

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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JUNIPER NETWORKS, INC.,  
Petitioner,

v.

CHRIMAR SYSTEMS, INC.,  
Patent Owner.

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Case IPR2016-01399  
Patent 8,902,760 B2

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Before KARL D. EASTHOM, GREGG I. ANDERSON, and  
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

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

## I. INTRODUCTION

Juniper Networks, Inc. (“Petitioner”) filed a Petition (Paper 1, “Pet.”) requesting an *inter partes* review of claims 1, 31, 37, 59, 69, 72, 73, 106, 112, 134, 142, and 145 of U.S. Patent No. 8,902,760 B2 (Ex. 1001, “the ’760 patent”). Chrimar Systems, Inc. (“Patent Owner”) filed a Preliminary Response (Paper 6, “Prelim. Resp.”) 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 1, 31, 37, 59, 69, 72, 73, 106, 112, 134, 142, and 145 of the ’760 patent. Accordingly, we institute an *inter partes* review as to claims 1, 31, 37, 59, 69, 72, 73, 106, 112, 134, 142, and 145 of the ’760 patent on the grounds specified below.

### A. *Related Proceedings*

The parties indicate that the ’760 patent is the subject of several cases in the United States District Court for the Eastern District of Michigan, the United States District Court for the Eastern District of Texas, and the United States District Court for the Northern District of California. Pet. 1; Paper 5, 2–3; Ex. 1012. The parties also indicate that the following petitions for *inter partes* review are related to this case:

Case No.	Involved U.S. Patent No.
IPR2016-00569	U.S. Patent No. 8,942,107
IPR2016-00573	U.S. Patent No. 9,019,838
IPR2016-00574	U.S. Patent No. 8,902,760
IPR2016-00983	U.S. Patent No. 8,155,012
IPR2016-01151	U.S. Patent No. 9,019,838
IPR2016-01389	U.S. Patent No. 8,155,012

IPR2016-01391	U.S. Patent No. 8,942,107
IPR2016-01397	U.S. Patent No. 9,019,838
IPR2016-01425	U.S. Patent No. 8,155,012
IPR2016-01426	U.S. Patent No. 9,019,838

Pet. 1; Paper 5, 3.

B. *The '760 Patent*

The '760 patent relates to a system for managing, tracking, and identifying remotely located electronic equipment. Ex. 1001, col. 1, ll. 27–30. According to the '760 patent, one of the difficulties in managing a computerized office environment is keeping track of a company's electronic assets. *Id.* at col. 1, ll. 32–57. Previous systems for tracking electronic assets suffered from several deficiencies. *Id.* at col. 1, ll. 62–65. For example, previous systems could not determine the connection status or physical location of the asset and could only track those assets that were powered-up. *Id.* at col. 1, l. 65–col. 2, l. 2.

To address these deficiencies, the '760 patent describes a system for tracking an electronic asset using existing network wires. *Id.* at col. 2, ll. 3–6, col. 3, ll. 23–27. The system includes a central module and a remote module. *Id.* at col. 3, ll. 27–30. The remote module attaches to the electronic asset and transmits information to the central module by impressing a low frequency signal on the existing network wires. *Id.* A receiver in the central module monitors the information transmitted by the remote module. *Id.* at col. 3, ll. 30–32. The central module determines if the location of the electronic asset changes, and a database is updated accordingly. *Id.* at col. 3, ll. 37–40.

C. *Illustrative Claim*

Claims 1 and 73 are independent. Claim 1 is reproduced below.

1. A BaseT Ethernet system comprising:
  - a piece of central BaseT Ethernet equipment;
  - a piece of BaseT Ethernet terminal equipment;
  - data signaling pairs of conductors comprising first and second pairs used to carry BaseT Ethernet communication signals between the piece of central BaseT Ethernet equipment and the piece of BaseT Ethernet terminal equipment, the first and second pairs physically connect between the piece of BaseT Ethernet terminal equipment and the piece of central BaseT Ethernet equipment, the piece of central BaseT Ethernet equipment having at least one DC supply, the piece of BaseT Ethernet terminal equipment having at least one path to draw different magnitudes of current flow from the at least one DC supply through a loop formed over at least one of the conductors of the first pair and at least one of the conductors of the second pair, the piece of central BaseT Ethernet equipment to detect at least two different magnitudes of the current flow through the loop and to control the application of at least one electrical condition to at least two of the conductors.

Ex. 1001, col. 17, ll. 16–36.

D. *Evidence of Record*

Petitioner relies on the following references and declaration (Pet. 7):

<b>Reference or Declaration</b>	<b>Exhibit No.</b>
Declaration of Ian Crayford (“Crayford Declaration”)	Ex. 1002
Hunter et al., PCT Publication No. WO 96/23377 (published Aug. 1, 1996) (“Hunter”)	Ex. 1003
Bulan et al., U.S. Patent No. 5,089,927 (issued Feb. 18, 1992) (“Bulan”)	Ex. 1004
Bloch et al., U.S. Patent No. 4,173,714 (issued Nov. 6, 1979) (“Bloch”)	Ex. 1005
The Institute of Electrical and Electronics Engineers, Inc., IEEE Standard 802.3-1993 (1993) (“IEEE 802.3-1993”)	Ex. 1006
The Institute of Electrical and Electronics Engineers, Inc., IEEE Standard 802.3u-1995 (1995) (“IEEE 802.3-1995”)	Ex. 1007, Ex. 1008
Huizinga et al., U.S. Patent No. 4,046,972 (issued Sept. 6, 1977) (“Huizinga”)	Ex. 1009

E. *Asserted Grounds of Unpatentability*

Petitioner asserts that the challenged claims are unpatentable on the following grounds (Pet. 7):

Claim(s)	Basis	Reference(s)
1, 31, 37, 59, 69, 72, 73, 106, 112, 134, 142, and 145	35 U.S.C. § 103(a)	Hunter and Bulan
1, 31, 37, 59, 69, 72, 73, 106, 112, 134, 142, and 145	35 U.S.C. § 103(a)	Bloch, Huizinga, IEEE 802.3-1993, and IEEE 802.3-1995

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, 2144–45 (2016). The parties propose construing several claim terms in the '760 patent. Pet. 5–7; Prelim. Resp. 13–15. On this record and for purposes of this decision, we determine that no claim terms require express construction to resolve the parties' disputes regarding the asserted grounds of unpatentability in this case. See *infra* Section II.B; *Vivid Techs., Inc. v. Am. Sci. & Eng'g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999) (“[O]nly those terms need be construed that are in controversy, and only to the extent necessary to resolve the controversy.”).

B. *Asserted Grounds of Unpatentability*

1. *Obviousness of Claims 1, 31, 37, 59, 69, 72, 73, 106, 112, 134, 142, and 145 Over Hunter and Bulan*

Petitioner argues that claims 1, 31, 37, 59, 69, 72, 73, 106, 112, 134, 142, and 145 would have been obvious over Hunter and Bulan. Pet. 7. We have reviewed the parties' assertions and supporting evidence. For the

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