UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CORELOGIC, INC.
Petitioner,

v.

BOUNDARY SOLUTIONS, INC.,
Patent Owner.

_____

Case CBM2016-00017
Patent 7,499,946 B2

_____

Before LYNNE E. PETTIGREW, PETER P. CHEN, and
RICHARD H. MARSCHALL, *Administrative Patent Judges.*

MARSCHALL, *Administrative Patent Judge*.

DECISION
Denying Institution of Covered Business Method Patent Review
37 C.F.R. § 42.208

I.   INTRODUCTION

Petitioner CoreLogic, Inc. ("CoreLogic") filed a Petition (Paper 2, "Pet.") to institute a covered business method ("CBM") patent review of claims 1–21 of U.S. Patent No. 7,499,946 B2 (Ex. 1001, "the '946 patent"), owned by Boundary Solutions, Inc. ("BSI"). On February 26, 2016, BSI filed a disclaimer of claims 13 and 16–18 and a Preliminary Response ("Prelim. Resp."). Ex. 2003 (disclaimer); Paper 7 (Prelim. Resp.).

We have jurisdiction under 35 U.S.C. § 324. For the reasons that follow, the information presented in the Petition does not establish that the '946 patent qualifies as a covered business method patent for purposes of § 18(d)(1) of the Leahy-Smith America Invents Act ("AIA"), Pub. L. No. 112–29, 125 Stat. 284, 331 (2011). Accordingly, we decline to institute a covered business method patent review of the remaining claims in the '946 patent after the disclaimer, claims 1–12, 14, 15, and 19–21. *See* 35 U.S.C. § 324(a).

II.   BACKGROUND

A. *Related Proceedings*

The parties state that BSI has asserted the '946 patent against CoreLogic in *Boundary Solutions, Inc. v. CoreLogic, Inc.*, No. 5:14-cv-00761 (N.D. Cal.) (filed Feb. 19, 2014). Pet. 61–62; Paper 5 (Patent Owner's Mandatory Notices). BSI also has asserted related U.S. Patent No. 8,065,352 ("the '352 patent") and U.S. Patent No. 7,092,957 ("the '957 patent") in that proceeding. Pet. 62; Paper 5.

CoreLogic filed four petitions seeking inter partes review of the '352 and '957 patents. The '352 patent was the subject of *inter partes* review in

Cases IPR2015-00219 and IPR2015-00222. CoreLogic also sought *inter partes* review of the '352 patent in Case IPR2015-00225. We did not institute an *inter partes* review in Case IPR2015-00225. The '957 patent was the subject of *inter partes* review in Case IPR2015-00228. We recently issued final decisions in Cases IPR2015-00219, IPR2015-00222, and IPR2015-00228. CoreLogic's petitions for covered business method patent review of the '957 patent (CBM2016-00016) and '352 patent (CBM2016-00018) remain pending.

CoreLogic filed a petition seeking *inter partes* review of claims 1–21 of the '946 patent in Case IPR2015-00226. We recently issued a final decision in Case IPR2015-00226, where we determined that CoreLogic had shown by a preponderance of the evidence that claims 1–12, 14, 15, and 19–21 of the '946 patent are unpatentable. *CoreLogic, Inc. v. Boundary Solutions, Inc.*, Case IPR2015-00226 (PTAB May 19, 2016) (Paper 50).

B. The '946 Patent

The '946 patent relates generally to Geographic Information Systems ("GIS") and, in particular, to a National Online Parcel-Level Map Data Portal ("NPDP") that provides online delivery of parcel-level map data. Ex. 1001, Abstract, 1:12–28. The '946 patent describes the NPDP as an electronic repository for parcel-level maps and linked attribute data acquired from public and private entities. *Id.* at 2:33–45. Databases from different jurisdictions are assembled and stored in a standard format, with each jurisdictional database placed in an individual directory. *Id.* at 3:66–4:1, 7:10–18. The system normalizes information to a single universal spatial protocol. *Id.* at 3:8–11, 7:21–42. Parcel-level information includes parcel

boundaries and geocodes linked using a parcel identifier to a non-graphic database containing property tax records. *Id.* at 1:52–56, 4:1–7, 8:1–12.

The '946 patent describes retrieving a parcel-level map based on the address of a parcel requested by an end user. *Id.* at 1:57–60, 4:42–46. The system searches a jurisdictional lookup table to identify the jurisdiction in which the requested parcel is located. *Id.* at 8:13–17. The system searches the non-graphic database for that jurisdiction for a record matching the address, and uses the parcel identifier for that record to access a graphic database containing the selected parcel. *Id.* at 3:47–55. The system can display the selected parcel and surrounding parcels, with the selected parcel shown as a highlighted polygon. *Id.* at 4:51–53. The system can also display the parcel's linked data (e.g., tax record). *Id.* at 4:53–54.

The '946 patent also describes a business revenue model that "begins with the establishment by the NPDP service provider of a publicized parcel-level map data web site with links to a tax record database." *Id.* at 12:63–67. For example, the model contemplates generating revenue through various subscription agreements. *Id.* at 14:1–15:38. The '946 patent also describes providing access to the database for free. *See id.* at 2:59, 13:54–56, 14:20–21, 15:51–55.

C. *Illustrative Claim*

Independent claim 1 is illustrative of the subject matter of the '946 patent. Claim 1 reads:

> 1. An interactive computer implemented method for retrieving geographic parcel boundary polygon maps and associated parcel attribute data linked to a non-graphic database, wherein the data is acquired electronically, comprising:

> a. activating a computer terminal;
>
> b. accessing an applications program for access to the data;
>
> c. accessing a data entry screen and entering a parcel attribute to call up the parcel selected;
>
> d. subsequently accessing a multi-state parcel map database comprising multiple jurisdictional databases which have been normalized to a common data protocol;
>
> e. searching a jurisdiction look up table associated with the multi-state parcel map database, said look up table indexed for identification of the pertinent jurisdictional database, whereby a jurisdictional identifier for the selected jurisdiction is located, and the identified jurisdictional database thereafter accessed; and,
>
> f. thereafter displaying on screen a parcel boundary polygon map, along with surrounding parcel boundary polygons, the default scale of the displayed map selected to fill the computer display screen with parcel boundaries within a selected distance around the subject parcel, the selected parcel boundary polygon highlighted, defining both the location and boundary of the parcel, and associated attribute data for the highlighted parcel displayed.

Ex. 1001, 15:57–16:14.

> D. *Asserted Grounds of Unpatentability*

CoreLogic asserts that claims 1–21 of the '946 patent are unpatentable under 35 U.S.C. § 101. Pet. 29.

III. DISCUSSION

A threshold question is whether the '946 patent is a "covered business method patent," as defined by the AIA. CoreLogic bears the burden of persuasion that the '946 patent is a covered business method patent. *See* 37 C.F.R. § 42.304(a). For the reasons discussed below, we determine

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