

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MICROSOFT CORPORATION and HP INC.,  
Petitioner,

v.

SYNKLOUD TECHNOLOGIES, LLC,  
Patent Owner.

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IPR2020-01031  
Patent 10,015,254 B1

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Before SALLY C. MEDLEY, LYNNE E. PETTIGREW, and SCOTT  
RAEVSKY, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

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

## I. INTRODUCTION

Microsoft Corporation and HP Inc. (collectively “Petitioner”) filed a Petition for *inter partes* review of claims 1–8 and 16–20 of U.S. Patent No. 10,015,254 B1 (Ex. 1001, “the ’254 patent”). Paper 1 (“Pet.”). Syncloud Technologies, LLC (“Patent Owner”) filed a Preliminary Response. Paper 13 (“Prelim. Resp.”). Institution of an *inter partes* review is authorized by statute when “the information presented in the petition . . . and any response . . . 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.” 35 U.S.C. § 314(a). Upon consideration of the Petition, the Preliminary Response, and the evidence of record, we determine that Petitioner has established a reasonable likelihood of prevailing with respect to the unpatentability of at least one claim of the ’254 patent. Accordingly, for the reasons that follow, we institute an *inter partes* review of claims 1–8 and 16–20 of the ’254 patent.

### *A. Related Matters*

The parties indicate that the ’254 patent is or has been the subject of, or relates to, several court proceedings. Pet. 3–4; Papers 6, 10. Petitioner also indicates that the ’254 patent is the subject of IPR2020-01032. Paper 4. Patent Owner indicates that the ’254 patent is the subject of a petition filed by Adobe Inc. in IPR2020-01235. Paper 10.

### *B. The ’254 Patent*

The Specification of the ’254 patent describes how a wireless device may use external storage provided by a storage server. Ex. 1001, 1:21–23. The ’254 patent aims to address the lack of storage capacity faced by users

on their wireless devices by allowing a wireless device to use an external server for storing and retrieving data. *Id.* at 2:29–37, 5:4–32.

In one embodiment, the storage server’s external storage may be partitioned by dividing it into multiple small volumes of storage space that may be exclusively assigned to users. *Id.* at 4:1–32. Partitioning may be done through a web-console on a console host by an administrator. *Id.* at 4:5–8. Based on storage information received from the storage server’s support software, the administrator may use the web-console to partition each storage device and send storage partition information to the support software. *Id.* at 4:10–19. The support software may perform the actual partition by dividing the storage device into multiple small volumes, each of which may be exclusively assigned to and used by a user of a specific wireless device. *Id.* at 4:23–32.

The ’254 patent also describes a “wireless out-band download” approach for downloading data from a remote location to an assigned storage volume. *Id.* at 2:9–11, 2:52–56, 5:4–32, Fig. 3.

Figure 3 is illustrative and is reproduced below.

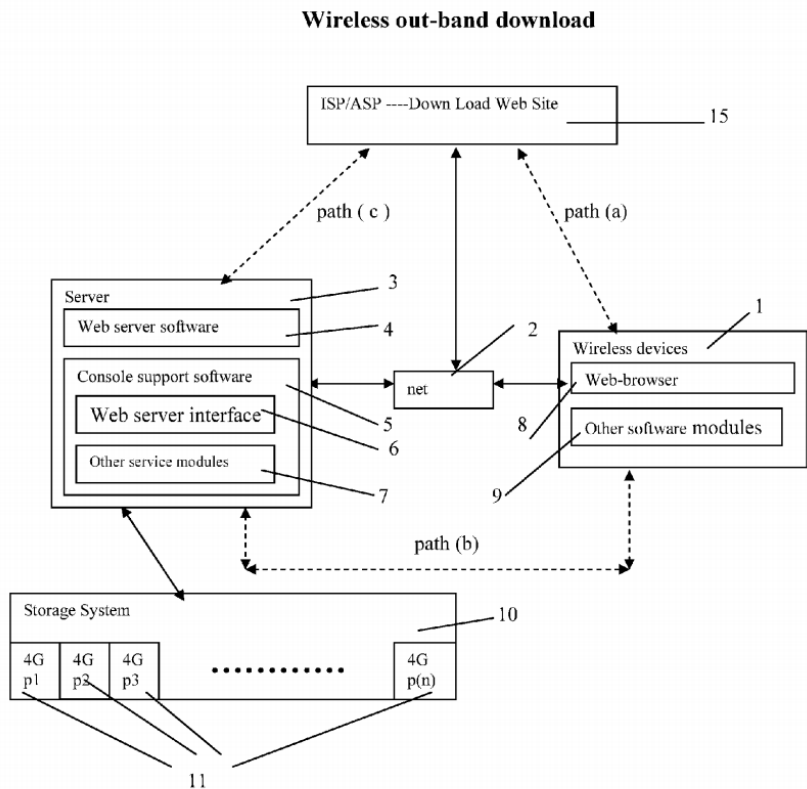


Fig. 3

Figure 3 shows a “wireless out-band download” approach, which includes a sequence of steps for downloading data from a remote web site server 15 into an assigned storage volume 11 of external storage system 10 on server 3. *See id.* at 2:9–11, 2:52–56, 5:4–32. First, the user of wireless device 1 may access remote web server site 15 via web-browser 8 to obtain information about the data for downloading (e.g., data name) via path (a). *Id.* at 5:10–15. Second, other software modules 9 of wireless device 1 may obtain the download information for the data, which becomes available in cached web-pages on wireless device 1. *Id.* at 5:16–19. Third, the other software modules 9 of wireless device 1 may send obtained download information to other service modules 7 of storage server 3 via path (b). *Id.* at 5:20–22. Fourth, other service modules 7 may send a web download request

to remote web site server 15 via path (c) based on the obtained download information and receive the downloaded data streams from remote web site server 15. *Id.* at 5:23–28. Lastly, other service modules 7 may write (i.e., store) the data streams to assigned storage volume 11 in server 3 for wireless device 1. *Id.* at 5:29–32.

The '254 patent additionally describes retrieving data from an assigned storage volume. *Id.* at 5:33–43. In one embodiment, the user may use the wireless device's web-browser (with embedded video or music functionality) to retrieve and play multimedia data files already stored in the assigned storage volume on the server. *Id.* at 5:35–39. In another embodiment, the wireless device may retrieve data from the file system of the assigned storage volume on the server. *Id.* at 5:40–43.

### *C. Illustrative Claim*

Petitioner challenges claims 1–8 and 16–20 of the '254 patent. Claims 1 and 16 are independent claims, and claims 2–8 and 17–20 depend therefrom, respectively. Claim 1 is reproduced below.

1. A wireless device accessing a remote storage space, the wireless device comprising:
  - at least one cache storage for caching data received from the Internet, and
  - one computer-readable storage device comprising program instructions which, when executed by the wireless device, configure the wireless device accessing the remote storage space, wherein the program instructions comprise:
    - program instructions for the wireless device establishing a communication link for accessing the remote storage space served by a first server;

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