

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

ADOBE INC.,  
Petitioner,

v.

SYNKLOUD TECHNOLOGIES, LLC,  
Patent Owner.

---

IPR2020-01392  
Patent 9,239,686 B2

---

Before SALLY C. MEDLEY, LYNNE E. PETTIGREW, and  
KRISTI L. R. SAWERT, *Administrative Patent Judges*.

PETTIGREW, *Administrative Patent Judge*.

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

## I. INTRODUCTION

Petitioner, Adobe Inc., filed a Petition for *inter partes* review of claims 1–11 of U.S. Patent No. 9,239,686 B2 (Ex. 1001, “the ’686 patent”). Paper 1 (“Pet.”). Patent Owner, Synkloud Technologies, LLC, filed a Preliminary Response. Paper 7 (“Prelim. Resp.”).

Under 35 U.S.C. § 314 and 37 C.F.R. § 42.4(a), we have authority to institute an *inter partes* review if “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). After considering the Petition, the Preliminary Response, and the evidence of record, we determine the information presented shows a reasonable likelihood that Petitioner would prevail in establishing the unpatentability of at least one of the challenged claims of the ’686 patent. Accordingly, we institute an *inter partes* review of claims 1–11 of the ’686 patent on the grounds asserted in the Petition.

## II. BACKGROUND

### A. Related Matters

The parties identify several district court proceedings involving the ’686 patent. Pet. x; Paper 5 (Patent Owner’s Mandatory Notices).

Petitioner indicates that the ’686 patent is the subject of IPR2020-01393, based on another petition filed by Petitioner. *See* Pet. x. The parties identify IPR2020-01271, based on a petition filed jointly by Microsoft Corporation and HP Inc., as a matter involving the ’686 patent. *Id.*; Paper 5.

The parties also identify several other matters pending before the Board involving patents related to the ’686 patent. Pet. xi–xii; Paper 5.

*B. Overview of the '686 Patent*

The '686 patent describes how a wireless device may access and use external storage provided by a storage server. Ex. 1001, 1:24–25. The '686 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 2:39–47, 5:4–58.

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 4:12–37. Partitioning may be done through a web-console on a console host by an administrator. *Id.* at 4:16–19. 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 4:20–29. 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 4:31–37.

The '686 patent also describes a “wireless out-band download” approach for downloading data from a remote location to an assigned

storage volume. *Id.* at 2:18–21, 2:61–64, 5:16–47, Fig. 3. Figure 3 is illustrative and is reproduced below.

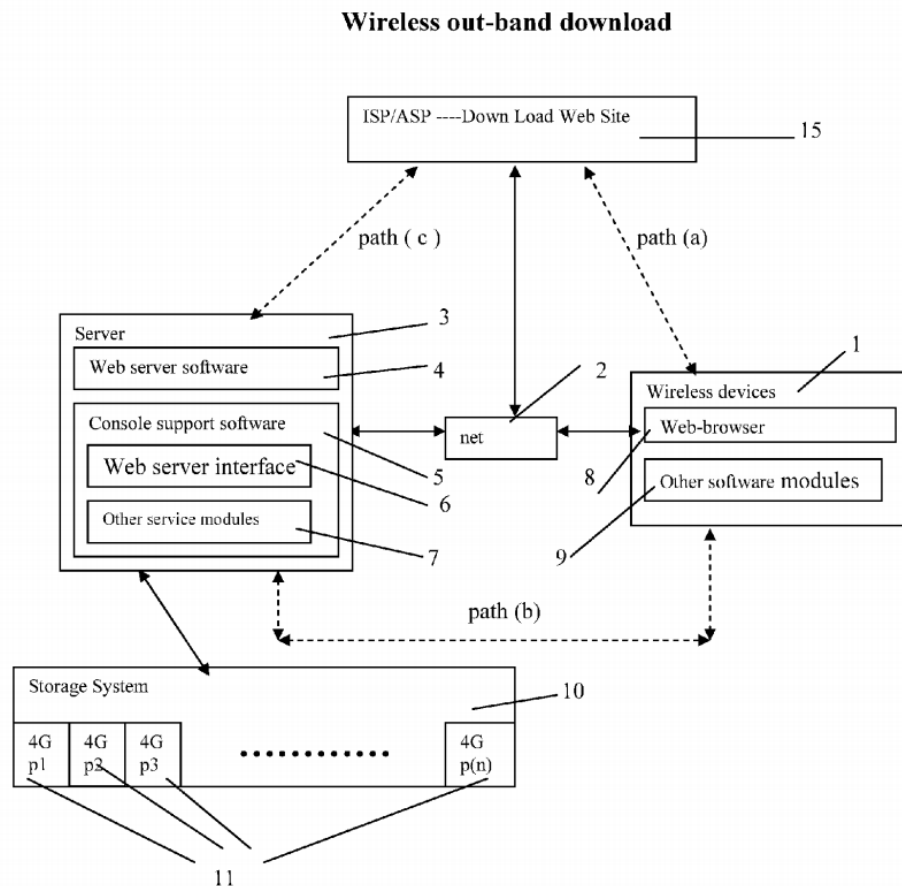


Fig. 3

Figure 3 shows a “wireless out-band download” approach, which includes a sequence of steps for downloading data from remote web site server 15 into assigned storage volume 11 of external storage system 10 on server 3. *See id.* at 2:18–21, 2:61–64, 5:16–47. 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 5:23–28. 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 5:29–33. 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 5:34–37. 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 5:38–43. 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 5:44–47.

The '686 patent additionally describes retrieving data from an assigned storage volume. *Id.* at 5:48–58. 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 5:50–54. In another embodiment, the wireless device may retrieve data from the file system of the assigned storage volume on the server. *Id.* at 5:55–58.

### *C. Illustrative Claim*

Petitioner challenges claims 1–11 of the '686 patent. Claim 1, the sole independent claim challenged in this proceeding, is reproduced below:

1. A server for delivering storage service, comprising:
  - a plurality of storage spaces; and
  - a non-transitory computer-readable medium comprising
    - program instructions that, being executed by the server, causes the server delivering the storage service; wherein the program instructions comprise:
      - program instructions for allocating exclusively a first one of the storage spaces to a user of a first wireless device;

# 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.