

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

DODOTS LICENSING SOLUTIONS LLC,
Patent Owner.

IPR2023-00701
Patent 8,510,407 B1

Before HUBERT C. LORIN, AMBER L. HAGY, and SHARON FENICK,
Administrative Patent Judges.

FENICK, *Administrative Patent Judge.*

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

I. INTRODUCTION

A. *Background and Summary*

Samsung Electronics Co., Ltd. (“Petitioner”) filed a petition for *inter partes* review challenging claims 1–24 (“challenged claims”) of U.S. Patent 8,510,407 B1 (Ex. 1001 (“the ’407 patent”)). Paper 2 (“Pet.” or “Petition”). DoDots Licensing Solutions LLC (“Patent Owner”) timely filed a Preliminary Response. Paper 6 (“Prelim. Resp.”). With the Board’s authorization (Paper 7), Petitioner filed a Preliminary Reply (Paper 8, “Prelim. Reply”) and Patent Owner filed a Preliminary Sur-reply (Paper 9, “Prelim. Sur-reply”). The Board has authority to determine whether to institute an *inter partes* review. *See* 35 U.S.C. § 314(b); 37 C.F.R. § 42.4(a).

Under 35 U.S.C. § 314(a), we may not authorize an *inter partes* review unless the information in the Petition “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.” For the reasons that follow, we institute an *inter partes* review as to the challenged claims of the ’407 patent on all grounds of unpatentability presented.

B. *Real Parties in Interest*

Petitioner identifies Samsung Electronics Co., Ltd., and Samsung Electronics America, Inc., as the real parties in interest. Pet. 105.

Patent Owner identifies only itself as the real party in interest. Paper 3 (Patent Owner’s Mandatory Notices), 1.

C. *Related Matters*

Petitioner identifies the following proceeding as a related matter: *DoDots Licensing Solutions LLC v. Samsung Electronics Co., Ltd.*, 6:22-cv-00535 (W.D. Tex.) (“the related district court litigation”). Pet. 105–

106. Petitioner additionally notes that the patent was the subject of *inter partes* review proceeding IPR2019-01279. *Id.* at 106.

Patent Owner also cites Western District of Texas case 6:22-cv-00535 as related and additionally identifies as related *DoDots Licensing Solutions LLC v. Apple Inc.*, CA No. 6:22-cv-00533 (W.D. Tex. May 24, 2022). Paper 3, 1–2.

D. The '407 Patent

The title of the '407 patent is “Displaying Time-Varying Internet Based Data Using Application Media Packages.” Ex. 1001, code (54). The '407 patent discloses, in part, a software component for accessing and displaying network content. *Id.* at code (57). This component, termed a Networked Information Monitor (NIM) is a “fully configurable frame with one or more controls” with content optionally presented through the frame. *Id.* at 2:61–63, 5:21–24. When a NIM is opened by a user, the frame is presented in the user’s display and network content is retrieved and presented in a viewer enclosed by the frame. *Id.* at 19:63–20:30. The network content may be identified via URLs (uniform resource locators) included in the NIM definition. *Id.* at code (57), 20:24–27. The network content is time-varying, e.g., as in an image that varies over time. *Id.* at code (57). The Specification describes that the frame according to the invention “stands in contrast to present web browsers, which are branded by the browser vendor and which have limited means by which to alter the controls associated with the browser.” *Id.* at 5:24–28.

Figure 9B, reproduced immediately below, illustrates a pack, that is a customized arrangement of NIMs created by a user. *Id.* at 3:50–51, 16:10–29,

