

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BARCO, INC.,
Petitioner,

v.

T-REX PROPERTY AB
Patent Owner.

Case IPR2017- _____
U.S. Patent No. RE39,470

PETITION FOR *INTER PARTES* REVIEW OF

CLAIMS 25 AND 26 OF

U.S. PATENT NO. RE39,470

UNDER 35 U.S.C. § 312 AND 37 C.F.R. § 42.104

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
US Patent and Trademark Office
PO Box 1450
Alexandria, Virginia 22313-1450

TABLE OF CONTENTS

	<u>Page</u>
I. OVERVIEW OF PETITION.....	1
II. REQUIREMENTS FOR <i>INTER PARTES</i> REVIEW.....	9
A. Grounds for Standing - 37 C.F.R. § 42.104(a).....	9
B. Overview of Challenge and Relief Requested	9
1. Prior Art Patents and Printed Publications.....	9
2. Statutory Grounds of Challenge – 37 C.F.R. § 42.104(b)(2).....	10
III. BACKGROUND	10
A. The '470 Patent	10
1. The Written Description.....	10
2. Challenged Claims	18
B. Prior Art.....	20
1. Nakamura	20
2. Cho	28
IV. CLAIM CONSTRUCTION - 37 C.F.R. § 42.104(b)(3).....	29
A. “External Information Mediator” (Independent Claims 25 and 26).....	30
B. “Permitting said Exposure List to be Dynamically Updated” (Independent Claim 25)	32
C. “Means for Generating and Dynamically Updating an Exposure List From Said Control Instructions” (Independent Claim 26).....	34
D. “Means for Displaying Images” (Independent Claim 26)	41

V. LEVEL OF ORDINARY SKILL IN THE ART42

VI. IDENTIFICATION OF HOW THE CHALLENGED CLAIMS
ARE UNPATENTABLE - 37 C.F.R. §§ 42.104(B)(1), (2), (4),
AND (5)42

 A. Claims 25 and 26 of the '470 patent are obvious over
 Nakamura and Cho pursuant to 35 U.S.C. § 103(a).43

 1. Claim 25.43

 2. Claim 26.54

VII. MANDATORY NOTICES PURSUANT TO 37 C.F.R. §
42.8(A)(1)62

 A. Real Party-in-Interest - 37 C.F.R. § 42.8(b)(1)62

 B. Related Matters - 37 C.F.R. § 42.8(b)(2)62

 C. Lead and Backup Counsel - 37 C.F.R. § 42.8(b)(3)68

 D. Service Information - 37 C.F.R. § 42.8(b)(4)68

VIII. CONCLUSION.....69

IPR2017 - _____

Petition for *Inter Partes* Review of U.S. Patent RE39,470

EXHIBIT LIST

Exhibit No.	Description of the Exhibit
1001	U.S. Patent Number RE39,470 to Hylín et al. (“the ’470 patent”)
1002	Declaration by Travis N. Blalock, Ph.D.
1003	Japanese Patent Application Heisei 07-168544 (“Nakamura”), Certified English Translation, and Affidavit
1004	U.S. Patent Number 5,566,353 to Cho et al. (“Cho”)
1005	Excerpts from Microsoft Computer Dictionary Fourth Edition (1999)
1006	Prosecution History of the ’470 patent (Serial No. 09/821,969)
1007	CV of Travis N. Blalock, Ph.D.

I. OVERVIEW OF PETITION

Barco, Inc. and Barco, N.V. (collectively, “Barco” or “Petitioners”) request *inter partes* review of claims 25 and 26 of U.S. Patent No. RE39,470 (“the ’470 patent,” Ex. 1001) under 35 U.S.C. §§ 311-319 and 37 C.F.R. § 42.100 *et seq.* The instant Petition demonstrates that there is a reasonable likelihood that Petitioners would prevail with respect to the challenged claims should the Board institute *inter partes* review.

The ’470 patent discloses a digital information system that includes a computerized control center and display devices that are located at a plurality of locations. Ex. 1001, 4:42-27. The digital information system permits any authorized company or person to send control instructions for the display devices to the computerized control center by email. Ex. 1001, 5:8-13, 5:18-23, 7:61-64, 8:41-42; Ex. 1002, ¶ 15. The ’470 patent refers to these external, authorized companies or persons as “information mediators” or “external information mediators.” *See* Ex.1001, 5:8–10, 5:18. The computerized control center uses the control instructions to create an exposure list. Ex. 1001, 7:7-17. The exposure list includes a series of instructions as to what shall be shown, where it shall be shown, when it shall be shown, and for how long. Ex. 1001, 9:58-61. The exposure list is then sent from the computerized control center to station computers that control the display devices according to the exposure list. Ex. 1001, 9:55-62.

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.