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Paper 29
Entered: May 19, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EPIC GAMES, INC.,
Petitioner,

v.

INGENIOSHARE, LLC,
Patent Owner.

IPR2022-00202
Patent 10,142,810 B2

Before THU A. DANG, PATRICK M. BOUCHER, and STEVEN M. AMUNDSON, *Administrative Patent Judges*.

Opinion for the Board filed by *Administrative Patent Judge* BOUCHER.

Opinion Dissenting filed by *Administrative Patent Judge* AMUNDSON.

BOUCHER, *Administrative Patent Judge*.

JUDGMENT
Final Written Decision
Determining No Challenged Claims Unpatentable
35 U.S.C. § 318(a)

In response to a Petition (Paper 2, "Pet.") filed by Epic Games, Inc. ("Petitioner"), we instituted an *inter partes* review of claims 1–20 of U.S. Patent No. 10,142,810 B2 (Ex. 1001, "the '810 patent"). Paper 9 ("Dec."). During the trial, IngenioShare, LLC ("Patent Owner") filed a Response (Paper 13, "PO Resp."), to which Petitioner filed a Reply (Paper 16, "Reply") and Patent Owner filed a Sur-reply (Paper 19, "Sur-reply"). An oral hearing was held with the parties, and a copy of the transcript was entered into the record. Paper 28 ("Tr.").

We have jurisdiction under 35 U.S.C. § 6. This Decision is a Final Written Decision under 35 U.S.C. § 318(a) as to the patentability of the claims on which we instituted trial. Based on the record before us, Petitioner has not shown, by a preponderance of the evidence, that any of claims 1–20 is unpatentable.

I. BACKGROUND

A. The '810 Patent

The '810 patent relates to "automatically remov[ing] unwanted communications." Ex. 1001, 3:43–44. Figure 6 of the '810 patent is reproduced below.

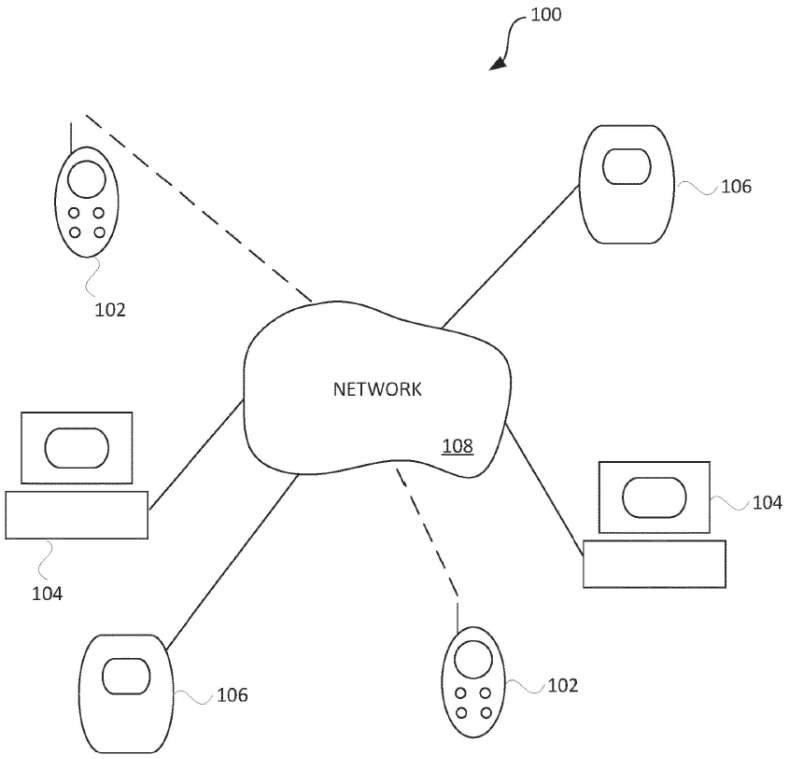

FIG. 6

Figure 6 depicts communication system 100, which can support different communication devices, including mobile telephones 102, computers 104, and/or wireless personal digital assistants 106. *Id.* at 8:24–29. Users of such communication devices can communicate "with like or different communication devices," each of which offers one or both of audio or text communication capabilities. *Id.* at 8:29–32. Intercommunication of devices 102–106 can take place through network 108, which "can include one or more of voice networks and data networks." *Id.* at 8:32–35.

With the system, "[a] communication gateway or a portal is formed," thereby allowing a user "to receive communications from numerous sources through different modes." *Id.* at 4:13–15. "Based on the portal, the user can securely determine who can reach him at what conditions." *Id.* at 4:25–26.

Such conditions may include the status of the user, "access priorities" of the person trying to reach the user, and/or the urgency of the message from the person. *Id.* at 4:27–32.

The following table is reproduced from the '810 patent.

Alice (Wife)	ContactClass1
Peter (Close Friend)	ContactClass2
Colina (Close Friend's wife)	ContactClass2

The table identifies different people and their relationships to a particular user, as well as "ContactClasses" to which such people are assigned and which reflect the various access priorities. *Id.* at 6:13–20. By way of example, if Peter wants to make a mobile phone call to the user, Peter calls the portal, which can be the user's internet service provider. *Id.* at 6:21–23. After verifying Peter's identity, the portal establishes contact by creating a virtual address for a communication session and determines that Peter belongs to "ContactClass2." *Id.* at 6:23–39. The portal implements various connectivity options depending on the status of the user, Peter's access priority according to his ContactClass, and Peter's urgency setting. *Id.* at 6:44–46. Connectivity options include allowing the user to receive Peter's call directly or asking Peter to leave a voicemail message, with the user notified of Peter's call by a short mobile message. *Id.* at 6:44–49. In some instances, communication requests can be classified into "different degrees of undesirability," thereby automatically blocking some requests from the user or automatically diverting them to be handled by another mechanism, "such as diverting a phone call to an email or voice mail." *Id.* at 4:47–52.

B. Illustrative Claim

The '810 patent includes three independent claims that respectively recite "[a] computer-implemented method for managing electronic communications using at least a network-based portal at least based on Internet protocol" (claim 1), "[a] computing apparatus for managing electronic communications using at least a network-based portal at least based on Internet protocol" (claim 11), and "[a] non-transitory computer readable medium including at least executable computer program code stored therein for managing electronic communications using at least a network-based portal at least based on Internet protocol" (claim 19). Ex. 1001, 20:2–4, 21:28–30, 22:56–59. Independent claim 1 is illustrative of the challenged claims and is reproduced below.

> 1. A computer-implemented method for managing electronic communications using at least a network-based portal at least based on Internet protocol, the method comprising:
>
> providing a plurality of communication options to a first user to be selected as a selected option of communication for a message from the first user to a second user via an electronic device associated with the second user, with the first user being identified at least depending on a prior registration process by the first user regarding the use of the network-based portal, and with the plurality of communication options provided to the first user to send messages to the electronic device associated with the second user,
>
> wherein the plurality of communication options include text messaging and voice communication, and
>
> wherein all of the communication options use one identifier associated with the second user for the second user to receive messages, at least in view of the network-based portal being based on the Internet protocol;
>
> receiving an indication regarding one of the plurality of communication options, via the network-based portal, from an electronic device associated with the first user, the indication

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