

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RPX CORPORATION,
Petitioner,

v.

MD SECURITY SOLUTIONS, LLC,
Patent Owner.

Case IPR2016-00285
Patent 7,864,983 B2

Before SALLY C. MEDLEY, TRENTON A. WARD, and WILLIAM M.
FINK, *Administrative Patent Judges*.

FINK, *Administrative Patent Judge*.

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

I. INTRODUCTION

RPX Corporation (“Petitioner”) filed a Petition requesting an *inter partes* review of claims 1–20 of U.S. Patent No. 7,864,983 B2 (Ex. 1001, “the ’983 patent”). Paper 1 (“Pet.”). Patent Owner, MD Security Solutions LLC, filed a Preliminary Response. Paper 8 (“Prelim. Resp.”). We have jurisdiction under 35 U.S.C. § 314, which provides that an *inter partes* review may not be instituted “unless . . . the information presented in the petition . . . and any response . . . 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 1–20 of the ’983 patent.

A. Related Matters

Petitioner and Patent Owner identify the following pending judicial matters as relating to the ’983 patent: *MD Security Solutions, LLC v. Bright House Networks, LLC*, No. 6:15-cv-00777 (M.D. Fl.), *MD Security Solutions LLC v. CenturyLink, Inc.*, No. 6:15-cv-01967 (M.D. Fl.), and *MD Security Solutions LLC v. Protection 1, Inc.*, No. 6:15-cv-01968 (M.D. Fl.). Pet. 2–3; Paper 7, 1.

B. The ’983 Patent

The ’983 patent relates to a “[s]ecurity alarm system for protecting a structure [that] includes motion detectors connected to cameras.” Ex. 1001, Abstract. At least one of the motion detectors has an external field of view of the protected structure in order to detect an approaching intruder, and a camera arranged such that the camera has a field of view encompassing at least part of the field of view of the associated motion detector. *Id.* at 2:31–

35, 6:66–7:1. The system also includes a handheld telecommunications unit that allows a user to activate, deactivate, and make adjustments to the alarm system. *Id.* at 11:31–34. Figure 1 of the '983 patent is reproduced below:

