Trials@uspto.gov
Tel: 571-272-7822

Paper 31
Entered: April 6, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC.,
Petitioner,

v.

UNWIRED PLANET, LLC,
Patent Owner.

Case CBM2014-00006
Patent 7,203,752 B2

Before MICHAEL W. KIM, JENNIFER S. BISK, and BARBARA A. PARVIS, *Administrative Patent Judges.*

BISK, *Administrative Patent Judge*.

FINAL WRITTEN DECISION

35 U.S.C. § 328(a) and 37 C.F.R. § 42.73

I. INTRODUCTION

A. Background

Petitioner, Google Inc., filed a Petition pursuant to § 18 of the Leahy-Smith America Invents Act ("AIA").[1] Paper 1 ("Pet."). The Petition challenged claims 25–29 ("the challenged claims") of U.S. Patent No. 7,203,752 B2 ("the '752 patent"). On April 8, 2014, we instituted a transitional covered business method patent review (Paper 11, "Decision to Institute" or "Dec.") based upon Petitioner's assertion that the challenged claims are unpatentable based on the following grounds:

Reference[s][2]	**Basis**	**Claims Challenged**
Not Applicable	§ 101	25–29
Not Applicable	§ 112, ¶ 1	26
Havinis '931 and Leonhardt	§ 103	25
Landgren and Leonhardt	§ 103	25

A consolidated hearing for CBM2014-00004, CBM2014-00005, CBM2014-000006, IPR2014-00027, IPR2014-00036, IPR2013-00037, involving the same parties, was held January 13, 2015. Paper 30 (hearing transcript).

This is a Final Written Decision under 35 U.S.C. § 328(a). Based on the record presented, we are persuaded that Petitioner has shown by a preponderance of the evidence that the challenged claims are unpatentable.

---

[1] Pub. L. No. 112-29, 125 Stat. 284, 296–07 (2011).

[2] U.S. Patent No. 6,104,931 (Ex. 1004) ("Havinis '931"); U.S. Patent No. 6,115,754 (Ex. 1005) ("Landgren"); Ulf Leonhardt & Jeff Magee, *Towards a General Location Service for Mobile Environments,* Proceedings of the Third Int'l Workshop on Servs. In Distributed & Networked Env'ts 43–50 (1996) (Ex. 1008) ("Leonhardt").

B. The '752 Patent

The '752 patent relates to using location-based services over mobile wireless networks. Ex. 1001, 1:14–19. According to the '752 patent, at the time of the invention, services related to the provision of wireless communications, including those provided to mobile subscribers based on their geographic location, were common. *Id.* at 1:33–46. These so-called "location-based services" track the mobile subscriber as they move throughout the network so that the service may provide location-based information to either the subscriber (e.g., the closest gas station) or an entity monitoring the subscriber (e.g., an employer monitoring the location of its employees). *Id.* at 1:47–56.

Of course, location tracking raises privacy concerns. *Id.* at 1:60–63. To protect his or her privacy, a mobile subscriber may wish to limit access to their location information based upon many factors, including: (1) the time of the request; (2) the mobile subscriber's location at the time of the request; or (3) the party who is seeking the information. *Id.* at 1:63–2:1. The '752 patent addresses this need for controlled access to potentially sensitive location information by storing a "subscriber profile." *Id.* at 2:8–14. A subscriber profile includes a description of the services ("client applications") that may receive location information and the conditions under which that information may be provided to the services. *Id.* at 2:8–20. Figure 1 of the '752 patent is reproduced below.

