

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,
Petitioner,

v.

ANGEL TECHNOLOGIES GROUP LLC,
Patent Owner.

IPR2023-00058
Patent 9,959,291 B2

Before MIRIAM L. QUINN, SHARON FENICK, and
MICHAEL T. CYGAN, *Administrative Patent Judges*.

FENICK, *Administrative Patent Judge*.

JUDGMENT
Final Written Decision
Determining Some Challenged Claims Unpatentable
35 U.S.C. § 318(a)

I. INTRODUCTION

A. *Background and Summary*

Meta Platforms, Inc. (“Petitioner”) filed a Petition (Paper 1, “Pet.”) requesting *inter partes* review of claims 1–26 (“challenged claims”) of U.S. Patent No. 9,959,291 B2 (Ex. 1001, “the ’291 patent”). Angel Technologies Group LLC (“Patent Owner”) filed a Preliminary Response (Paper 9). Petitioner filed a Preliminary Reply (Paper 14) and Patent Owner filed a Preliminary Sur-reply (Paper 15). We determined that the information presented in the Petition established that there was a reasonable likelihood that Petitioner would prevail with respect to at least one of the challenged claims, and therefore we instituted this proceeding on May 11, 2023, as to all challenged claims and all grounds of unpatentability. Paper 16 (“Dec. on Inst.”).

Patent Owner filed a Patent Owner’s Response (Paper 24, “PO Resp.”), Petitioner filed a Reply (Paper 29, “Pet. Reply”), and Patent Owner filed a Sur-reply (Paper 30, “PO Sur-reply”). The parties presented oral arguments on February 13, 2024 and the Board entered a transcript into the record. Paper 39.

For the reasons set forth in this Final Written Decision pursuant to 35 U.S.C. § 318(a), we determine that Petitioner demonstrates by a preponderance of evidence that claims 1–14 and 16–26 are unpatentable but that Petitioner does not demonstrate that claim 15 is unpatentable.

B. *Real Parties in Interest*

Petitioner identifies itself and Instagram, LLC as the real parties in interest, and notes that it was formerly known as Facebook, Inc. Pet. 2.

Patent Owner identifies only itself as a real party in interest. Paper 4 (Patent Owner’s Mandatory Notices), 2.

C. *Related Matters*

Petitioner and Patent Owner identify *Angel Technologies Group LLC v. Facebook, Inc. and Instagram LLC*, No. 2:21-cv-08459 (C.D. Cal.) as a related case. Pet. 2–3; Paper 4, 2. Petitioner notes that an appeal of that case was filed with the Federal Circuit. Pet. 2–3. The parties identify that appeal as *Angel Technologies Group LLC v. Meta Platforms, Inc.*, Case No. 22-2100, filed with the Federal Circuit on August 3, 2022. *Id.*; Paper 25 (Patent Owner’s Fourth Amended Mandatory Notices), 1.

Petitioner and Patent Owner additionally identify IPR2023-00057 (challenging claims of U.S. Patent 8,954,432 B2); IPR2023-00059 (challenging claims of U.S. Patent 10,417,275 B2); and IPR2023-00060 (challenging claims of U.S. Patent 10,628,480 B2) as related *inter partes* review requests. *Id.* at 3; Paper 4, 2.

D. *The ’291 Patent*

The ’291 patent is titled “Users Tagging Users in Media Online” and relates to using computer(s) and a communication network for storing and sharing images such as photographs and permitting the identification of objects such as persons within the photos. Ex. 1001, codes (54), (57), 1:19–25. The ’291 patent issued from an application filed October 15, 2013, and claims priority to an application filed November 15, 2001, and to a provisional application, No. 60/248,994, filed on November 15, 2000. *Id.* at codes (22), (60), (63), 1:6–15; Ex. 2017. A certificate of correction (“Cert. of Corr.”) was issued on May 1, 2018 correcting certain errors in claim 26.

The ’291 patent describes, as the part of the prior art, websites that allow users to organize digital photographs into online photo albums that can be accessed by other users. Ex. 1001, 1:35–2:6. However, the ’291 patent describes disadvantages or limitations to these prior art albums, among

others these include: (1) no ability for users to identify individuals or objects in photos; (2) text captions or descriptions cumbersome and possibly vague; (3) no search capabilities for searching for photos of specific individuals; and (4) no ability to associate descriptive terms identifying an object or individual in a photo with a specific area of the photo. *Id.* at 2:7–35, 2:49–3:9, 3:17–25; 3:31–40.