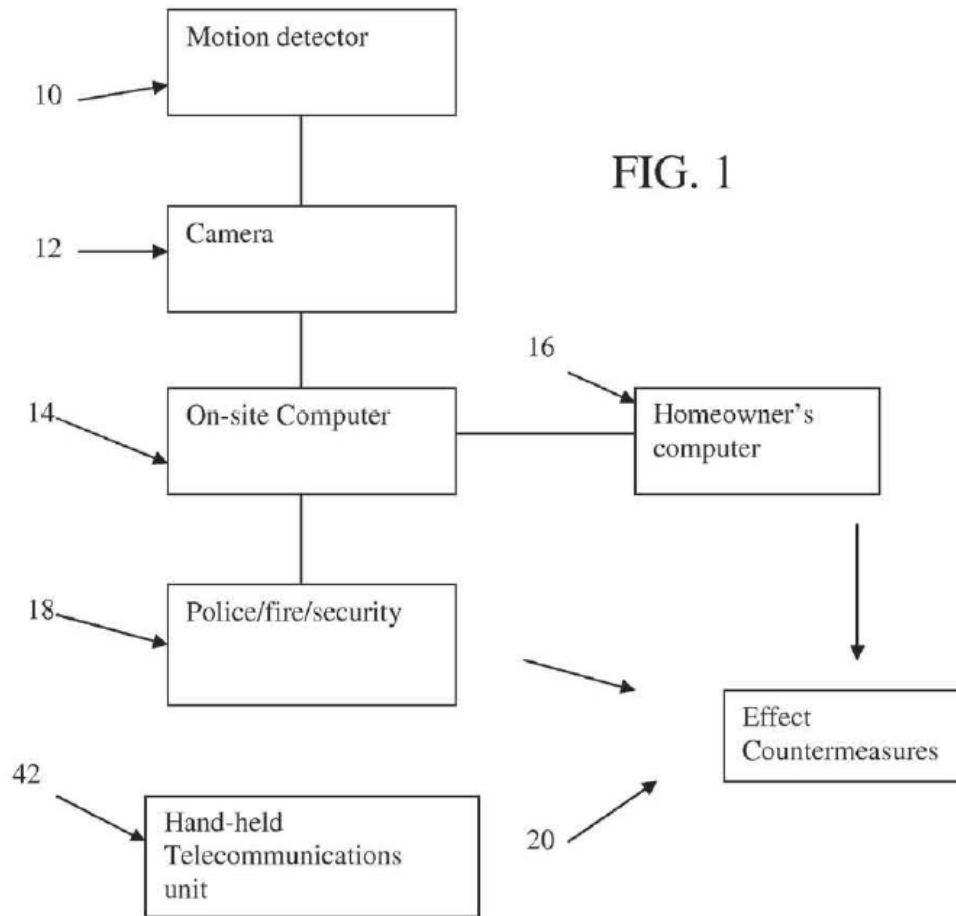


Figure 1 illustrates a schematic embodiment of an alarm system in accordance with the invention. *Id.* at 6:36–37. The schematic of Figure 1 includes motion detector 10, camera 12, on-site computer 14, and hand-held telecommunications unit 42. *Id.* at 6:48–53, 11:1–3. “[E]ach camera 12 is triggered to obtain an image only when its associated motion detector 10 detects motion in the field of view of the motion detector 10.” *Id.* at 7:37–40. On-site computer 14 will receive these images from these cameras 12.

Id. at 8:51–58. A processor sends these images via a telecommunications module to hand-held telecommunication unit 42. *Id.* at 2:40–45.

Additionally, hand-held telecommunications unit 42 may send a command causing the cameras 12 to obtain and transmit images to the telecommunications unit. *Id.* at 2:46–50.

C. Illustrative Claim

Claims 1 and 11 are independent claims. Claims 2–10 depend directly or indirectly from claim 1 and claims 12–20 depend directly or indirectly from claim 11. Claim 1 is reproduced below:

1. An alarm system for protecting a structure, comprising:
 - at least one motion detector arranged to have a field of view external of the structure and including an area proximate the structure;
 - at least one camera associated with and coupled to each of said at least one motion detector, each of said at least one camera being arranged relative to the associated one of said at least one motion detector such that said camera has a field of view encompassing at least part of the field of view of the associated one of said at least one motion detector, each of said at least one camera having a dormant state in which images are not obtained and an active state in which images are obtained and being activated into the active state when the associated one of said at least one motion detector detects motion;
 - a processor coupled to said at least one camera and arranged to control said at least one camera and receive the image obtained by said at least one camera;
 - a telecommunications module coupled to said processor, said telecommunications module being capable of communications over a telecommunications network; and
 - a handheld telecommunications unit for transmitting commands for said processor via said telecommunications module to cause said processor to provide images to said telecommunications module to be transmitted to the telecommunications unit.

Ex. 1001, 13:53–14:11.

D. Asserted Grounds of Unpatentability

Petitioner asserts that claims 1–20 are unpatentable based on the following grounds:

References	Basis	Challenged Claims
Lee ¹	§ 103(a)	1–8, 11, and 18–20
Lee and Ozer ²	§ 103(a)	9, 10 and 12–17
Milinusic ³ and Osann ⁴	§ 103(a)	1–8, 11, and 18–20
Milinusic, Osann, and Ozer	§ 103(a)	9, 10 and 12–17

Pet. 4. Petitioner also relies on the declaration of Dr. Tal Lavian (“Ex. 1010”) for support. *Id.* at 1.

II. DISCUSSION

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.” 37 C.F.R. § 42.100(b); *see also In re Cuozzo Speed Techs., LLC*, 793 F.3d 1268, 1278–79 (Fed. Cir. 2015) (“Congress implicitly approved the broadest reasonable interpretation standard in enacting the AIA,” and “the standard was properly adopted by PTO regulation”), *cert. granted sub nom. Cuozzo Speed Techs., LLC v. Lee*, 136

¹ U.S. Patent Application Publication No. 2005/0267605 A1, published December 1, 2005 (Ex. 1002) (“Lee”)

² U.S. Patent Application Publication No. 2004/0120581 A1, published June 24, 2004 (Ex. 1005) (“Ozer”)

³ U.S. Patent No. 7,106,333 B1, issued September 12, 2006 (Ex. 1003) (“Milinusic”)

⁴ U.S. Patent No. 7,253,732 B2, issued August 7, 2007 (Ex. 1004) (“Osann”)

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