

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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INTERNATIONAL BUSINESS MACHINES CORPORATION,  
Petitioner,

v.

INTELLECTUAL VENTURES I LLC,  
Patent Owner.

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Case IPR2014-01385  
U.S. Patent No. 7,984,081 B1

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Before JONI Y. CHANG, JENNIFER S. BISK, and  
BARBARA A. PARVIS, *Administrative Patent Judges*.

PARVIS, *Administrative Patent Judge*.

FINAL WRITTEN DECISION  
*35 U.S.C. § 318(a) and 37 C.F.R. § 42.73*

I. INTRODUCTION

A. *Background*

International Business Machines Corporation (“Petitioner”) filed a Petition (Paper 2, “Pet.”) requesting an *inter partes* review of claims 1–4, 10–13, and 21–24 (“the challenged claims”) of U.S. Patent No. 7,984,081 B1 (Exhibit 1004, “the ’081 Patent”). We instituted trial for all the

challenged claims on the grounds of unpatentability below. Paper 7 (“Decision to Institute” or “Inst. Dec.”).

Claims	Basis	Asserted Prior Art
Claims 1–4, 10–13, and 21–24	§103(a)	VanderDrift ’945 <sup>1</sup> and Chau <sup>2</sup>
Claims 1–4, 10–13, and 21–24	§103(a)	Oracle applications <sup>3</sup>

After institution of trial, Intellectual Ventures I LLC (“Patent Owner”) filed a Patent Owner Response (Paper 31, “PO Resp.”). Petitioner filed a Reply to the Patent Owner Response (Paper 44, “Pet. Reply”).

A hearing was held on November 4, 2015. The transcript has been entered into the record. Paper 63 (“Tr.”).

We have jurisdiction under 35 U.S.C. § 6(c). This Final Written Decision is issued pursuant to 35 U.S.C. § 318(a) and 37 C.F.R. § 42.73. For the reasons given herein, Petitioner has shown by a preponderance of the evidence that the challenged claims are unpatentable.

#### *B. Related Proceedings*

Petitioner identifies, as related proceedings, the co-pending district court cases *IV v. Capital One Fin. Corp.*, No. 8:14-cv-111 (D. Md.), and *IV v. Citigroup, Inc.*, No. 1:14-cv-4638 (S.D.N.Y.). Pet. 1.

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<sup>1</sup> U.S. Patent No. 5,455,945 (“VanderDrift ’945”) (Ex. 1005).

<sup>2</sup> U.S. Patent No. 6,721,727 (“Chau”) (Ex. 1006). Petitioner also submitted U.S. Provisional Application No. 60/168,659 (“Chau Provisional”), upon which Chao claims the benefit, filed December 2, 1999 as Exhibit 1007.

<sup>3</sup> Oracle 8i Application Developer’s Guide — XML, Release 3 (8.1.7) (Sept. 2000) (Exhibit 1008) (“Oracle”).

C. The '081 Patent

The '081 Patent relates to a system and method for dynamically retrieving, updating, and displaying data from sources of Extensible Markup Language (XML) documents. Ex. 1004, Abstract. Figure 1 of the '081 Patent is reproduced below.

