

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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PLAID TECHNOLOGIES, INC.,  
Petitioner,

v.

YODLEE, INC.,  
Patent Owner.

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Case CBM2016-00088  
Patent 7,752,535 B2

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Before KEVIN F. TURNER, MICHAEL W. KIM, and  
CHRISTOPHER M. KAISER, *Administrative Patent Judges*.

KIM, *Administrative Patent Judge*.

DECISION

Instituting Covered Business Method Patent Review  
*35 U.S.C. § 324(a) and 37 C.F.R. § 42.208*

## I. INTRODUCTION

### A. *Background*

Plaid Technologies, Inc. (“Petitioner”) filed a Petition to institute a covered business method patent review of claims 1–10 of U.S. Patent No. 7,752,535 B2 (Ex. 1001, “the ’535 patent”). Paper 2 (“Pet.”). Yodlee, Inc. (“Patent Owner”) filed a Preliminary Response. Paper 6 (“Prelim. Resp.”). For the reasons given below, we determine that Petitioner, on this record, has shown that it is more likely than not that at least one of the challenged claims is unpatentable. Accordingly, we institute a covered business method patent review of claims 1–10 of the ’535 patent.

### B. *Related Proceedings*

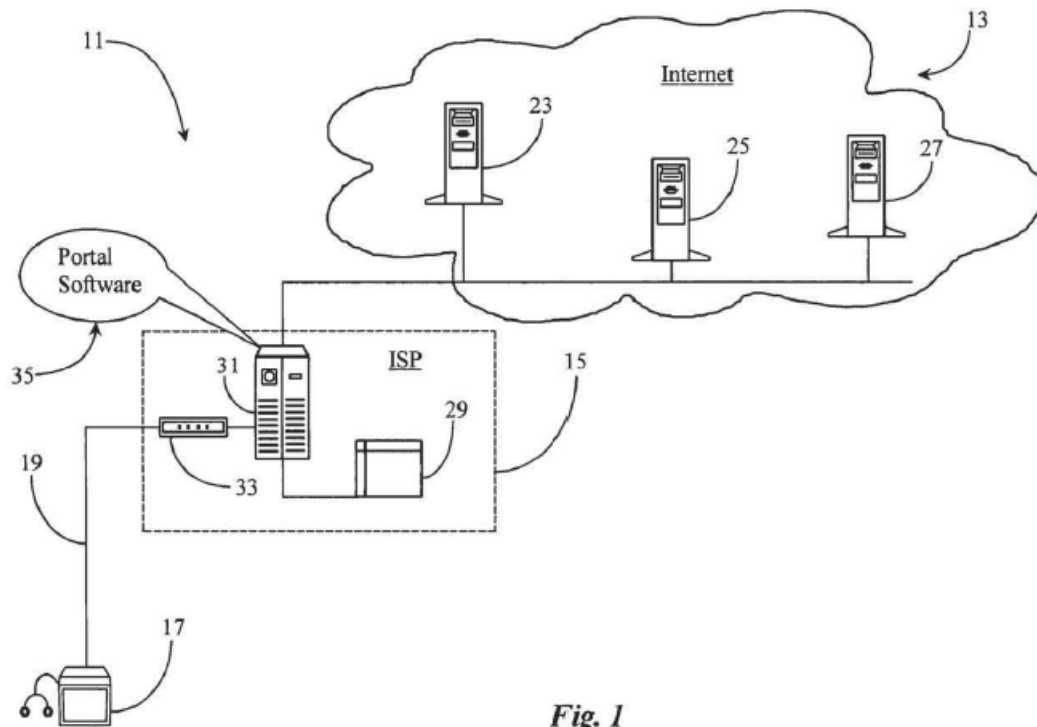
Petitioner and Patent Owner identify the following district court proceeding concerning the ’535 patent: *Yodlee, Inc. v. Plaid Technologies, Inc.*, No. 14-cv-01445 (D. Del.). Pet. 2; Paper 5, 1. Petitioner also identifies the following proceedings before the Patent Trial and Appeal Board (“Board”) involving other patents-in-suit from the same district court proceeding: (1) Case CBM2016-00037 (U.S. Patent No. 6,199,077 B1), (2) Case IPR2016-00275 (U.S. Patent No. 6,199,077 B1), (3) Case CBM2016-00070 (U.S. Patent No. 7,263,548 B2), (4) Case CBM2016-00082 (U.S. Patent No. 7,424,520 B2), (5) Case CBM2016-00056 (U.S. Patent No. 6,510,451 B2), (6) Case CBM2016-00045 (U.S. Patent No. 6,317,783 B1), and (7) Case IPR2016-00273 (U.S. Patent No. 6,317,783 B1). Pet. 3. Furthermore, we identify the following proceeding before the Board involving another patent-in-suit, which is a continuation of the ’535 patent: Case CBM2016-00089 (U.S. Patent No. 8,266,515 B2).