The '291 patent describes a system in which databases are used to store information to provide users access to upload, view, and access images, information about objects or people, and information about relationships between users and images. *Id.* at 5:42–55, 7:10–57. The '291 patent specification describes that the information can be stored in one or more databases. *Id.* at 7:12–14. “For instance, the system may utilize a Users database 230, Identifications database 240, and Images database 250 as depicted in FIG. 2.” *Id.* at 7:14–16. Figure 2, reproduced below, is a schematic diagram of the databases according to one embodiment of the invention. *Id.* at 4:47–48.

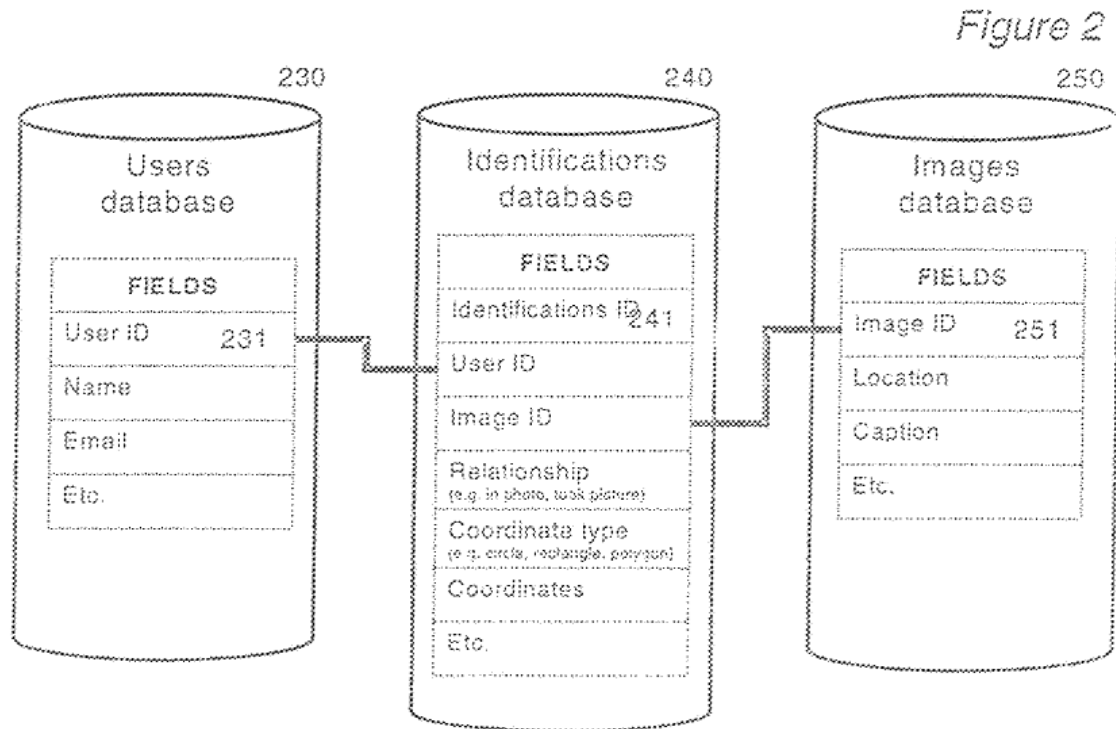


Figure 2 depicts users database 230, identifications database 240, and images database 250, with the fields used in each database, and shows that identifications database 240 links information in users database 230 with information in images database 250. *Id.* at 7:14–57.

Users database 230 stores information about people or other objects identified within images. *Id.* at 7:18–21. The information can relate to users who access the system, and may include a user identifier unique to a user or the user’s client computer system and other information relating to the user, including name, e-mail address, home page address, and a list of contacts. *Id.* at 7:18–25, 9:29–36. Users may enter other users as contacts. *Id.* at 9:36–46.

Images database 250 receives and stores image data, and may include a photo identifier and the location of the image file on the network, in addition to descriptive information such as a caption or date taken. *Id.* at 7:27–44, 9:47–59.

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