Figure 1

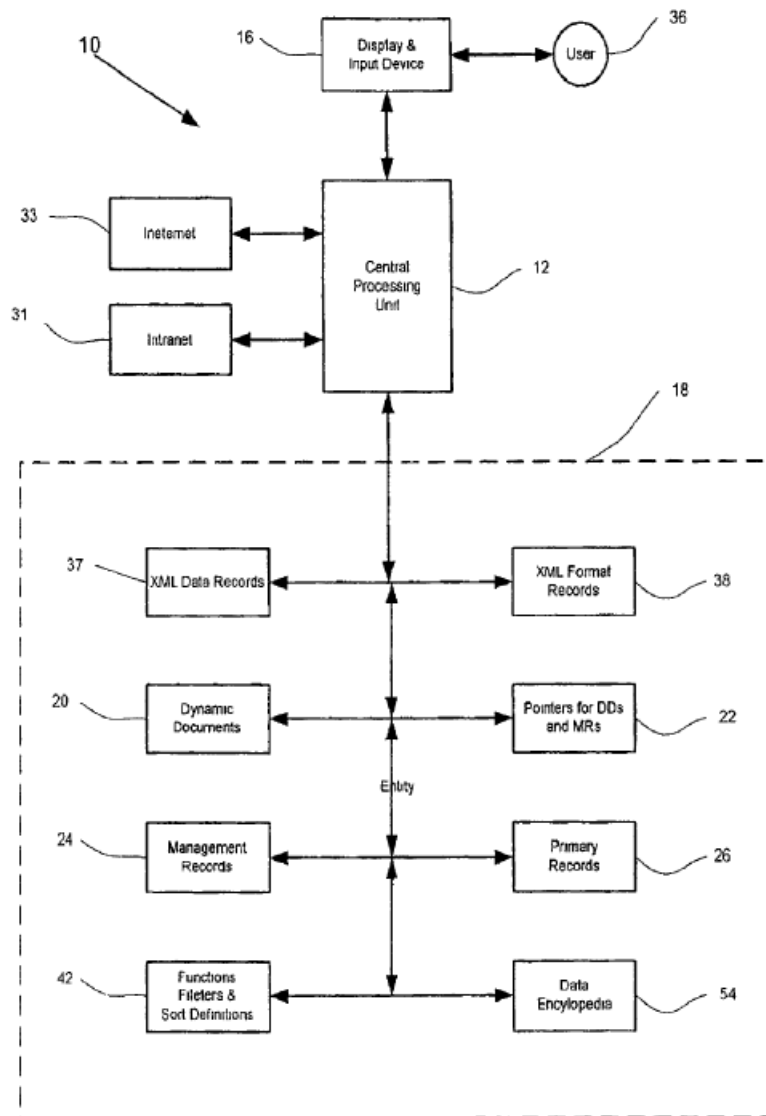


Figure 1 is a block diagram of a preferred embodiment of the system of the '081 Patent for extracting and displaying data. Ex. 1004, 2:27-29. As

shown in Figure 1, central processing unit (CPU) 12 connects with display and input device 16 and program memory 18. *Id.* at 3:16–18. Program memory 18 stores dynamic documents 20, management record types 24, and primary record types 26. *Id.* at 3:21–29.

According to the '081 Patent, a user imports an XML record format, creates or identifies primary record types, and then defines a management record type by selecting primary record types for inclusion in the management record type. *Id.* at 5:30–53. The '081 Patent describes an example of a customer order having a customer and a customer order header, the latter of which can be defined by the user as identifying the management record type. *Id.* at 5:6–12.

D. *Illustrative Claim*

Claims 1, 10, and 21 are the independent claims challenged by Petitioner. Each of claims 2–4 depends, directly or indirectly, from claim 1, each of claims 11–13 depends, directly or indirectly, from claim 10, and each of claims 22–24 depends, directly or indirectly, from claim 21.

Claim 1 is illustrative and is reproduced below:

1. A computer-implemented method of manipulating XML documents, comprising:
  - organizing data components of the XML documents into data objects;
  - identifying a plurality of primary record types for the XML documents;
  - mapping the data components of each data object to one of the plurality of primary record types;
  - organizing instances of the plurality of primary record types into a hierarchy to form a management record type;
  - defining a dynamic document for display of an instance of the management record type through a user interface; and

detecting modification of the data in the dynamic document via the user interface, and in response thereto modifying a data component in at least one of the XML documents.

Ex. 1004, 18:12–29.

## II. ANALYSIS

### A. *Claim Construction*

#### 1. *Legal Standard*

In an *inter partes* review, claim terms in an unexpired patent are given their broadest reasonable construction in light of the specification of the patent in which they appear. 37 C.F.R. § 42.100(b); *see also In re Cuozzo Speed Techs., LLC*, 793 F.3d 1268, 1277–1279 (Fed. Cir. 2015) (“Congress implicitly approved the broadest reasonable interpretation standard in enacting the AIA,”<sup>4</sup> and “the standard was properly adopted by PTO regulation.”). Under the broadest reasonable construction standard, claim terms are given their ordinary and customary meaning, as would be understood by one of ordinary skill in the art in the context of the entire disclosure. *See In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007).

#### 2. *Decision to Institute*

As a step in our analysis in the Decision to Institute, we determined the meaning of the claims. In particular, we determined that the broadest reasonable interpretation of “organizing instances of the plurality of primary record types into a hierarchy to form a management record type,” in light of the Specification of the ’081 Patent, is organizing instances of the plurality

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<sup>4</sup> Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284 (2011) (“AIA”).

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