a Preliminary Response (Paper 6, “Prelim. Resp.”).

Upon consideration of the Petition and Preliminary Response, we are persuaded, under 35 U.S.C. § 314(a), that Petitioner has demonstrated a reasonable likelihood that it would prevail in showing the unpatentability of claims 1–11 of the ’461 patent. Accordingly, we institute an *inter partes* review of these claims.

B. Related Matters

Petitioner identifies the following as a matter that could affect, or be affected by, a decision in this proceeding: *WTS Paradigm, LLC v. EdgeAQ, LLC*, Case No. 3-15-cv-00330 (W.D. Wis.). Pet. 1. Patent Owner identifies the same matter. Prelim. Resp. 1.

C. Evidence Relied Upon¹

Reference		Issue Date	Exhibit
Greef	US 6,397,221	May 28, 2002	Ex. 1005
Weida	US 6,108,670	Aug. 22, 2000	Ex. 1009
Bader	US 5,467,471	Nov. 14, 1995	Ex. 1011
Altman	US 6,442,566	Aug. 27, 2002	Ex. 1012

¹ Petitioner also relies upon the Declaration of Deborah McGuinness (Ex. 1001).

D. The Asserted Grounds of Unpatentability

Petitioner asserts the following grounds of unpatentability:

Reference(s)	Basis	Claims Challenged
Greef, Bader, and Weida	§ 103(a)	1–11
Greef, Bader, Weida, and Altman	§ 103(a)	1–11

II. ANALYSIS

A. The '461 Patent

The '461 patent relates to a database induction process for creating a frame-based knowledge tree using a processor-based system. Ex. 1004, 2:45–48. A frame based knowledge tree is a tree-like structure or graph, where each node of the tree is known as a frame. *Id.* at 1:38–40. Each node or frame of the tree contains a set of attributes or slots that characterize the frame. *Id.* at 7:57–62. The characterizing slots can be single slots (i.e., a single attribute having one or more values), compound slots (i.e., two or more attributes and allowable combinations of their attribute values), or conditional slots (i.e., a slot whose value determines which of several sub-trees to include in the frame based knowledge tree). *Id.* at 7:62–8:10. Frame based knowledge trees can be used, for example, to illustrate product information such as the makes, models, types, features, options, and limitations of different products or services available from one or more vendors. *Id.* at 1:18–23.

Figure 4 of the '461 patent is reproduced below:

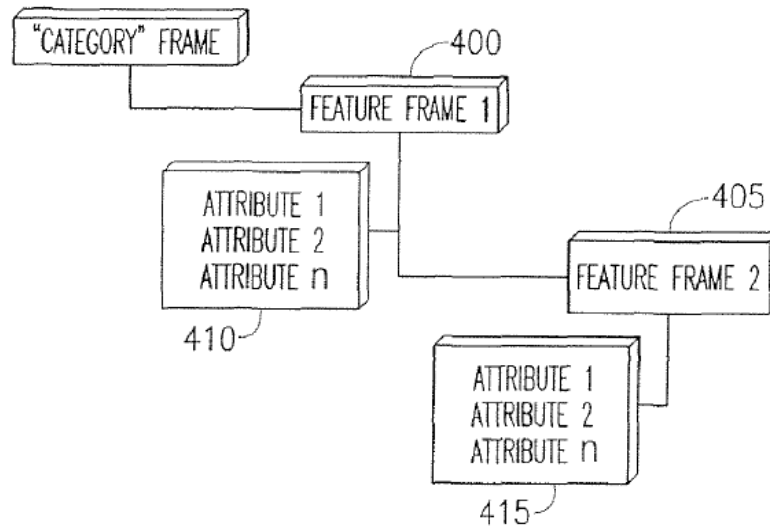


FIG. 4

Figure 4 is an illustration of a frame based knowledge tree. Ex. 1004, 6:63–64. The tree contains two nodes 400 and 405, referred to as feature frames 1 and 2, where each node is characterized by an attribute (e.g., attributes 410 and 415, respectively) of a product that is represented by the knowledge tree, and each attribute can have any of n unique values. *Id.* at 6:67–7:1.

The database induction process uses one or more user interfaces that allow an induction module to create the frame based knowledge tree from user input and product information stored in one or more vendor databases. Ex. 1004, 2:52–56, 2:65–3:1.

Figure 2 of the '461 patent is reproduced below:

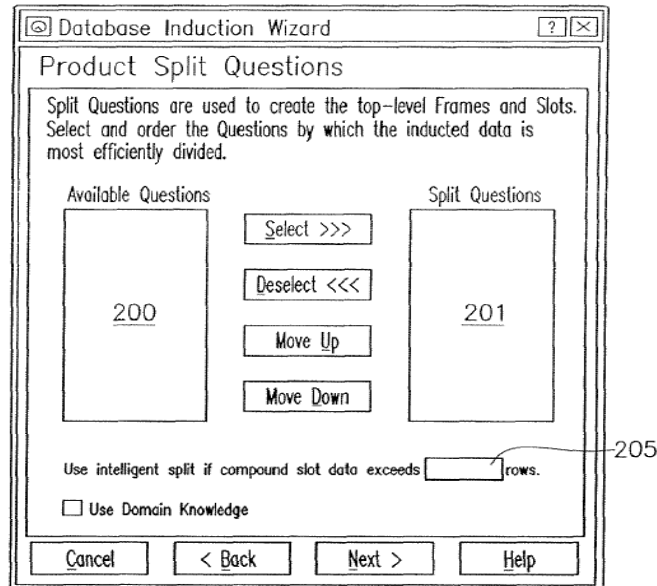


FIG. 2

Figure 2 is a screen shot of a user interface used in the database induction process described in the '461 patent. Ex. 1004, 2:15–17. The induction process can be interactive, automatic, or both. *Id.* at 5:41–50, 5:65–6:18. In interactive mode, the induction process presents a user with a list of product attributes (i.e., available questions 200), receives a user selection and ranking of product attributes (i.e., split questions 201), and generates the frame based knowledge tree to reflect the user's selection and ranking of attributes. *Id.* at 5:41–47, 5:65–6:1, 6:19–46. In automatic mode, the induction process receives user generalization and optimization criteria, and generates the knowledge tree from product attribute data based on the received criteria. *Id.* at 5:47–56. Generalization and optimization criteria can include domain knowledge (e.g., typical attributes used to characterize a given product or product type) or the maximum number of attributes that are

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