

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

GUEST TEK INTERACTIVE ENTERTAINMENT LTD.,

Petitioner,

v.

NOMADIX, INC.,

Patent Owner.

U.S. Patent No. 8,606,917 to Short *et al.*

Issued: December 10, 2013

Filed: October 24, 2012

Title: SYSTEMS AND METHODS FOR PROVIDING CONTENT AND  
SERVICES ON A NETWORK SYSTEM

---

IPR2019-01191

---

**PETITION FOR *INTER PARTES* REVIEW OF  
U.S. PATENT NO. 8,606,917**

**FILED ELECTRONICALLY UNDER 37 C.F.R. § 42.6(b)(1)**

**Mail Stop "PATENT BOARD"**

Patent Trial and Appeal Board

U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

**TABLE OF CONTENTS**

I. INTRODUCTION .....1

II. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8.....2

    A. Real Party-in-Interest [37 C.F.R. § 42.8(b)(1)].....2

    B. Related Matters [37 C.F.R. § 42.8(b)(2)].....3

    C. Lead and Backup Counsel; Service Information [37 C.F.R. §§  
        42.8(b)(3)-(4)] .....3

III. REQUIREMENTS UNDER 37 C.F.R. §§ 42.103 and 42.104 .....4

    A. Payment of Fees [37 C.F.R. § 42.103] .....4

    B. Grounds for Standing [37 C.F.R. § 42.104(a)] .....4

IV. RELIEF REQUESTED [37 C.F.R. § 42.22(a)] .....4

V. THE '917 PATENT .....5

    A. Overview of Patent.....5

    B. Claims at Issue.....7

    C. Prosecution History .....9

    D. The Effective Filing Date for Claims 1 and 11 Is October 24, 2012..11

    E. Claim Construction .....18

VI. PERSON OF ORDINARY SKILL IN THE ART .....19

VII. PRIOR ART.....19

    A. '578 Patent (Ex. 1004) .....22

    B. Whyte Publication (Ex. 1005).....26

C.	'474 Patent (Ex. 1006) .....	27
D.	NIST Publication (Ex. 1007).....	30
VIII.	CLAIMS 1 AND 11 ARE OBVIOUS OVER THE '578 PATENT IN VIEW OF THE WHYTE PUBLICATION. ....	31
A.	The combination of the '578 patent and Whyte Publication discloses all limitations of claims 1 and 11. ....	32
B.	A POSITA would have been motivated to combine the '578 patent and Whyte Publication to arrive at claims 1 and 11. ....	43
IX.	CLAIMS 1 AND 11 ARE OBVIOUS OVER THE '578 PATENT IN VIEW OF THE WHYTE PUBLICATION AND FURTHER IN VIEW OF THE '474 PATENT.....	48
A.	The combination of the '578 patent, Whyte Publication, and '474 patent discloses all limitations of claims 1 and 11.....	48
B.	A POSITA would have been motivated to combine the '578 patent, Whyte Publication, and '474 patent to arrive at claims 1 and 11. ....	51
X.	CLAIMS 1 AND 11 ARE OBVIOUS OVER THE '474 PATENT IN VIEW OF THE NIST PUBLICATION.....	54
A.	The '474 patent and NIST Publication disclose all limitations of claims 1 and 11.....	55
B.	A POSITA would have been motivated to combine the '474 Patent and NIST Publication to arrive at claims 1 and 11. ....	63
XI.	CONCLUSION.....	67

**TABLE OF AUTHORITIES**

**Page(s)**

**Cases**

*Ariad Pharm., Inc. v. Eli Lilly & Co.*,  
598 F.3d 1336 (Fed. Cir. 2010) .....12, 17

*D Three Enterprises, LLC v. SunModo Corp.*,  
890 F.3d 1042 (Fed. Cir. 2018) .....11, 14

*Knowles Elecs. LLC v. Cirrus Logic, Inc.*,  
883 F.3d 1358 (Fed. Cir. 2018) .....14, 17

*Nomadix, Inc. v. Guest Tek Interactive Entertainment Ltd.*,  
Case No. 2:16-CV-08033-AB-FFM .....3

**Statutes**

35 U.S.C. § 102 .....19

35 U.S.C. § 103 .....2, 4, 46, 52, 65

35 U.S.C. § 135(b) .....9

35 U.S.C. § 311 .....1

35 U.S.C. §§ 315(a)-(b) .....4

35 U.S.C. § 325(d) .....10

**Other Authorities**

37 C.F.R. § 42.8 .....2, 3

37 C.F.R. § 42.22(a).....4

37 C.F.R. § 42.100 .....1, 17

37 C.F.R. §§ 42.101 – 42.103 .....4

37 C.F.R. § 42.103 .....4

37 C.F.R. §§ 42.103 .....4  
37 CFR § 41.202 .....10  
37 C.F.R. § 42.100 .....1, 10  
37 C.F.R. §§ 42.101 – 42.104 .....4

# 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.