UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,
Petitioner,

v.

DODOTS LICENSING SOLUTIONS LLC,
Patent Owner.

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IPR2024-00145
Patent 8,510,407 B1

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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

Granting Motion for Joinder
35 U.S.C. § 315(c); 37 C.F.R. § 42.122

I.   INTRODUCTION

A.   Background and Summary

On November 17, 2023, Apple Inc. ("Petitioner") filed a Petition (Paper 1, "Pet.") seeking *inter partes* review of claims 1–24 ("the Challenged Claims") of U.S. Patent No. 8,510,407 B1 (Ex. 1001, "the '407 Patent"). With the Petition, Petitioner filed a Motion for Joinder (Paper 3, "Motion" or "Mot."), conditionally seeking to join as a party to *Samsung Electronics Co. Ltd. v. DoDots Licensing Solutions LLC*, IPR2023-00701 ("the Samsung IPR"). On February 16, 2024, DoDots Licensing Solutions LLC ("Patent Owner") filed a preliminary response to the Petition (Paper 7, "PO Prelim. Resp."). On April 11, 2024, Patent Owner notified the Board through email that Patent Owner "does not oppose Apple's conditional motion for joinder." Exhibit 3001, 1.

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) (2020). Under 35 U.S.C. § 314(a), an *inter partes* review may not be authorized unless the information in the Petition and any 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."

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. We also grant Petitioner's Motion for Joinder.

B.   Real Parties In Interest

Petitioner identifies only itself as a real party in interest. Pet. 90. Patent Owner identifies only itself as a real party in interest. Paper 5 (Patent Owner's Mandatory Notices), 1.

C.   *Related Matters*

In addition to the Samsung IPR, the parties collectively identify *DoDots Licensing Solutions LLC v. Apple Inc. et al.*, CA No. 6:22-cv-00533 (WDTX May 24, 2022), and *DoDots Licensing Solutions LLC v. Samsung Electronics Co., Ltd. et al.*, CA No. 6:22-cv-00535 (WDTX May 24, 2022), as related to the '407 Patent. Pet. 90; Paper 5, 1–2.

Patent Owner additionally identifies that the '407 patent was also the subject of *Apple Inc. v. DoDots Licensing Solutions LLC.*, IPR2023-00939, and *In re DoDots Licensing Solutions LLC*, Case No. 24-100 (Fed. Cir.). Paper 5, 2.

D.   *The '407 Patent (Ex. 1001)*

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,
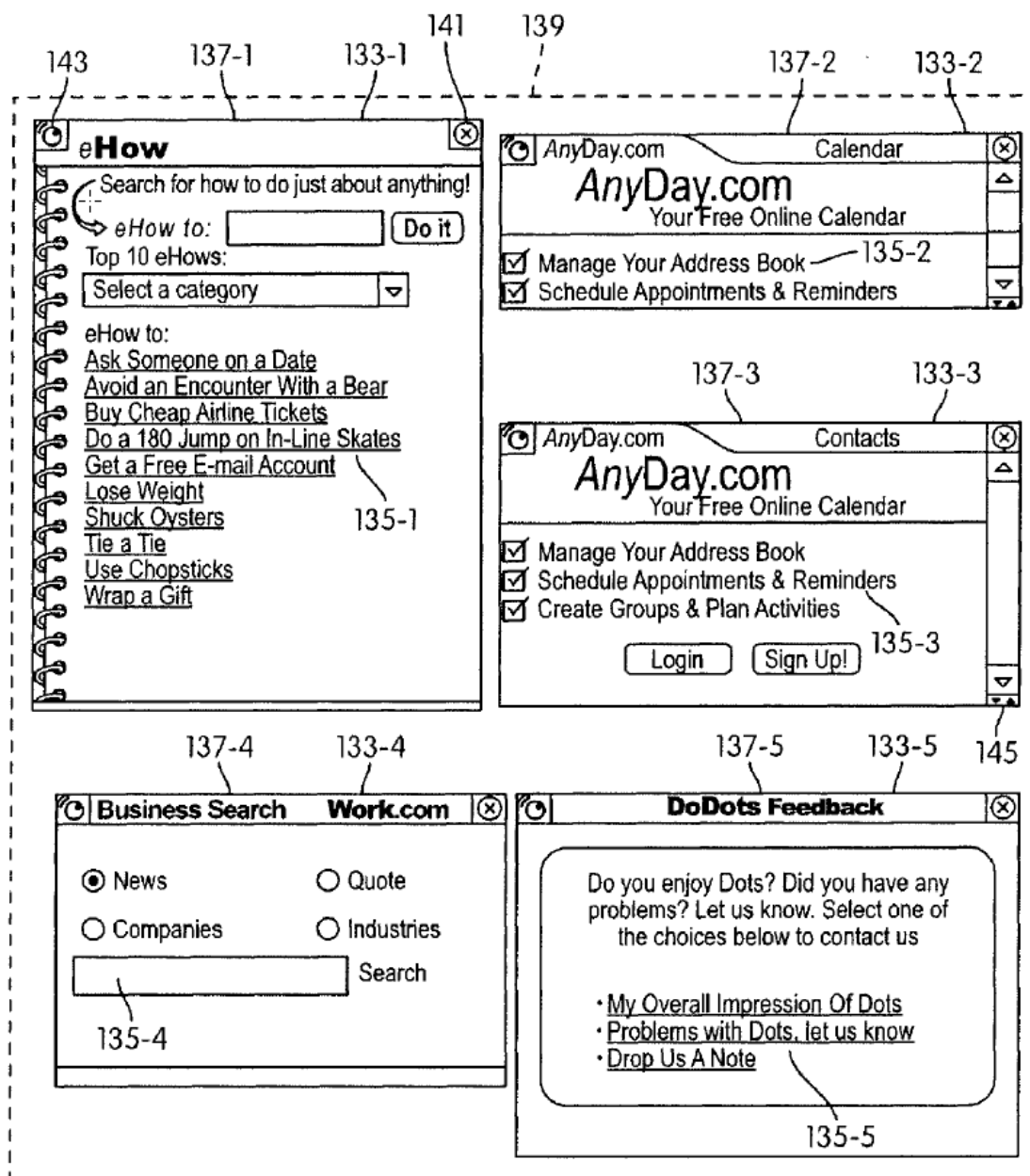