*C. Standing*

Section 18 of the American Invents Act governs the transitional program for covered business method patent reviews. Leahy-Smith America Invents Act (“AIA”) § 18, Pub. L. No. 112-29, 125 Stat. 284, 329–31 (2011); *see also* 37 C.F.R. §§ 42.300–304 (2016) (setting forth the rules governing the transitional program for covered business method patents). Section 18(a)(1)(B) of the AIA limits such reviews to persons, or their privies, that have been sued or charged with infringement of a covered business method patent. *See also* 37 C.F.R. § 42.302 (setting forth who may petition for a covered business method patent review). Petitioner asserts that, because it has been sued for infringement of the ’535 patent, it has standing to file its Petition. Pet. 14. Based on the record before us, we agree.

*D. The ’535 Patent*

The ’535 patent relates to a system that collects information concerning transactions for a particular person or enterprise and categorizes individual ones of the collected transactions according to at least part of the transaction description. Ex. 1001, Abstract. Figure 1 of the ’535 patent is reproduced below.



*Fig. 1*

Figure 1 is an overview of the system. Ex. 1001, 3:60–62. The system includes ISP 15 which is connected to Internet 13 and to Internet appliance 17. Ex. 1001, 4:60–5:3. The system further includes portal software 35. Ex. 1001, 10:30–32. The main purpose of portal software 35 is to provide an interactive application that lists all of the subscriber's WEB sites in the form of hyperlinks. Ex. 1001, 10:38–41. Portal software 35 may also include agent 39 (as shown in Figure 2) which can be programmed to perform certain tasks such as obtaining account information, executing simple transactions, and returning user-requested notification information. Ex. 1001, 10:51–54.

The '535 patent specifically describes the categorization of collected and summarized information. Ex. 1001, 17:59–20:5. A key ingredient of the network categorization system is the ability to grow and improve. Ex. 1001, 19:43–44. If one client enters a descriptor as a particular category

of transaction, the system may be adapted to treat all such descriptors in that category, until reported errors cause re-consideration. Ex. 1001, 19:49–52. The system may use a democratic approach, such that identifiers are included based on a majority use among clients. Ex. 1001, 19:44–49. The system may also use have probabilistic algorithms that are capable of passing identifiers into the system that meet a probability threshold, or of removing identifiers that fail the threshold. Ex. 1001, 19:52–55.

*E. Illustrative Claim*

Petitioner challenges claims 1–10 of the '535 patent. Pet. 21. Claims 1 and 6 are the only independent claims. Independent claim 6 is illustrative of the challenged claims and is reproduced below:

6. In a computer system, a method for sorting and reporting transaction information using proprietary software tangibly embodied on a computer-readable medium, comprising:

(a) automatically navigating to and retrieving transaction information associated with a specific person or enterprise from third-party Internet-connected web sites and gathering information concerning transactions by a collection function of the proprietary software said information including at least date, description, and amount of the transactions;

(b) requesting a summary of transactions by a client via an input function of the proprietary software over a specific range of dates, according to a definition of purpose of transactions including at least expenditure types;

(c) categorizing individual ones of the collected transactions according to at least part of the transaction description for determining the purpose, via a processing function of the proprietary software using pre-stored description characteristics associated with the purpose;

(d) summarizing, by a compilation function of the proprietary software, the transactions that meet the purpose and fall into the specific range of dates;

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