UNITED STATES PATENT AND TRADEMARK OFFICE
_____

BEFORE THE PATENT TRIAL AND APPEAL BOARD
_____

GLOBAL TEL*LINK CORPORATION,
Petitioner,

v.

SECURUS TECHNOLOGIES, INC.,
Patent Owner.

_____

Case IPR2016-01362
Patent 9,083,850 B1

_____

Before KEVIN F. TURNER, BARBARA A. BENOIT, and
GEORGIANNA W. BRADEN, *Administrative Patent Judges*.

TURNER, *Administrative Patent Judge*.

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

I. INTRODUCTION

A. *Background*

Global Tel*Link Corporation ("Petitioner") filed a Petition (Paper 1, "Pet.") to institute an *inter partes* review of claims 1–21 of U.S. Patent No. 9,083,850 B1 (Ex. 1001, "the '850 Patent"). Securus Technologies, Inc. ("Patent Owner") filed a Preliminary Response (Paper 9, "Prelim. Resp.") thereto. We have jurisdiction under 35 U.S.C. § 314, which provides that 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." *See also* 37 C.F.R § 42.4(a) (delegating authority to the Board).

Upon consideration of the Petition, the Preliminary Response and both parties' evidence, we conclude Petitioner has established a reasonable likelihood it would prevail with respect to at least one of the challenged claims. Accordingly, for the reasons that follow, we institute an *inter partes* review.

B. *Related Proceedings*

Petitioner informs us that it is not aware of any related matters that would affect or be affected by this proceeding. Pet. 2.

C. *The '850 Patent*

The '850 Patent is directed to an apparatus and methods for manipulating video received from a video visitation device in a secure environment that vary a depth of field parameter of the video. Ex. 1001, Abstract, 1:52–60. The '850 Patent seeks to safe guard the privacy and promote the safe use of video services provided within inmate housing areas by preventing viewers of the video services from plainly seeing unintended

people and/or details such as showers, bathrooms, interiors of cells, or just other inmates. *Id.* at 1:6–25. The '850 patent details that the prior art solutions had significant problems, in that placing video terminals outside of the general inmate population raised "security and administrative issues associated with moving inmates from housing locations to visitation locations," and re-designing housing units was "impractical since most correctional institutions were constructed decades before and reconstruction would be too costly," and the "nooks" designed for video services were difficult to monitor. *Id.* at 1: 26–42. With respect to facial recognition technology, the '850 patent indicates that such technology "suffers as the inmate moves around and has the disadvantage of blurring much of the face and or torso of the inmate thus leading to an unsatisfactory visitation experience." *Id.* at 1:43–48.

The '850 Patent seeks to ameliorate such problems by "adjusting a depth of field parameter for the video, such that an image of a first object at a first distance from the video visitation device is in focus and an image of a second object at a second distance from the video visitation device is blurred," as recited in independent claims 1, 8, and 14. The '850 Patent alleges that by adjusting the depth of field of the camera, the video keeps in focus all objects at a specified distance from the camera, thereby eliminating the problems with prior art recognition technology, which targets a particular object (such as the face) or area in the frame and requires adjustment whenever that object moves in the scene. *See, e.g.*, *id*. at 1:26–48, 12:1–6.

D. Illustrative Claim

As noted above, Petitioner challenges claims 1–21, with claims 1, 8, and 14 being independent claims. Claims 1 is illustrative of the challenged claims and is reproduced below:

> 1. A method, comprising:
>
> receiving video at a video visitation device in a secure environment;
>
> adjusting a depth of field parameter for the video, such that an image of a first object at a first distance from the video visitation device is in focus and an image of a second object at a second distance from the video visitation device is blurred; and
>
> providing the video to a viewing device located outside of the secure environment.

Ex. 1001, 12:42–51.

E. The Asserted Grounds of Unpatentability

Petitioner challenges the patentability of claims of the '850 Patent based on the following grounds under 35 U.S.C. § 103 (Pet. 4–5):

References	Basis	Claims Challenged
Shipman[1] and Garrison[2]	§ 103	1, 5, 8, 9, and 14
Shipman, Garrison, and Mayhew[3]	§ 103	2–4 and 15–18

---

[1] U.S. Patent No. 9,106,789 B1 (filed Jan. 20, 2012) (issued Aug. 11, 2015) (Ex. 1004, "Shipman").
[2] U.S. Patent No. 7,911,513 B2 (filed Apr. 20, 2007) (issued Mar. 22, 2011) (Ex. 1005, "Garrison").
[3] U.S. Patent No. 9,106,789 B1 (filed Nov. 12, 1998) (issued May 11, 2004) (Ex. 1006, "Mayhew").

References	Basis	Claims Challenged
Shipman, Garrison, and Gotsopoulos[4]	§ 103	6, 7, 10, 11, and 19
Shipman, Garrison, Gotsopoulos, and Johnson[5]	§ 103	12 and 20
Shipman, Garrison, and Johnson	§ 103	13 and 21

II.   DISCUSSION

A. Claim Construction

In an *inter partes* review, claim terms in an unexpired patent are interpreted according to their broadest reasonable construction in light of the specification of the patent in which they appear. 37 C.F.R. § 42.100(b); *see Cuozzo Speed Techs., LLC v. Lee*, 136 S. Ct. 2131, 2144–46 (2016) ("We conclude that the regulation represents a reasonable exercise of the rulemaking authority that Congress delegated to the Patent Office."). Under that standard, and absent any special definitions, we give claim terms their ordinary and customary meaning, as would be understood by one of ordinary skill in the art at the time of the invention. *In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007). An inventor, however, may provide a meaning for a term that is different from its ordinary meaning by defining the term in the specification with "reasonable clarity, deliberateness, and precision." *In re Paulsen*, 30 F.3d 1475, 1480 (Fed. Cir. 1994). Limitations, however, are not to be read from the specification into the

---

[4] M. Gotsopoulos *et al.*, *Remote Controlled DSP Based Image Capturing and Processing System Featuring Two-Axis Motion*, Proceedings of the 4th European DSP in Education and Research Conference, 32–36 (2010) (Ex. 1008, "Gotsopoulos").
[5] U.S. Patent Publication No. 2008/0201158 A1 (filed Jun. 29, 2007) (published Aug. 21, 2008) (Ex. 1007, "Johnson").

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.

fastcase
Smarter legal research.