

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LENOVO HOLDING COMPANY, INC., LENOVO (UNITED STATES)
INC., AND MOTOROLA MOBILITY LLC,
Petitioner,

v.

DODOTS LICENSING SOLUTIONS LLC,
Patent Owner.

IPR2019-01279
Patent 8,510,407 B1

Before JAMES A. WORTH, AMBER L. HAGY, and SHARON FENICK,
Administrative Patent Judges.

FENICK, *Administrative Patent Judge.*

DECISION
Granting Institution of *Inter Partes* Review
35 U.S.C. § 314, 37 C.F.R. § 42.4

I. INTRODUCTION

A. *Background and Summary*

Lenovo Holding Company, Inc., Lenovo (United States) Inc., and Motorola Mobility LLC (“Petitioner”) filed a Petition for an *inter partes* review of claims 1, 8–13, and 20–24 of U.S. Patent No. 8,510,407 B1

(Ex. 1001, “the ’407 patent”). Paper 2 (“Pet.”). DoDots Licensing Solutions LLC (“Patent Owner”) did not file a Preliminary Response.

Under 35 U.S.C. § 314 and 37 C.F.R. § 42.4(a), we have authority to determine whether to institute an *inter partes* review. If an *inter partes* review is instituted, a final written decision under 35 U.S.C. § 318(a) must decide the patentability of all claims challenged in the petition. *SAS Inst., Inc. v. Iancu*, 138 S. Ct. 1348, 1359–60 (2018).

Upon considering the Petition and the evidence of record, we determine that Petitioner has demonstrated a reasonable likelihood of prevailing in showing the unpatentability of at least one of the challenged claims. For the reasons described below, we institute an *inter partes* review of claims 1, 8–13, and 20–24 of the ’407 patent with respect to all grounds in the Petition.

B. Real Parties in Interest

Petitioner indicates that Lenovo Holding Company, Inc., Lenovo (United States) Inc., and Motorola Mobility LLC are the real parties-in-interest. Pet. 67.

Patent Owner indicates that DoDots Licensing Solutions, LLC is the real party-in-interest. Paper 4 (Patent Owner’s Mandatory Notices), 2.

C. Related Matters

According to Petitioner and Patent Owner, the ’407 patent at issue here is also asserted in *DoDots Licensing Solutions LLC v. Lenovo Holding Company, Inc. et al.*, Case No. 18-098-MN (D. Del.). Pet. 67–68; Paper 4 (Patent Owner’s Mandatory Notices), 2. Petitioner notes that that case also involves U.S. Patent Nos. 9,369,545 and 8,020,083, and that Petitioner filed a petition for *inter partes* review of the patentability of claims in U.S. Patent No. 9,369,545 in IPR2019-00988 (*inter partes* review instituted, *see*

IPR2019-00988, Paper 7 (Sept. 10, 2019)) and a petition for an *inter partes* review of the patentability of claims in U.S. Patent No. 8,020,083 (decision on institution pending). Pet. 68.

D. The '407 Patent

The title of the '407 patent is “Displaying Time-Varying Internet Based Data Using Application Media Packages.” Ex. 1001, code (54). The '407 patent discloses, in part, a software component for accessing and displaying network content. *Id.* at code (57). A Networked Information Monitor (NIM) is a “fully configurable frame with one or more controls” with content optionally presented through the frame. *Id.* at 2:61–63, 5:21–24. When a NIM is opened by a user, the frame is presented in the user’s display and network content is retrieved and presented in a viewer enclosed by the frame. *Id.* at 19:63–20:30. The network content may be identified via URLs included in the NIM definition. *Id.* at code (57), 20:24–27. The network content is time-varying, e.g. as in an image that varies over time. *Id.* at code (57). The Specification describes that the frame according to the invention “stands in contrast to present web browsers, which are branded by the browser vendor and which have limited means by which to alter the controls associated with the browser.” *Id.* at 5:24–28.

E. Illustrative Claim

The challenged claims are claims 1, 8–13, and 20–24. Claims 1 and 13 are the only independent claims among the challenged claims. Claim 1 is reproduced below with Petitioner’s bracketed limitation designations added for ease of reference:

1. [1.Preamble] A client computing device configured to access content over a network, the client computing device comprising:

[1.A] electronic storage configured to store networked information monitor template associated with a networked information monitor, [1.B] the networked information monitor template having therein a definition of a viewer graphical user interface having a frame within which time-varying content in a web browser-readable language may be presented on a display associated with the client computing device, wherein the frame of the viewer graphical user interface lacks controls for enabling a user to specify a network location at which content for the networked information monitor is available; and

[1.C] one or more processors configured to execute one or more computer program modules, the one or more computer program modules being configured to access the networked information monitor defined by the networked information monitor template, wherein accessing the networked information monitor defined by the networked information monitor template results in:

[1.D] transmission, over a network to a web server at a network location, of a content request for content to be displayed within the frame of the viewer graphical user interface defined by the networked information monitor template;

[1.E] reception, over the network from the web server at the network location, of content transmitted from the web server in response to the content request, the content being time-varying;

[1.F] presentation, on the display, of the viewer graphical user interface defined by the networked information monitor template outside of and separate from any graphical user interface of any other application; and

[1.G] presentation, on the display within the frame of the viewer graphical user interface defined by the networked information monitor, of the time-varying content received from the web server.

F. Evidence

Petitioner relies on the following references:

Reference	Description	Date	Exhibit
Van Hoff et al. (“Hoff”) ¹	US 5,919,247	Issued July 6, 1999	Ex. 1004
Berg	Cliff Berg, <i>How Do I Create a Signed Castanet Channel?</i> , DR. DOBB’S JOURNAL, January 1, 1998	Jan. 1, 1998	Ex. 1009
Nazem	US 5,983,227	Issued Nov. 9, 1999	Ex. 1007
Fortin et al. (“Fortin”)	US Patent Application Publication 2002/0023110 A1	Published Feb. 21, 2002	Ex. 1008
Razavi et al. (“Razavi”)	US 6,401,134 B1	Issued June 4, 2002	Ex. 1006
Andersen	US 5,999,941	Issued Dec. 7, 1999	Ex. 1012

Petitioner also relies on the Declaration of Dr. Vijay K. Madiseti. Ex. 1003 (“Madiseti Decl.”).

G. Prior Art and Asserted Grounds

Petitioner asserts that claims 1, 8–13, and 20–24 would have been unpatentable on the following grounds:

Claim(s) Challenged	35 U.S.C. §	Reference(s)/Basis
1, 9–13, 21–24	103	Hoff, Berg, Nazem or Admitted Prior Art (“APA”) ²
8, 20	103	Hoff, Berg, Nazem or APA, Fortin
1, 9–13, 21–24	103	Razavi, Andersen
8, 20	103	Razavi, Andersen, Fortin

¹ The last name of the first-named inventor is Van Hoff, but, for consistency with the Petition, we refer to this patent as “Hoff.”

² The Petition cites column 1, lines 56–67 of the ’407 patent as the APA. Pet. 23–24, 26.

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