UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,
Petitioner,

v.

SEVEN NETWORKS, LLC,
Patent Owner.

———————

IPR2020-00280
Patent 10,027,619 B2

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Before THU A. DANG, KARL D. EASTHOM, and JONI Y. CHANG,
Administrative Patent Judges.

CHANG, *Administrative Patent Judge.*

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

I.   INTRODUCTION

Apple Inc. ("Petitioner") filed a Petition requesting an *inter partes* review ("IPR") of claims 22−28, 32, 33, 36−42, 46, and 50−52 ("the challenged claims") of U.S. Patent No. 10,027,619 B2 (Ex. 1001, "the '619 patent"). Paper 2 ("Pet."), 1. Seven Networks, LLC, ("Patent Owner") filed a Preliminary Response. Paper 8, "Prelim. Resp."

Under 35 U.S.C. § 314(a), an *inter partes* review may not be instituted unless the information presented in the petition "shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition." For the reasons stated below, we determine that Petitioner has established a reasonable likelihood that it would prevail with respect to at least one claim. We hereby institute an *inter partes* review as to all of the challenged claims of the '619 patent and all of the grounds of unpatentability presented in the Petition.

A. Related Matter

The parties indicate that the '619 patent was involved in *Seven Networks, LLC v. Apple Inc.*, Case No. 2:19-cv-115 (E.D. Tex.). Pet. 70; Paper 5, 1. Petitioner also filed another parallel Petition ("the '281 IPR Petition"), challenging the same claims of the '619 patent. IPR2020-00281, Paper 3. Petitioner filed a Notice ranking its Petitions in the order that Petitioner wishes the Board to consider the merits—namely, ranking the instant Petition first and the '281 Petition second. Paper 3 ("Notice"). We considered the parties' arguments as to whether we should exercise our

discretion under § 314(a) to deny one of the parallel Petitions. We address
those arguments in our Decision denying institution in the IPR2020-00281.

B. The '619 Patent

The '619 patent discloses methods and systems for transmitting
electronic mail (e-mail) messages to or from a mobile terminal. Ex. 1001,
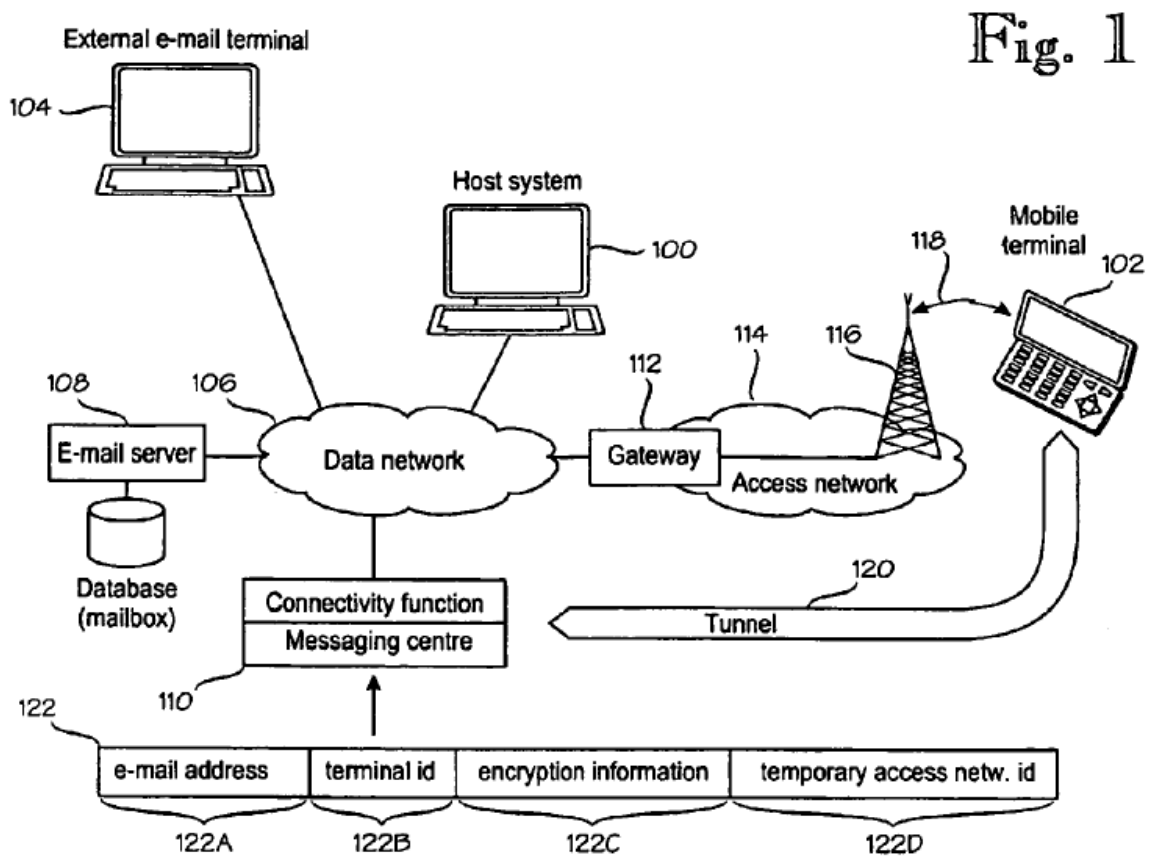Code 57, 1:20−22. Figure 1 of the '619 patent is reproduced below.

