

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

MEMORYWEB, LLC,
Patent Owner.

IPR2022-00222
Patent 10,621,228 B2

Before LYNNE H. BROWNE, NORMAN H. BEAMER, and
KEVIN C. TROCK, *Administrative Patent Judges*.

BROWNE, *Administrative Patent Judge*.

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

I. INTRODUCTION

Petitioner, Samsung Electronics Co., Ltd., filed a Petition (Paper 2, “Pet.”) requesting *inter partes* review of claims 1–19 of U.S. Patent No. 10,621,228 B2 (Ex. 1001, “the ’228 patent”). Patent Owner, MemoryWeb, LLC, filed a Preliminary Response (Paper 8, “Prelim. Resp.”). With our authorization, Petitioner filed a Preliminary Reply to Patent Owner’s Preliminary Response (Paper 9, “Prelim. Reply”) and Patent Owner filed a Preliminary Sur-reply (Paper 10, “Prelim. Sur-reply”).

Under 35 U.S.C. § 314(a), an *inter partes* review may not be instituted unless the information presented in the Petition and any response thereto shows “there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” Considering the Petition, the arguments presented in the Preliminary Response, as well as all supporting evidence, we determine that Petitioner shows a reasonable likelihood that at least one of the challenged claims is unpatentable. Accordingly, we institute *inter partes* review.

A. *Real Parties in Interest*

Petitioner states that “Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. are the real parties in interest.” Pet. 92. Patent Owner states that it, MemoryWeb, LLC, is the real party in interest. Paper 4, 2.

B. *Related Matters*

The parties state that the ’228 patent is the subject of the following civil actions: *MemoryWeb, LLC v. Samsung Electronics Co., Ltd. et al.*, 6:21-cv-00411 (W.D. Tex.), Pending; *MemoryWeb, LLC v. Apple, Inc.*, No. 6-21-cv-00531 (W.D. Tex.), Pending; and *MyHeritage (USA), Inc. et al. v.*

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MemoryWeb, LLC, No. 1-21-cv-02666 (N.D. Ill.), Dismissed. Pet. 92; Paper 4, 2.

Petitioner states that “[t]he ’228 patent is also the subject of two IPR proceedings, one filed by Unified Patents LLC (IPR2021-01413) and another filed by Apple Inc. (IPR2022-00031)” but that “Samsung is not a real party-in-interest to [these] IPR proceedings.” Pet. 92.

Patent Owner states that “[t]he ’228 patent is related to the following U.S. Patents: 9,098,531 (“the ’531 patent”); 9,552,376 (“the ’376 patent”); 10,423,658 (“the ’658 patent”); 11,017,020 (“the ’020 patent”); 11,163,823 (“the ’823 patent”), and 11,170,042 (“the ’042 patent”).” Paper 4, 2.

Subsequently, Patent Owner identifies the following IPR proceedings as related matters: *Samsung Electronics Co., LTD. v. MemoryWeb LLC*, IPR 2022-00221 (’658 patent); *Apple Inc. v. MemoryWeb, LLC*, IPR2022-00111 (’020 patent); *Apple Inc. v. MemoryWeb, LLC*, PGR2022-00006 (’020 patent); *Apple Inc. v. MemoryWeb, LLC*, IPR2022-00033 (’658 patent); *Apple Inc. v. MemoryWeb, LLC*, IPR2022-00032 (’376 patent); *Apple Inc. v. MemoryWeb, LLC*, IPR2022-00031 (’228 patent); *Unified Patents, LLC v. MemoryWeb, LLC*, IPR2021-01413, (’228 patent); and U.S. Patent Application No. 17/459,933. *Id.* at 2–3.

C. *The ’228 patent*

The ’228 patent, titled “Method and Apparatus for Managing Digital Files,” issued April 14, 2020. Ex. 1001, codes (45), (54). It “relates generally to the management of digital files and, more particularly, to a computer-implemented system and method for managing and using digital files such as digital photographs.” *Id.* at 1:21–24. The ’228 patent purports to resolve a need for complementing “the widespread availability of digital files” by providing “a medium that allows people to organize, view, preserve

and share these files with all the memory details captured, connected and vivified via an interactive interface.” *Id.* at 1:61–65.

Figure 41 of the '228 patent is reproduced below.

