

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MICROSOFT CORP., DELL TECHNOLOGIES INC., AND DELL INC.,  
Petitioner,

v.

OZMO LICENSING LLC,  
Patent Owner.

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IPR2023-01060  
Patent 8,599,814 B2

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Before MIRIAM L. QUINN, LARRY J. HUME and  
STEPHEN E. BELISLE, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

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

## I. INTRODUCTION

Microsoft Corp., Dell Technologies Inc., and Dell Inc. (“Petitioner”) filed a Petition (Paper 1, “Petition” or “Pet.”) requesting an *inter partes* review of claims 1–13 (“the challenged claims”) of U.S. Patent No. 8,599,814 B2 (Ex. 1001, “the ’814 patent”) pursuant to 35 U.S.C. §§ 311–319. Ozmo Licensing LLC (“Patent Owner”) filed a Preliminary Response. Paper 7 (“Preliminary Response” or “Prelim. Resp.”).

The standard for institution is set forth in 35 U.S.C. § 314, which provides that an *inter partes* review may not be instituted unless the information presented in the Petition and the Preliminary Response 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.” 35 U.S.C. § 314 (2018); *see also* 37 C.F.R. § 42.4(a) (2022) (“The Board institutes the trial on behalf of the Director.”). Upon consideration of the contentions and the evidence of record, we conclude that Petitioner has established a reasonable likelihood of prevailing in demonstrating the unpatentability of at least one challenged claim of the ’814 patent. Accordingly, we grant Petitioner’s request and institute an *inter partes* review.

## II. BACKGROUND

### A. *Real Parties in Interest*

Petitioner states that Microsoft Corp., Dell Technologies Inc., and Dell Inc. are real parties in interest. Pet. 1.

Patent Owner states that Ozmo Licensing LLC is owner and the real party in interest. Paper 8, 1 (Patent Owner’s Mandatory Notices).

*B. Related Matters*

The parties identify various district court litigation matters, pending or dismissed in the Western District of Texas, involving the '814 patent. Pet. 1; Paper 8, 2–3. Patent Owner further notes that a patent related to the '814 patent, U.S. Patent No. 9,264,991 (“the '991 patent”), is involved in an instituted, and pending, *inter partes* review: *Unified Patents v. Ozmo Licensing*, IPR2023-00193. See Paper 3 (identifying also related district court litigation matters concerning the '991 patent). According to Patent Owner, the '991 patent is related to the '814 patent via a claim of benefit. *Id.* at 3–4 (noting that seven other patents also claim benefit of the '814 patent).

*C. The '814 Patent*

The '814 patent relates generally to wireless communications, and more specifically to “seamlessly integrating short-range wireless personal area networks (‘WPANs’) into longer-range wireless local area network (‘WLANs’). Ex. 1001, 1:25–29.

The '814 patent explains that WLAN connectivity is widely implemented via 802.11x protocols and correspondingly compliant equipment. *Id.* at 1:40–67. One mode of operation of WLAN configuration is the infrastructure mode, in which an access point (“AP”) manages the infrastructure network. *Id.* at 2:1–11. Through the AP, the network connects to the Internet and other WLANs, and stations (“STAs”) become associated to the infrastructure network. *Id.* at 2:11–20.

“In contrast to WLAN, no such unifying standard exists for WPAN.” *Id.* at 2:22–23. Instead, mixtures of standardized and proprietary protocols have

been developed, such as Bluetooth. *Id.* at 2:23–35. Furthermore, when implementing WPAN technology in the vicinity of or within the WLAN network, devices may be using the same 2.4 GHz frequency band asynchronously, causing severe interference. *Id.* at 2:35–44.

One alternative is to use WLAN circuitry in the stations of a WPAN. *Id.* at 2:45–48. However, a WLAN station (STA) used in WPAN applications would undesirably result in having to replace batteries of the WPAN devices more frequently. *Id.* at 2:48–62. Furthermore, the WLAN STAs typically communicate at a comparatively high data rate and need to regularly listen to the beacons the AP transmits, even when on power save mode. *Id.* at 3:1–28.

An exemplary system is shown in Figure 3, reproduced below.

