UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
_____

ROTHSCHILD MOBILE IMAGING INNOVATIONS, LLC,
Petitioner,

v.

MITEK SYSTEMS, INC.,
Patent Owner.
_____

Case IPR2016-00457
Patent 8,379,914 B2
_____

Before JONI Y. CHANG, MICHAEL R. ZECHER, and
SHEILA F. McSHANE, *Administrative Patent Judges*.

McSHANE, *Administrative Patent Judge*.

DECISION
Denying Institution of *Inter Partes* Review
35 U.S.C. § 314(a) and 37 C.F.R. § 42.108

I. INTRODUCTION

Rothschild Mobile Imaging Innovations, LLC (hereafter "Rothschild" or "Petitioner") filed a Petition ("Pet.") requesting an *inter partes* review of claims 1–10 of U.S. Patent No. 8,379,914 B2 ("the '914 patent," Ex. 1002). Paper 2. Mitek Systems, Inc. (hereafter "Mitek" or "Patent Owner") timely filed a Preliminary Response ("Prelim. Resp."). Paper 7.

Under 35 U.S.C. § 314(a), an *inter partes* review may not be instituted unless the information presented in the Petition shows "there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition." Taking into account Mitek's Preliminary Response, and for the reasons that follow, we conclude that the information presented in the Petition does not establish that there is a reasonable likelihood that Rothschild will prevail in challenging claims 1 and 10 as anticipated under 35 U.S.C. §102, or claims 1–10 as unpatentable under 35 U.S.C § 103(a). Pursuant to 35 U.S.C. § 314, we hereby decline to institute an *inter partes* review of the '914 patent.

II. BACKGROUND

A.   *Related Matters*

According to the parties, there are no pending matters relating to the '914 patent. Pet. 1; Paper 4, 1.

B.   *The '914 Patent*

The '914 patent, titled "Systems and Methods for Mobile Image Capture and Remittance Processing," issued February 19, 2013, from U.S. Patent Application No. 13/622,329, filed on September 18, 2012. Ex. 1002, at [54], [45], [21], [22]. The '914 patent claims priority to the following applications: (1) continuation-in-part of U.S. Patent Application No.

12/906,036, filed on October 15, 2010; (2) continuation-in-part of U.S.
Patent Application No. 12/778,943, filed on May 12, 2010; (3) continuation-
in-part of U.S. Patent Application No. 12/346,026, filed on December 30,
2008—now U.S. Patent No. 7,078,900; (4) U.S. Provisional Application No.
61/561,772, filed on November 18, 2011; and (5) U.S. Provisional
Application No. 61/022,279, filed on January 18, 2008. *Id*. at [63], [60].

The '914 patent is directed to optimization and enhancement of image
capture and processing for remittance coupons. Ex. 1002, Abstract.
Remittance coupons are slips or coupons that customer can include with a
payment, and they generally include customer account information, an
amount due, and a due date for payment. *Id*. at 1:41–42, 1:47–49. The
customer account information may include the account holder name, mailing
address, and a customer account number. *Id*. at 1:49–51. Other information
on the remittance coupon can include the mailing address of the bank or
business, and bar codes or code lines. *Id*. at 1:51–54. An image of a
remittance coupon is captured by an image capture device. *Id*. at 7:27–30,
9:9–12. The image capture device is coupled with, or embedded within, a
mobile device. *Id*. The captured image may be processed by a series of
image processing steps on the mobile device. *Id*. at 9:23–42. The image is
received by a remote server for additional image processing and extraction
to capture the content of the remittance coupon. *Id*. at 15:49–52.

There are a series of steps performed to verify the accuracy of the
content captured from the image. Ex. 1002, Fig. 2. An address of a biller on
the remittance coupon is matched by comparing address content in the
extracted content with an address database. *Id*. at 18:14–34. The biller
profile information of the biller, which includes an identity of the biller on

the remittance coupon, is then identified. *Id*. at 18:36–46. A second content recognition pass is performed on the corrected image to extract content from the remittance coupon. *Id*. at 20:20–64. The final values determined are then submitted for actual processing of payment. *Id*. at 21:42–45.

C. *Illustrative Claims*

Of the challenged claims, claims 1 and 10 are independent claims. Claims 2–9 depend directly or indirectly from claim 1. Claim 1 is reproduced below:

> 1. A method of processing a remittance coupon captured by a mobile device, comprising:
>
> > receiving an image of a remittance coupon captured by a mobile device;
> >
> > correcting at least one aspect of the image to produce a corrected image;
> >
> > performing a first content recognition pass on the corrected image to extract content from the remittance coupon;
> >
> > identifying an address of a biller on the remittance coupon by comparing address content in the extracted content with an address database;
> >
> > determining biller profile information of the biller including an identity of the biller on the remittance coupon, by comparing the identified address of the biller with a database of biller profile information;
> >
> > producing a set of billing information, including the extracted content and the identity of the biller, for processing a payment of the bill; and
> >
> > using the biller profile information of the biller to perform a second content recognition pass on the corrected image to extract content from the remittance coupon, wherein the biller profile information includes at

least one of a remittance coupon format, a remittance
coupon mask, a location of at least one field on the
remittance coupon and a format of at least one field.

Ex. 1002, 63:53–64:10.

D.   Prior Art Relied Upon

Rothschild relies upon the following prior art references:

Patent Reference	Identifier	Publication or Filing Date	Exhibit No.
Hoyos	U.S. Patent Publication No. 2002/0037097 A1	March 28, 2002	1001
Pandian	U.S. Patent Publication No. 2005/0289182 A1	December 29, 2005	1003
Baker	U.S. Patent No. 5,862,243	March 6, 1996	1004
Sipe	U.S. Patent Publication No. 2004/0093222 A1	May 13, 2004	1005
Du	U.S. Patent No. 7,734,729 B2	December 31, 2003	1007
Hung	U.S. Patent No. 6,749,120 B2	December 11, 2000	1008
Bressan	U.S. Patent No. 7,826,665 B2	December 12, 2005	1009

E.   Alleged Grounds of Unpatentability

Rothschild challenges claims 1–7, 9, and 10 of the '914 patent based
on the alleged grounds of unpatentability set forth in the table below. Pet.
3–5.

Reference(s)	Basis	Claim(s) Challenged
Hoyos	§ 102(b)	1 and 10
Hoyos and Pandian	§ 103(a)	1, 4, and 10
Hoyos and Hung	§ 103(a)	2

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