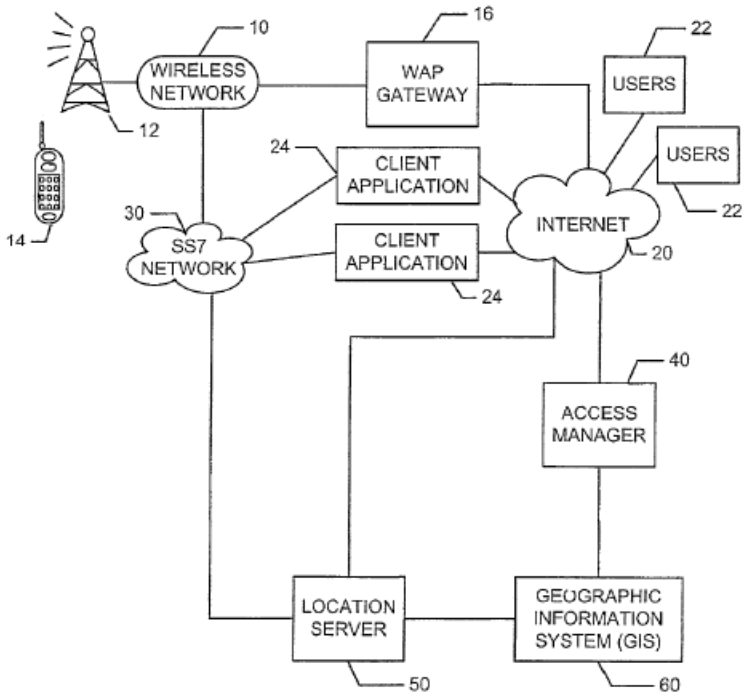

Figure 1 discloses the overall system architecture in which the invention described by the '752 patent operates. *Id.* at 4:12–13. Wireless communications device 14 communicates via tower 12 over wireless network 10. *Id.* at 4:28–32. Location server 50 periodically collects location data for wireless communication device 14. *Id.* at 4:51–56. Client application 24 communicates with access manager 40 to request wireless communication device 14's current location. *Id.* at 5:25–46. Access manager 40 determines if client application 24 is authorized to make the request under the current conditions by authenticating client application 24 and inspecting the contents of wireless communication device 14's subscriber profile. *Id.* at 5:38–46. Figure 3 of the '752 patent is reproduced below.

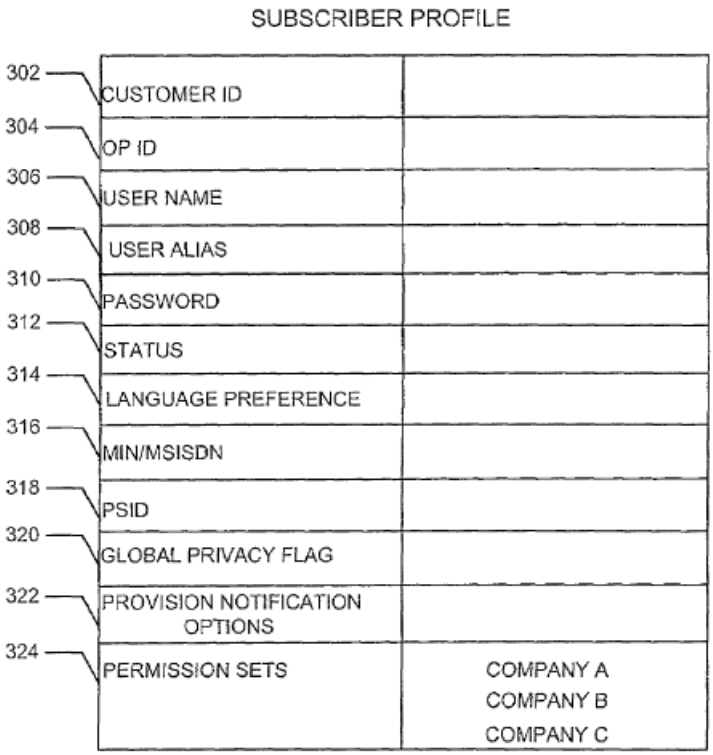

Figure 3 discloses an example subscriber profile. *Id.* at 4:17–18. In this example, the subscriber profile includes permission set 324 for each client application 24 (each of Company A, B, and C) authorized to access this subscriber's location information. *Id.* at 9:36–39. Each permission set 324 "may include a temporal permission set which identifies the time of day/day of week a particular authorized client may access the location information" as well as a "spatial permission set [which] provides a listing of the enabled geographic areas (for example city/county/state), for providing the location information" to the requesting client application. *Id.* at 9:39–45.

C. Related Matters

Petitioner states that the '752 patent has been asserted against Petitioner in a related district court proceeding in the District of Nevada.

DOCKET ALARM

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts

Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research

With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips

Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS
Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS
Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS
Sync your system to PACER to automate legal marketing.