

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SNAP INC.,
Petitioner,

v.

BLACKBERRY LIMITED,
Patent Owner.

Case IPR2019-00714
Patent 8,825,084 B2

Before MICHAEL R. ZECHER, MIRIAM L. QUINN, and
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

DECISION
Granting Institution of *Inter Partes* Review
35 U.S.C. § 314

I. INTRODUCTION

Snap Inc. (“Petitioner”) filed a Petition requesting *inter partes* review of claims 1, 2, 5, 6, 9, 10, 12, 13, and 15 of U.S. Patent No. 8,825,084 B2 (Ex. 1001, “the ’084 patent”). Paper 1 (“Pet.”). Blackberry Limited (“Patent Owner”), filed a Preliminary Response. Paper 8 (“Prelim. Resp.”).

We have jurisdiction under 35 U.S.C. § 314. Upon considering the record developed thus far, for reasons discussed below, we grant the petition and institute *inter partes* review as requested.

A. Related Matters

The parties indicate that the ’084 patent was asserted in *BlackBerry Limited v. Snap Inc.*, No. 2:18-cv-02693 (C.D. Cal.). Pet. 1; Paper 5, 2.

Petitioner filed a concurrent *inter partes* review proceeding, Case IPR2019-00715, involving U.S. Patent No. 8,326,327 B2, which is related to the ’084 patent. *Id.*

B. The ’084 Patent

The ’084 patent relates to a system and method for determining an action spot based on the location of a mobile device. Ex. 1001, 1:14–17. The ’084 patent discloses that, in order to find events currently occurring proximate to a mobile device’s present location, a user must manually search external sources, such as electronic events calendars, internet sites, and internet calendars of businesses or event holders. *Id.* at 3:11–16. The user must then compare the location of the event to the user’s current location. *Id.* at 3:16–19.

The '084 patent discloses a system for determining an action spot, i.e., “a location or an event where at least one activity is occurring relative to the current location of another mobile device,” by identifying a location where the other mobile device has engaged in documenting action. *Id.* at 3:3–5, 3:28–42. The action spot is located within a predetermined distance from the location of the user’s mobile device. *Id.* at 3:28–42. The predetermined distance can be any set distance from the current location of the user’s mobile device. *Id.* at 8:32–37. The predetermined distance may be set by a user, mobile device, software, server, or network provider. *Id.* at 8:37–44.

Figure 3, reproduced below, illustrates a screenshot of an interactive map, which includes display screen 102, graphic user interface 206, current location 302, action spots 304, 306, and graphical representations 308 of location landmarks. *Id.* at 5:56–6:31.

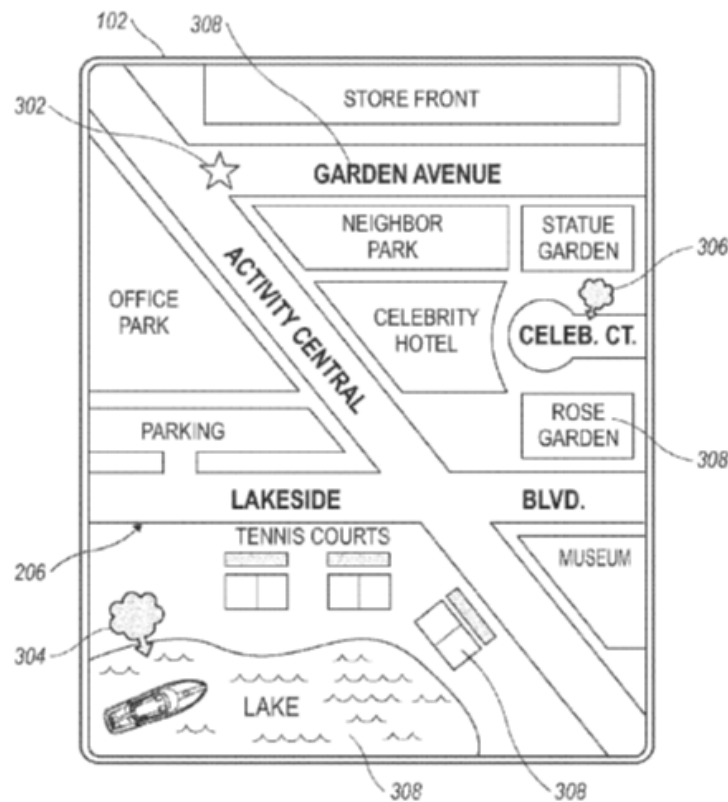


FIG. 3

FIG. 3 is an illustrative implementation of a graphical user interface displaying action spots within a predetermined distance from a current location of a mobile device. Ex. 1001, 1:53–55.