Figure 1 above shows an exemplary system architecture. *Id.* at
3:9−10. The '619 patent "aims at improving cooperation between the host
system 100 and mobile terminal 102 such that they can use a single e-mail
account." *Id.* at 3:15−18. The '619 patent also describes a secure e-mail

provisioning technique in which host system 100 authenticates the use of mobile terminal 102 by receiving a service activation code and conveying the code to message center 110. *Id.* at 4:56−5:37. Mobile terminal 102 generates and displays a service activation code and host system 100 authenticates the user who enters the code. *Id.*

C. Illustrative Claim

Of the challenged claims, claims 22, 37, and 51 are independent. Claims 23−28, 32, 33, and 36 depend from claim 22; claims 38−42, 46, and 50 depend from claim 37; and claim 52 depends from claim 51. Claim 22 is illustrative:

> 22. A device comprising:
>
> a radio;
>
> a processor and memory containing instructions executable by the processor whereby the device is operable to:
>
> *optically receive information including a displayed service activation code from a remote device*;
>
> *register the remote device for access to a messaging account using the service activation code*;
>
> receive a message for the messaging account;
>
> encrypt the message using an encryption key; and
>
> send the message to the remote device,
>
> wherein the device is authenticated to access the messaging account.

Ex. 1001, 11:5−17 (emphases added).

D. Prior Art Relied Upon

Petitioner relies upon the references listed below (Pet. 2−4):

Reference	Date	Exhibit No.
Hind, PCT WO 2002/025890	Mar. 28, 2002	1004
Nielsen, PCT WO 2001/040605	June 7, 2001	1005[1]
Thompson, PCT WO 2001/029731	Apr. 26, 2001	1006
Barchi, US 2005/0060551 A1	Mar. 17, 2005	1007
Richardson, US 2005/0210259 A1	Sept. 22, 2005	1008
Eaton, US 2003/0101343 A1	May 29, 2003	1009
Friend, US 2004/0049599 A1	Mar. 11, 2004	1010

E. Asserted Grounds of Unpatentability

Petitioner asserts the following grounds of unpatentability (Pet. 1−2):

	Claim(s)	35 U.S.C. §	References/Basis
1	22−26, 33, 36−40, 50−52	103	Hind, Nielsen
2	22−26, 33, 36−40, 50−52	103	Hind, Nielsen, Thompson

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[1] Our citations to Nielsen reference the page number on the bottom of the page.

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