

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RPX CORPORATION,
Petitioner,

v.

SOCKEYE LICENSING TX, LLC,
Patent Owner.

Case IPR2016-01054
Patent 8,879,987 B1

Before BRYAN F. MOORE, ROBERT J. WEINSCHENK, and
JOHN A. HUDALLA, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

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

I. INTRODUCTION

RPX Corporation (“Petitioner”) filed a Petition (Paper 2, “Pet.”) requesting an *inter partes* review of claims 6–9 of U.S. Patent No. 8,879,987 B1 (Ex. 1201, “the ’987 patent”). Sockeye Licensing TX, LLC (“Patent Owner”) did not file a preliminary response to the Petition. An *inter partes* review may not be instituted “unless . . . there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” 35 U.S.C. § 314(a).

For the reasons set forth below, Petitioner demonstrates a reasonable likelihood of prevailing in showing the unpatentability of claims 6–9 of the ’987 patent. Accordingly, we institute an *inter partes* review as to claims 6–9 of the ’987 patent on the grounds specified below.

A. *Related Proceedings*

The parties indicate that the ’987 patent is the subject of several cases in the United States District Court for the Northern District of Illinois. Pet. 1–2; Paper 5, 2–3. The parties also indicate that the following petitions for *inter partes* review are related to this case:

Case No.	Involved U.S. Patent No.
IPR2016-00985	U.S. Patent No. 8,879,987
IPR2016-00989	U.S. Patent No. 8,135,342
IPR2016-01052	U.S. Patent No. 8,135,342
IPR2016-01053	U.S. Patent No. 8,879,987

Pet. 1; Paper 5, 2.

B. *The ’987 Patent*

The ’987 patent relates to establishing a connection between a wireless device and a peripheral device. Ex. 1201, col. 1, ll. 25–30. The ’987 patent explains that, although previous products allowed a wireless

device to project images onto a wall or nearby surface, those products did not allow a wireless device to transmit browser-based content to a full-size digital display device, such as a computer monitor. *Id.* at col. 2, ll. 1–9. To address this deficiency, the '987 patent describes connecting a wireless device to one or more peripheral devices, such as a desktop monitor or printer, using one or more wireline or wireless connections. *Id.* at col. 6, ll. 55–63. The wireless device uses a cell phone network and Transmission Control Protocol/Internet Protocol (“TCP/IP”) network to access one or more browser-based applications. *Id.* at col. 6, ll. 63–67. The data received by the wireless device from the browser-based applications is communicated through a peripheral communications interface to the one or more peripheral devices. *Id.* at col. 7, ll. 9–18.

C. *Illustrative Claim*

Claims 6 and 7 are independent and are reproduced below.

6. A method for facilitating user connectivity, comprising:

downloading, by a user on a wireless device in a communications network from a server in said communications network, user information to said wireless device;

receiving said user information in a manner that uniquely associates the user information with one or more peripheral devices and uniquely associates each peripheral device with one or more users;

transmitting, under control of each user accessing said wireless device, the downloaded user information from said wireless device to a peripheral device,

wherein said peripheral device, controlled by said user from said wireless device, is connected to a separate system,

wherein said peripheral device includes a display screen and at least one input peripheral device, thereby enabling

interactive and real time communications between peripheral devices and the server, and

wherein two users interconnect to said peripheral device, said two users controlling said user information.

Ex. 1201, col. 15, l. 50–col. 16, l. 2.

7. A wireless device for facilitating user connectivity comprising:

for each user accessing a wireless device, a means for connecting a user of said wireless device to user information stored for the respective wireless device on a server in a communications network;

means for downloading said user information to said wireless device;

means for relaying the downloaded user information, at the control of said user, to a peripheral device;

means for operating said peripheral device from said wireless device; and

wherein said peripheral device comprises a hub, whereby a plurality of components connected to said peripheral device are accessible therethrough,

wherein each user accesses a respective peripheral device, said respective peripheral devices being selected from the group consisting of: a desktop monitor keyboard and mouse, a laptop computer, a laptop computer terminal device, a tablet computer, a tablet computer terminal device, a high-definition monitor and speaker system, and combinations thereof,

wherein respective peripheral devices are used to access and operate software available on the wireless device or over the Internet.

Id. at col. 16, ll. 3–28.

D. *Evidence of Record*

Petitioner relies on the following references and declarations (Pet. 3, 11–12, 34–35, 44–45):

Reference or Declaration	Exhibit No.
Tee et al., U.S. Patent Application Pub. No. 2006/0203758 A1 (published Sept. 14, 2006) (“Tee”)	Ex. 1202
Acharya et al., U.S. Patent Application Pub. No. 2005/0036509 A1 (published Feb. 17, 2005) (“Acharya”)	Ex. 1203
Soin et al., U.S. Patent Application Pub. No. 2005/0091359 A1 (published Apr. 28, 2005) (“Soin”)	Ex. 1204
Wang et al., U.S. Patent Application Pub. No. 2006/0077310 A1 (published Apr. 13, 2006) (“Wang”)	Ex. 1205
Benco et al., U.S. Patent Application Pub. No. 2005/0135393 A1 (published June 23, 2005) (“Benco”)	Ex. 1206
Declaration of Peter Rysavy (“Rysavy Declaration”)	Ex. 1208
Second Declaration of Peter Rysavy (“Second Rysavy Declaration”)	Ex. 1210

E. *Asserted Grounds of Unpatentability*

Petitioner asserts that the challenged claims are unpatentable on the following grounds (Pet. 3):

Claim(s)	Basis	Reference(s)
6–9	35 U.S.C. § 103(a)	Soin and Wang
6	35 U.S.C. § 103(a)	Tee and Acharya
7–9	35 U.S.C. § 103(a)	Tee, Acharya, and Benco

II. ANALYSIS

A. *Claim Construction*

The claims of an unexpired patent are interpreted using the broadest reasonable interpretation in light of the specification of the patent in which they appear. 37 C.F.R. § 42.100(b); *Cuozzo Speed Techs., LLC v. Lee*, 136 S. Ct. 2131, 2144–46 (2016). Petitioner proposes construing several claim terms in the ’987 patent. Pet. 4–11. On this record and for purposes of this

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