Action spots 304, 306 can have different sizes to indicate the activity level associated with each action spot, wherein a larger size represents more activity. *Id.* at 6:32–34. Activities may include documenting actions, such as messaging, photographing or video recording. *Id.* at 2:63–67. Activity level may also be indicated by color, graphical-item-sizing, activity icon scheme, or various combinations thereof. *Id.* at 10:26–39.

Figure 10, reproduced below, illustrates a block diagram for implementing a method of retrieving document actions and transmitting data to the mobile device. *Id.* at 7:5–8.

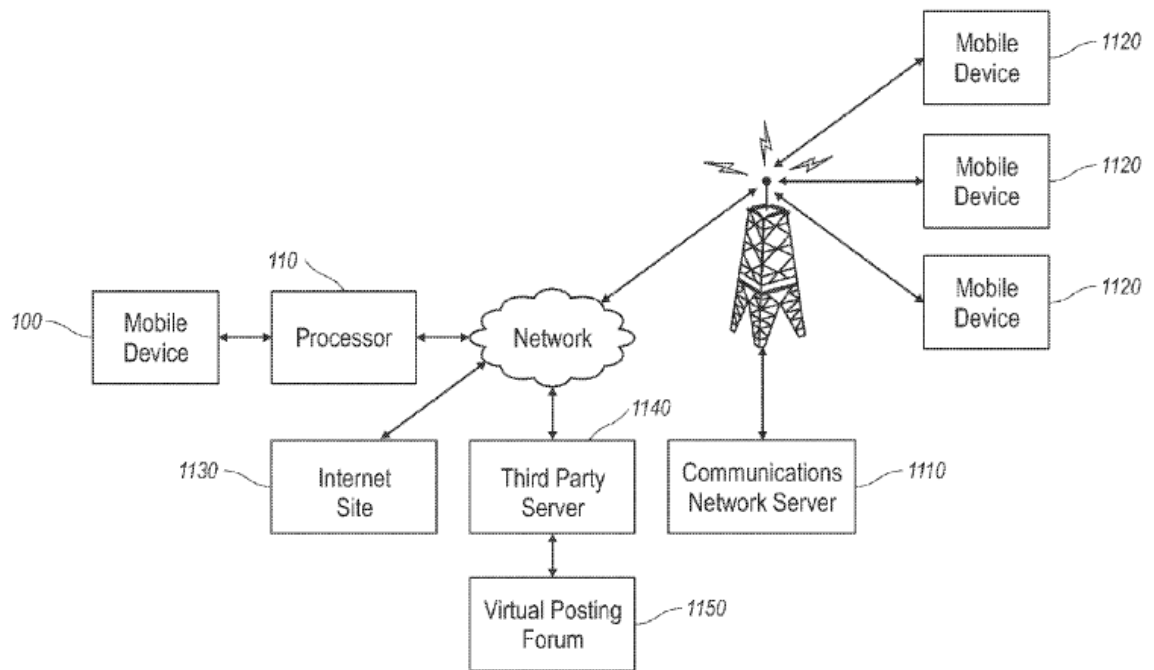


FIG. 10

Figure 10 is a block diagram representing the interaction between a plurality of resources, a mobile device, and a processor configured to determine action spots relative to the location of the mobile device.

Ex. 1001, 2:11–14.

The block diagram includes processor 110, which can retrieve data from an external server 1110. *Id.* at 7:5–34. Server 1110 monitors documenting actions of other mobile devices 1120 on the same communications network as mobile device 100. *Id.* Server 1110 can monitor location and level of documenting actions, and then transmit action spot locations based on the documenting actions to mobile device 100. *Id.*

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