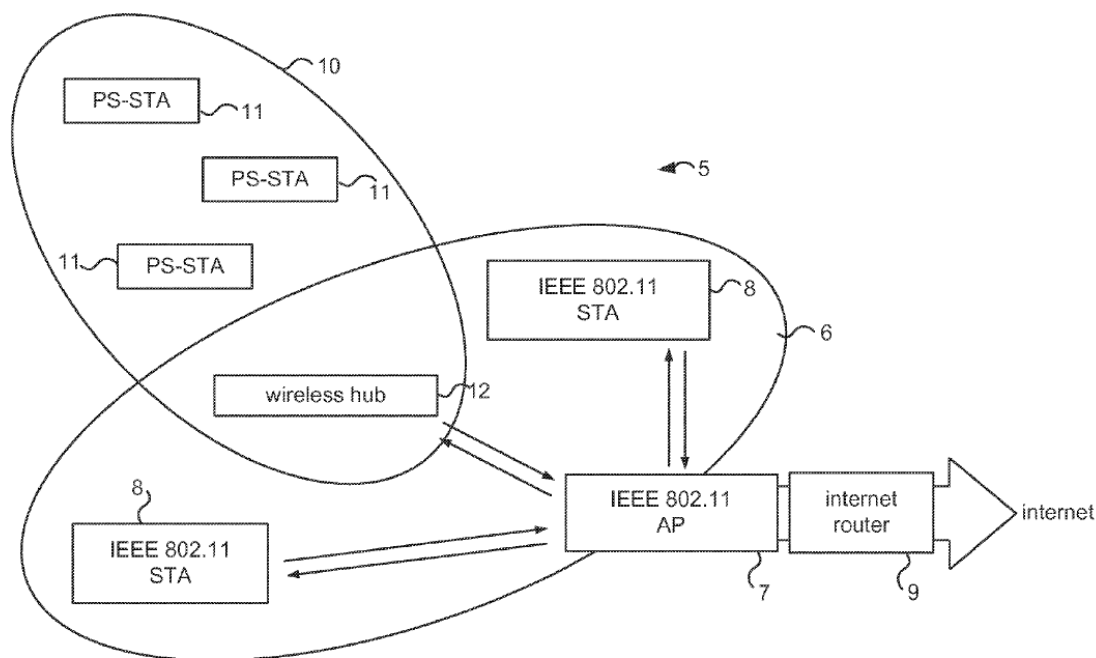


FIG. 3

Figure 3 depicts WPAN 10 integrated with WLAN 6 to form integrated network 5. Ex. 1001, 4:63–66. WLAN 6 is 802.11x compliant

and may operate in either infrastructure mode (as described above) or in ad hoc mode. *Id.* at 5:1–4. STAs 8 include an 802.11x compliant wireless circuit, are associated with and synchronized to AP 7, and periodically listen to beacons from AP 7. *Id.* at 5:7–14.

Figure 3 also depicts WPAN 10 including power-sensitive stations 11 (“PS-STA”). *Id.* at 5:19–20. A PS-STA is defined as “a device that is battery-operated and for which maximizing battery-life is beneficial to the application and/or user.” *Id.* at 5:20–22. The PS-STA is typically in sleep mode most of the time, waking up occasionally to communicate and exchange information. *Id.* at 5:27–30. Each PS-STA 11 is equipped with a wireless circuit that can communicate directly with a standard 802.11x-compliant wireless circuit. *Id.* at 5:30–33. The PS-STA 11 is not required, however, to be fully compliant with the 802.11x specification and some PS-STAs 11 may have reduced power dissipation thereby extending the battery life. *Id.* at 5:34–36.

Figure 3 further depicts wireless hub 12 that facilitates seamless communication between the WLAN and the WPAN. *Id.* at 5:49–51. Wireless hub 12 includes a wireless 802.11x-compliant wireless circuit that communicates with AP7 of infrastructure WLAN 6 and with PS-STAs 11 of WPAN 10. *Id.* at 5:51–54. Wireless hub 12 is placed within range of the PS-STAs 11, about 30 feet, and also within range of AP7, typically about 300 feet. *Id.* at 5:66–6:4. The wireless hub can be integrated within an electrical power outlet, as well as other electrical devices, such as light bulbs, light switches, thermostats, energy meters, personal computers, personal digital assistants, cellular phones, home entertainment equipment, and the like. *Id.* at 6:5–13.

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