

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS AMERICA, INC,
Petitioner

v.

PROXENSE, LLC
Patent Owner

IPR2021-_____
Patent No. 8,352,730

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 8,352,730
UNDER 35 U.S.C § 312 AND 37 C.F.R. § 42.104**

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	MANDATORY NOTICES	2
	A. Grounds for Standing (37 C.F.R. § 42.104(a))	2
	<u>B. Real Party in Interest</u>	3
	<u>C. Related Matters</u>	3
	<u>D. Lead and Back-Up Counsel (37 C.F.R. § 42.8(b)(3)) and Service Information (37 C.F.R. § 42.8(b)(3)-(4))</u>	3
	<u>E. Payment of Fees (37 C.F.R. § 42.15(a))</u>	4
III.	LEVEL OF SKILL IN THE ART	4
III.	IDENTIFICATION OF CHALLENGE AND RELIEF REQUESTED	5
IV.	OVERVIEW OF THE '730 PATENT	6
	A. Prosecution History	7
V.	CLAIM CONSTRUCTION	8
VI.	CITED ART.....	9
	A. Scott (WO1999056429)	9
	B. Russell (US20040044627)	10
	C. Lapsley (US2001/0000535)	11
	D. Robinson (US2003/0177102).....	11
	E. Rhoads (US2004/0153649)	12
	F. Berardi (US7239226)	12

G.	Rosen (US6175921)	13
H.	Shreve (US2002/0109580).....	13
I.	Kinoshita (US2003/0055792)	14
J.	Enablement.....	14
VII.	DISCRETIONARY FACTORS	15
A.	35 U.S.C. § 325(d) Does Not Favor Denial	15
B.	35 U.S.C. § 314(a) Does Not Favor Denial	16
VII.	DETAILED EXPLANATION OF GROUNDS FOR INVALIDITY	22
A.	Ground 1: Claims 1-2, 4-9, and 11 are rendered obvious by Scott, Russell, and Lapsley.....	22
B.	Ground 2: Claims 3 and 10 are rendered obvious by Scott, Russell, Lapsley, and Robinson.	43
C.	Ground 3: Claim 6 is rendered obvious by Scott, Russell, Lapsley, and Rhoads.	45
D.	Ground 4: Claims 1-2, 4-6, 8-9, and 11 are rendered obvious by Berardi, Rosen, Shreve, and Kinoshita.	46
VIII.	SECONDARY CONSIDERATIONS	60
IX.	CONCLUSION.....	61

EXHIBIT LIST

No.	Exhibit
1001	U.S. Patent No. 8,352,730
1002	File History for U.S. Patent No. 8,352,730
1003	Declaration of Andrew Wolfe, Ph.D.
1004	Curriculum vitae of Andrew Wolfe, Ph.D.
1005	International App. No. WO 1999056429 to Scott et al.
1006	U.S. Patent Pub. No. 2004/0044627 A1 to Russell et al.
1007	U.S. Patent Pub. No. 2001/0000535 A1 to Lapsley et al.
1008	U.S. Patent Pub. No. 2003/0177102 A1 to Robinson
1009	U.S. Patent Pub. No. 2004/0153649 A1 to Rhoads et al.
1010	U.S. Patent No. 7,239,226 B2 to Berardi et al.
1011	U.S. Patent No. 6,175,921 B1 to Rosen
1012	U.S. Patent Pub. No. 2002/0109580 A1 to Shreve et al.
1013	U.S. Patent Pub. No. 2003/0055792 A1 to Kinoshita et al.
1014	“Applied Cryptography—Protocols, Algorithms, and Source Code in C” (1996) by Schneier
1015	Declaration of Sylvia Hall-Ellis, Ph.D.
1016	Proxense’s Infringement Contention Chart for U.S. 8,352,730

LIST OF CHALLENGED CLAIMS

Claim	U.S. Patent No. 8,352,730
1pre	A method for verifying a user during authentication of an integrated device, comprising the steps of:
1A	persistently storing biometric data of the user and a plurality of codes and other data values comprising a device ID code uniquely identifying the integrated device and a secret decryption value in a tamper proof format written to a storage element on the integrated device that is unable to be subsequently altered;
1B	wherein the biometric data is selected from a group consisting of a palm print, a retinal scan, an iris scan, a hand geometry, a facial recognition, a signature recognition and a voice recognition;
1C	responsive to receiving a request for a biometric verification of the user, receiving scan data from a biometric scan;
1D	comparing the scan data to the biometric data to determine whether the scan data matches the biometric data;
1E	responsive to a determination that the scan data matches the biometric data, wirelessly sending one or more codes from the plurality of codes and the other data values for authentication by an agent that is a third-party trusted authority possessing a list of device ID codes uniquely identifying legitimate integrated devices,
1F	wherein the one or more codes and other data values includes the device ID code; and
1G	responsive to authentication of the one or more codes and the other data values by the agent, receiving an access message from the agent allowing the user access to an application,
1H	wherein the application is selected from a group consisting of a casino machine, a keyless lock, a garage door opener, an ATM machine, a hard drive, computer software, a web site and a file.
2	The method of claim 1, wherein the one or more codes and the other data values are transmitted to the agent over a network.
3	The method of claim 1, further comprising: registering an age

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.