UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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JUNIPER NETWORKS, INC., RUCKUS WIRELESS, INC.,
BROCADE COMMUNICATION SYSTEMS, INC., and NETGEAR, INC.,
Petitioner,

v.

CHRIMAR SYSTEMS, INC.,
Patent Owner.

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Case IPR2016-01397[1]
Patent 9,019,838 B2

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

WEINSCHENK, *Administrative Patent Judge*.

FINAL WRITTEN DECISION
35 U.S.C. § 318(a) and 37 C.F.R. § 42.73

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[1] Ruckus Wireless, Inc., Brocade Communication Systems, Inc., and
Netgear, Inc. filed a petition in IPR2017-00720 (now terminated), and were
joined to this proceeding.

I.   INTRODUCTION

Juniper Networks, Inc. filed a Petition (Paper 1, "Pet.") requesting an *inter partes* review of claims 1, 2, 7, 26, 29, 38, 39, 40, 47, 55, and 69 of U.S. Patent No. 9,019,838 B2 (Ex. 1001, "the '838 patent"). Chrimar Systems, Inc. ("Patent Owner") filed a Preliminary Response (Paper 6, "Prelim. Resp.") to the Petition. On January 4, 2017, we instituted an *inter partes* review of claims 1, 2, 7, 26, 29, 38, 39, 40, 47, 55, and 69 ("the challenged claims") of the '838 patent on the following grounds:

Claims	Statutory Basis	Applied References
1, 2, 7, 26, 29, 38, 39, 40, 47, 55, and 69	35 U.S.C. § 103(a)[2]	Hunter et al., PCT Publication No. WO 96/23377 (published Aug. 1, 1996) (Ex. 1003, "Hunter"); and Bulan et al., U.S. Patent No. 5,089,927 (issued Feb. 18, 1992) (Ex. 1004, "Bulan")
1, 2, 7, 26, 29, 38, 39, 40, 47, 55, and 69	35 U.S.C. § 103(a)	Bloch et al., U.S. Patent No. 4,173,714 (issued Nov. 6, 1979) (Ex. 1005, "Bloch"); The Institute of Electrical and Electronics Engineers, Inc., IEEE Standard 802.3-1993 (1993) (Ex. 1006, "IEEE 802.3-1993"); and The Institute of Electrical and Electronics Engineers, Inc., IEEE Standard 802.3u-1995 (1995) (Exs. 1007–1008, "IEEE 802.3-1995")

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[2] The Leahy-Smith America Invents Act ("AIA"), Pub. L. No. 112-29, which was enacted on September 16, 2011, made amendments to 35 U.S.C. §§ 102, 103. AIA § 3(b), (c). Those amendments became effective eighteen months later on March 16, 2013. *Id.* at § 3(n). Because the application from which the '838 patent issued was filed before March 16, 2013, any citations herein to 35 U.S.C. §§ 102, 103 are to their pre-AIA versions.

Claims	Statutory Basis	Applied References
1, 2, 7, 26, 29, 38, 39, 40, 47, 55, and 69	35 U.S.C. § 103(a)	Bloch; IEEE 802.3-1993; IEEE 802.3-1995; and Huizinga et al., U.S. Patent No. 4,046,972 (issued Sept. 6, 1977) (Ex. 1009, "Huizinga")

Paper 8 ("Dec. on Inst."), 17–18.

After institution, Ruckus Wireless, Inc., Brocade Communication Systems, Inc., and Netgear, Inc. filed a petition in IPR2017-00720 requesting an *inter partes* review of the challenged claims of the '838 patent and filed a motion requesting joinder to this case. Paper 24, 2. On March 16, 2017, we joined Ruckus Wireless, Inc., Brocade Communication Systems, Inc., and Netgear, Inc. to this case and terminated IPR2017-00720. *Id.* at 5–6. In this Decision, we refer to Juniper Networks, Inc., Ruckus Wireless, Inc., Brocade Communication Systems, Inc., and Netgear, Inc. collectively as Petitioner.

Also, after institution, Patent Owner filed a Response (Paper 25, "PO Resp.") to the Petition, and Petitioner filed a Reply (Paper 32, "Pet. Reply") to the Response. An oral hearing was held on August 31, 2017, and a transcript of the hearing is included in the record. Paper 63 ("Tr."). We issue this Final Written Decision pursuant to 35 U.S.C. § 318(a) and 37 C.F.R. § 42.73. For the reasons set forth below, Petitioner has shown by a preponderance of the evidence that claims 1, 2, 7, 26, 29, 38, 39, 40, 47, 55, and 69 of the '838 patent are unpatentable.

A. *Related Proceedings*

The parties indicate that the '838 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
IPR2016-01399	U.S. Patent No. 8,902,760
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 '838 Patent*

The '838 patent relates to a system for managing, tracking, and identifying remotely located electronic equipment. Ex. 1001, 1:27–30. According to the '838 patent, one of the difficulties in managing a computerized office environment is keeping track of a company's electronic assets. *Id.* at 1:32–57. Previous systems for tracking electronic assets suffered from several deficiencies. *Id.* at 1:62–65. For example, previous systems could not determine the connection status or physical location of an asset and could only track assets that were powered-up. *Id.* at 1:65–2:2.

To address these deficiencies, the '838 patent describes a system for tracking an electronic asset. *Id.* at 2:3–6, 3:23–27. In one embodiment described in the '838 patent, the system includes a central module and a remote module. *Id.* at 3:27–30. The remote module attaches to the electronic asset and transmits a low frequency signal. *Id.* A receiver in the central module monitors the signal transmitted by the remote module and

determines if the status or location of the electronic asset changes. *Id.* at 3:30–32, 3:34–40.

C. *Illustrative Claim*

Claim 1 is independent and is reproduced below.

> 1. A central piece of network equipment comprising:
>
> at least one Ethernet connector comprising first and second pairs of contacts used to carry BaseT Ethernet communication signals; and
>
> the central piece of network equipment to detect different magnitudes of DC current flow via at least one of the contacts of the first and second pairs of contacts and to control application of at least one electrical condition to at least one of the contacts of the first and second pairs of contacts in response to at least one of the magnitudes of the DC current flow.

Ex. 1001, 17:13–23.

II. ANALYSIS

A. *Level of Ordinary Skill in the Art*

Petitioner argues that a person of ordinary skill in the art would have had "at least a B.S. degree in electrical engineering or computer science, or the equivalent, and at least three years of experience in the design of network communication products." Pet. 5. Petitioner also argues that a person of ordinary skill in the art would have been "familiar with, *inter alia*, data communications protocols, data communications standards (and standards under development at the time), and the behavior and use of common data communications products available on the market." *Id.* (citing Ex. 1002 ¶¶ 49–50). Patent Owner argues that a person of ordinary skill in the art would have had "a B.S. degree (or equivalent) in electrical engineering or computer science, and three years of experience in the design

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