FIG. 41

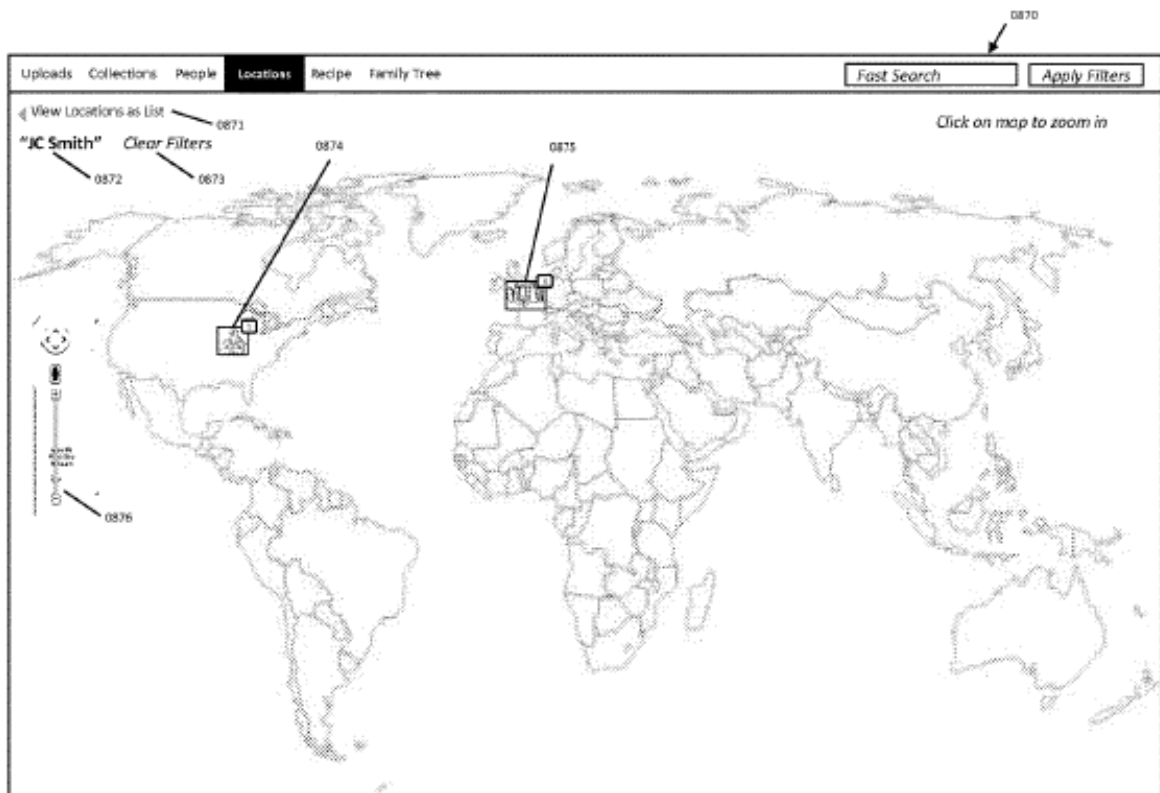


Figure 41 shows a screenshot of a Single Application Dot-Tag Filter in Location Application View that allows a user's access to digital files associated with a particular location. *Id.* at 4:7–8, 29:41–57. As shown in Figure 41, Location Application View 0870 displays Digital Files within an interactive map. *Id.* at Fig. 41, 29:41–44. Individual or groups of Digital Files are illustrated as photo thumbnails 0874, 0875 on the map and a user can zoom in and out or select the thumbnail to see all the Digital Files with the same location as depicted in Figure 34 below. *Id.* at Fig. 41, 29:48–55.

Figure 34 of the '228 patent is reproduced below.

FIG. 34

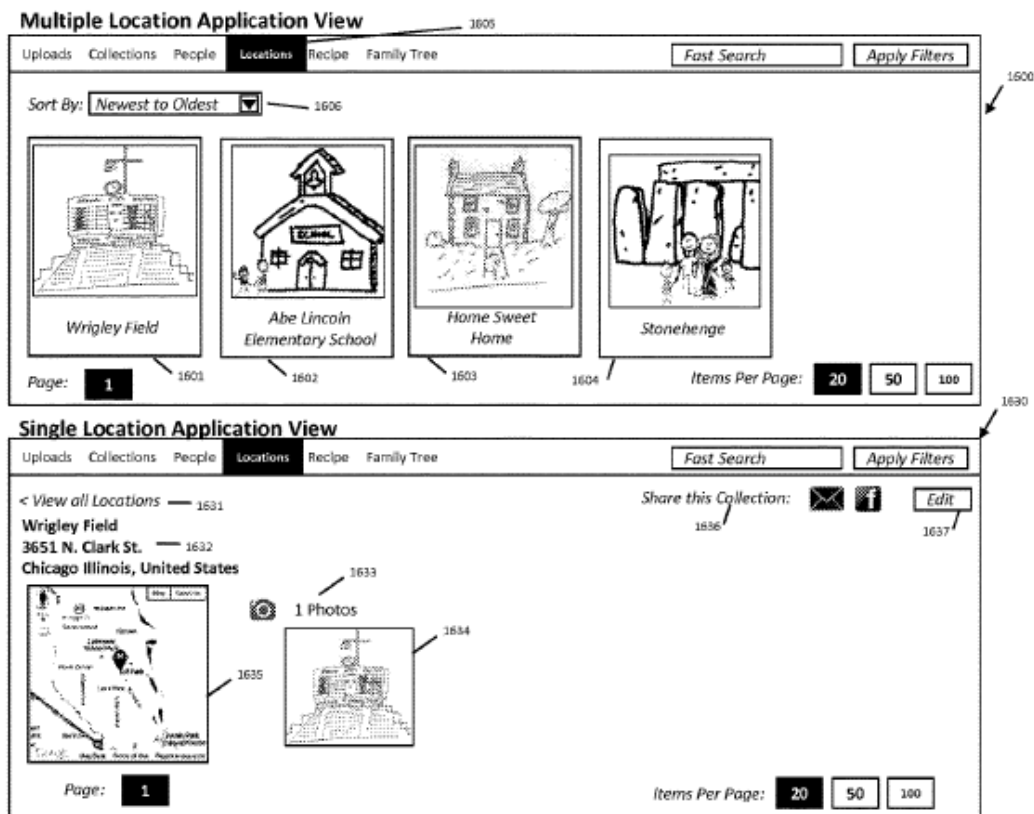


Figure 34 shows a screenshot of Location Application Views. *Id.* at 3:64. As shown in Figure 34, Location Application Views include a first Multiple Location Application View 1600 for displaying all the locations that were created within a user's Application. *Id.* at Fig. 34, 24:16–19. A second Single Location Application View 1630 is displayed when one of the thumbnails, for example, photo thumbnail 0874 from the Location Application View 0870 in Figure 41 is selected. *Id.* at Fig. 34, 29:48–52. In this example, displayed in the Single Location Application View 1630 are the individual location name 1632, thumbnails of each Digital File within specific collections such as one photo 1633 taken at Wrigley Field 1634 that is associated with the location called Wrigley Field. *Id.* at Fig. 34, 24:37–43.

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