

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BROADSIGN INTERNATIONAL, LLC,
Petitioner,

v.

T-REX PROPERTY AB,
Patent Owner.

Case IPR2017-00006
Patent 7,382,334 B1

Before BRIAN J. McNAMARA, BARBARA A. BENOIT, and
KERRY BEGLEY, *Administrative Patent Judges*.

BENOIT, *Administrative Patent Judge*.

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

I. INTRODUCTION

Broadsign International, LLC filed a Petition for *inter partes* review of claims 1–42 of U.S. Patent No. 7,382,334 B1 (Ex. 1001, “the ’334 patent” or “the challenged patent”). Paper 2 (“Pet.”). Patent Owner filed a Preliminary Response. Paper 6 (“Prelim. Resp.”). Institution of an *inter partes* review is authorized by statute when “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.” 35 U.S.C. § 314(a); *see* 37 C.F.R. § 42.108.

Upon consideration of the Petition and the Preliminary Response, we conclude the information presented does not show there is a reasonable likelihood that Petitioner would prevail in establishing the unpatentability of at least one of the challenged claims. Accordingly, for the reasons that follow, we deny institution of an *inter partes* review.

A. *Related Matters*

As required by 37 C.F.R. § 42.8(b)(2), each party identifies various judicial or administrative matters that would affect or be affected by a decision in this proceeding. Pet. 1–7; Paper 5, 2–6 (Patent Owner’s Mandatory Notices).

B. *The ’334 Patent*

The ’334 patent is titled “Digital Information System” and describes ways to control and coordinate television sets and cameras for displaying information. Ex. 1001 [54], 1:13–24.

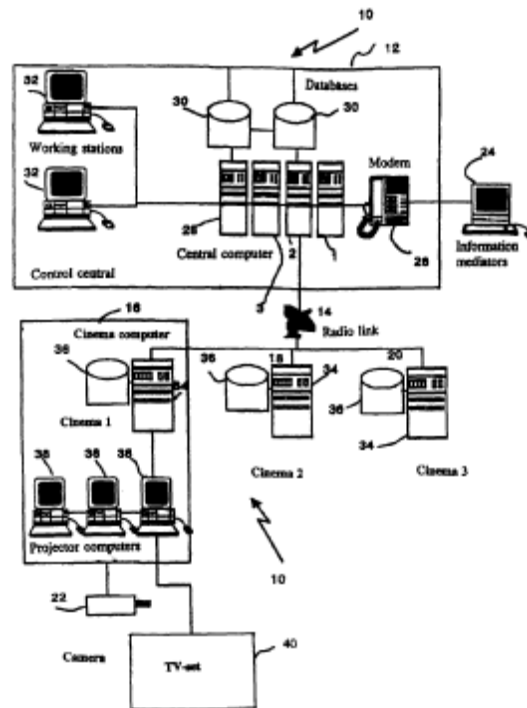
1. *The Written Description*

The patent identifies needs to “enable information to be updated dynamically for display in real time” and to “enable external mediators to update information for display in a central control system.” *Id.* at 1:52–59. The ’334 patent explains that it uses the term “external mediators”¹ to refer to advertising agencies and others who wish to display information for commercial reasons or to the general public. *Id.* at 6:46–51. The patent indicates the disclosed system may be used to display information at private homes, cinema locations, railway stations, subway stations, and airports, among other types of locations. *Id.* at 5:51–54, 5:34–45.

In addition, the patent contrasts conventional display systems on which the displayed information becomes static to its system that enables updating and changing the display information quickly. *Id.* at 2:24–36. According to the patent, static displays of conventional systems are disliked by travelers, “who often wait for long periods in waiting halls or stand[ing] on platforms.” *Id.* at 2:28–34. In addition, conventional displays under “utilize expensive information display equipment to the highest possible degree compatible with good economy.” *Id.* at 2:34–36.

The figure of the challenged patent is set forth below:

¹ External mediators are also referred to by the patent as external information mediators or information mediators. *See* Ex. 1001, 6:35–41, 6:46 (referring to information mediators 24 depicted in the patent figure as “external information mediators 24,” “external mediators 24,” and “information mediator (24)”).



The figure illustrates “system 10 for coordinating and controlling television sets or cameras . . . for displaying information” at private homes, cinema locations, railway stations, subway stations, and airports, among other types of locations. *Id.* at 5:51–54, 5:34–45. Control centre 12 has communication interface 14 (shown as a radio link 14) that connects computerized devices 16, 18, 20. *Id.* at 5:59–61. Computerized device 16 controls one or more television sets or cameras 22 that display images or pictures in public places. *Id.* at 5:36–45, 5:59–63. Working stations 32 are used by personnel serving the control centre 12, whereas external information mediators 24 provide control instructions to television sets or cameras 22 “with regard to the information that the external mediators 24 desire the system 10 to display via the television sets or cameras 22, each on its

own initiative and communication-wise transparent via modems 26.”
Id. at 6:23–26, 6:36–42.

The patent describes that the system enables an external information mediator to control and coordinate the display of information in a time-sensitive manner. In contrast to conventional systems in which an external information mediator “is normally forced to wait about two weeks, perhaps longer, before his order can be implemented and the information publicly displayed,”

the inventive digital information system 10 can . . . display[] principally in real time, i.e. at the time of making the order, possibly with a short delay due to processing, fully-booked exposure lists and other quickly passing causes. Furthermore, an external information mediator 24 is able to put through information to the system 12 twenty-four hours a day, whereupon the information can be included instantaneously in an exposure list.

Id. at 6:51–63.

2. *Illustrative Claims*

Of the challenged claims, claims 1, 11, 22, and 32 are independent and illustrate the claimed subject matter.

1. A method of coordinating and controlling television sets or cameras in a digital information system for exposing information on at least one display device through the medium of at least one television set or camera, characterized in that it comprises the following steps:

generating an exposure list comprising control instructions for coordinating and controlling television sets or cameras with regard to what shall be exposed, when it shall be exposed, where it shall be exposed and for how long it shall be exposed;

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