FIG. 9B

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
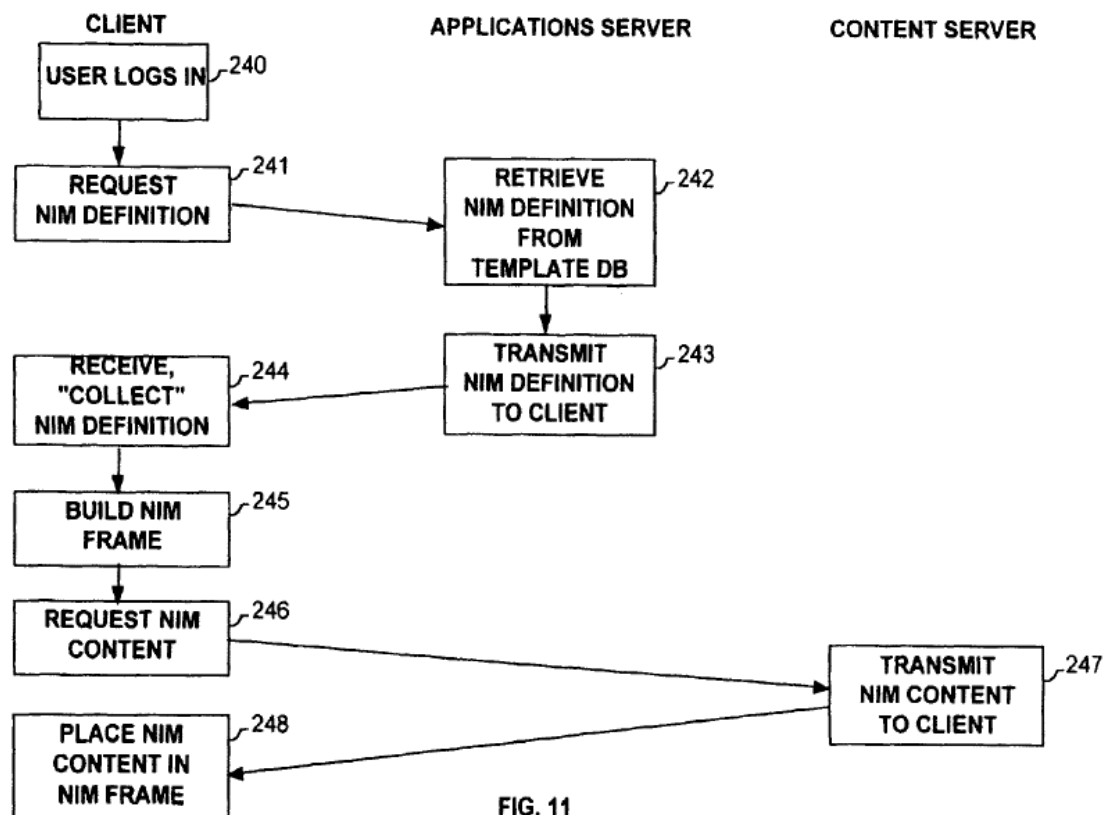taken to present a NIM to a user. *Id.* at 3:56–58, 20:7–8.

FIG. 11

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.*

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