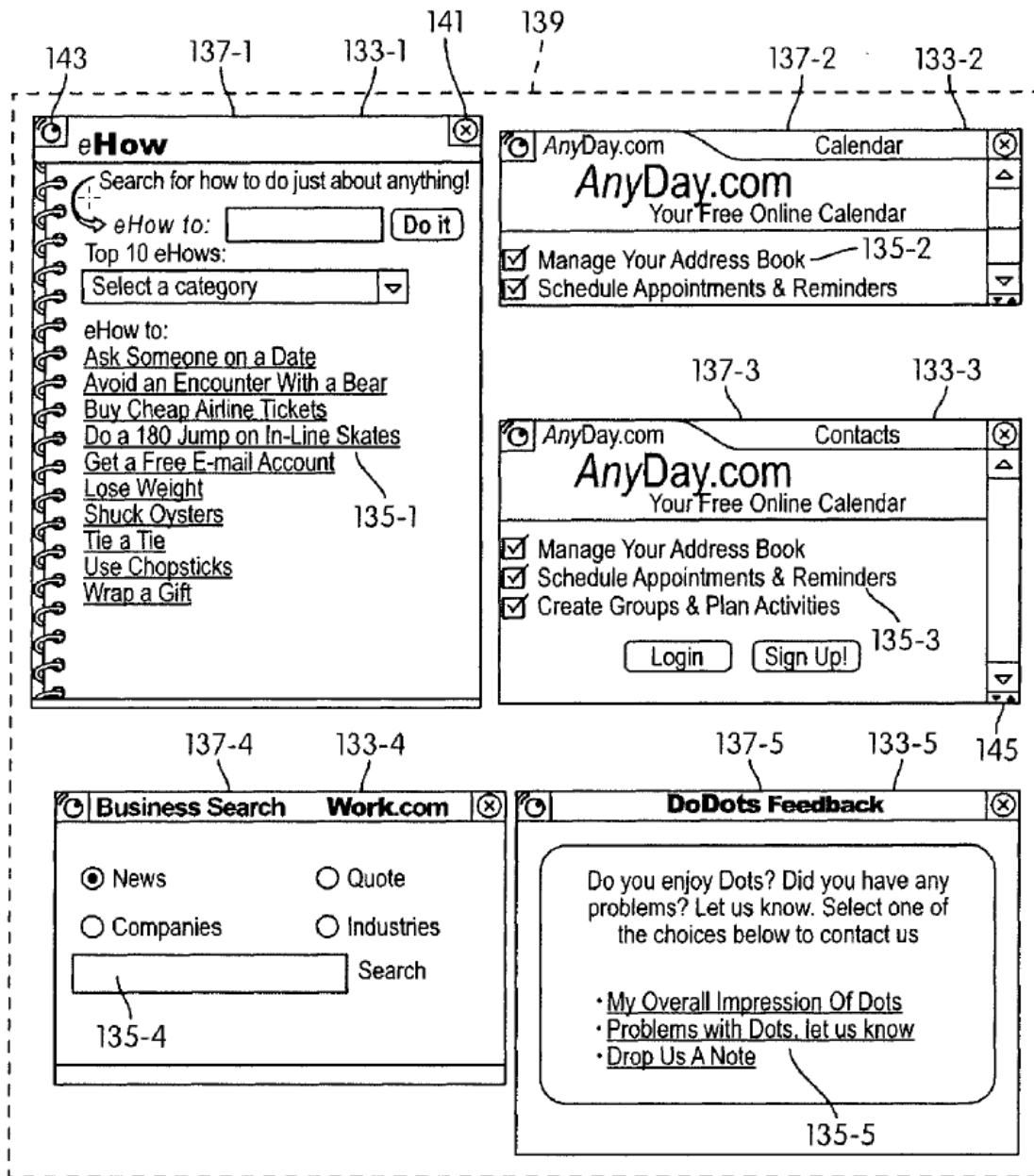


FIG. 9B

Figure 9B illustrates pack 139, which includes five NIMs 133-1 through 133-5. *Id.* at 16:65–66. Each NIM 133 includes viewer 135 for viewing

content and frame 137 for providing user functionality. *Id.* at 16:66–17:1. Frame 137 for each NIM 133 provides functions and controls for manipulating the visual manifestation of NIM 133, for example dismiss button 141 that can be used to dismiss the NIM, menu button 143 that causes a menu to appear, control button 145 that can resize the NIM, and forward and backward controls. *Id.* at 17:16–43, 22:24–61. Content may be retrieved from content servers via URLs identified in the NIM definition for placement in the NIM frame. *Id.* at 21:21–31.

Figure 11, reproduced immediately below, is a flow chart of steps taken to present a NIM to a user. *Id.* at 3:56–58, 20:7–8.

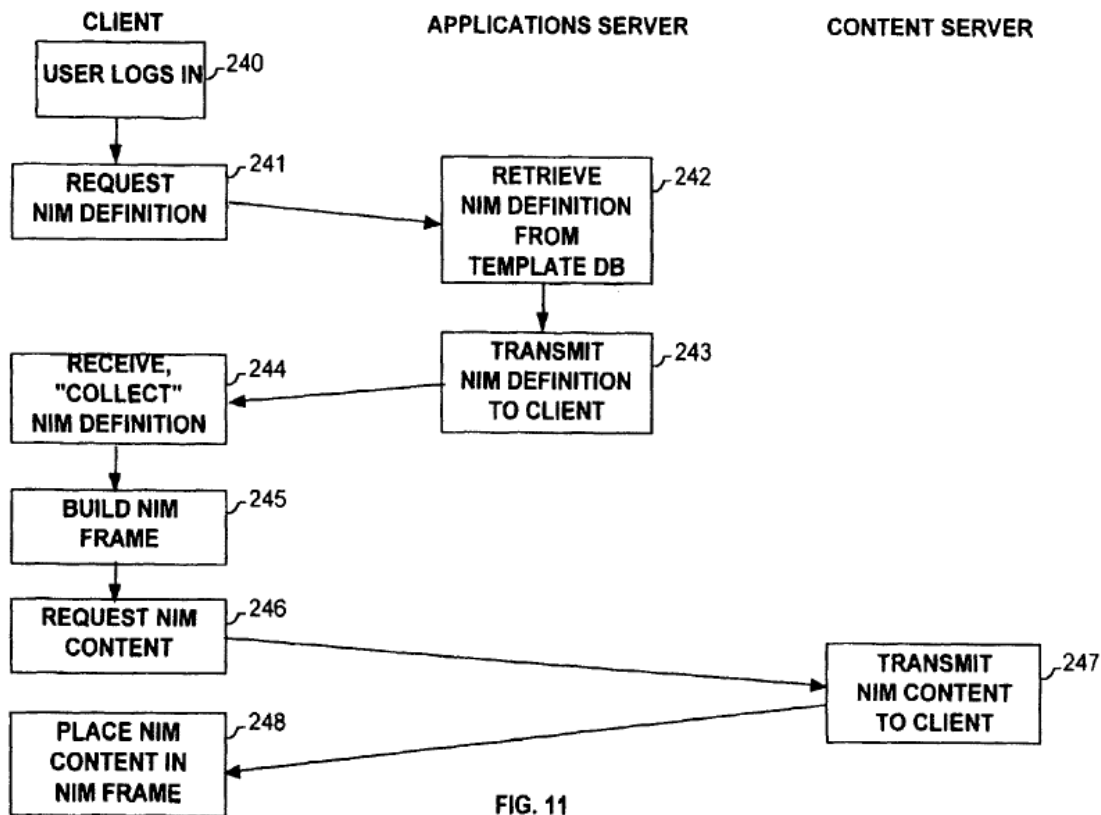


Figure 11 depicts a user's client device making requests to an applications server and a content server, leading to the display of a NIM. *Id.* at 20:7–30.

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