

Bitdefender, Inc.,

v.

Uniloc Luxembourg S.A.,

Case IPR2017-01315 (Patent 6,510,466)

Hearing Before Mariam L. Quinn,
Robert J. Weinschenk, and
Jessica C. Kaiser (Presiding)

August 7, 2018

Petition is facially deficient re. means+function

Board's original Institution Decision (Paper 10 at 17):

a. Claims 15, 16, 22, 23, 35, and 36

For independent claims 15 and 16, we determined above that Petitioner had not identified sufficient corresponding structure for “means for installing a plurality of application programs at the server.” In its asserted ground, Petitioner addresses the limitations of claims 1, 15, and together. Pet. 28–52. For this limitation, although Petitioner contends Kasso has application programs stored at a server’s storage device, Petitioner does not address whether this teaching meets the corresponding structure discussed above (i.e., steps 112–116 of Figure 8 and the associated description (Ex. 1001, 17:55–67) (and their equivalents)). Pet. 30–31.

Objection: Petitioner's Institution Response Brief new arguments/evidence and should be str

In granting additional briefing to address claims newly instituted under *SAS*, the Board Ordered Petitioner (in Paper 17) to identify with particularity the place where each matter (argument or evidence) raised in its Institution Response Brief was previously addressed in its Petition (Paper 1).

- ✓ There is not a single citation in the Institution Response Brief (Paper 17) to the Petition (Paper 1).
- ✓ Instead, the Institution Response Brief (Paper 17) argued that Petitioner should not be required to comply with the Board's order: "Forcing the Petitioner to supply evidence with their petition for arguments not yet raised would, in fact, require them to anticipate all possible arguments."
- ✓ Thus, Petitioner concedes that it relies on new arguments/evidence and thus contravened the Board's

Claim 1

1. A method for management of application programs on a network including a server and a client comprising the steps of:
 - installing a plurality of application programs at the server;
 - receiving at the server a login request from a user at the client;
 - establishing a user desktop interface at the client associated with the user responsive to the login request from the user, the desktop interface including a plurality of display regions associated with a set of the plurality of application programs installed at the server for which the user is authorized;
 - receiving at the server a selection of one of the plurality of application programs from the user desktop interface; and
 - providing an instance of the selected one of the plurality of application programs to the client for execution responsive to the selection.

Kasso's non-networked computer system is un

Claim 1 is directed to “[a] method for management of appli programs on a network including a server and a client...”

As Dr. DiEuliis testified, the non-networked computer syste Fig. 1 of Kasso is readily distinguishable from the claim lang

networked environment. Id.at 4:1-43. A POSITA would have understood FIG. 1 to describe a single, normal computer system, such as a personal computer or workstation. Moreover, a POSITA would have understood that the computer system of FIG. 1 would have been used by a person (i.e., user) and is not connected to a network. The embodiment described in FIG. 1 demonstrates that Kasso is not limited to computer networks because **Kasso states the invention may be practiced in a single, stand-alone computer that is not connected to a network. Thus, Kasso is different from the '466 patent, which is directed to computer networks, and cannot be implemented on a single-computer.**

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