UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE INC.,
Petitioner,

v.

SIMPLEAIR, INC.,
Patent Owner.

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Case IPR2015-00180
Patent 8,601,154 B2

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Before JAMES P. CALVE, JUSTIN T. ARBES, and TINA E. HULSE,
Administrative Patent Judges.

CALVE, *Administrative Patent Judge.*

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

I.   BACKGROUND

Petitioner Google Inc. ("Google") filed a Petition (Paper 1, "Pet.") seeking *inter partes* review of claims 1–4, 6–11, 13–17, 19–21, 24, 27, and 29–34 of U.S. Patent No. 8,601,154 B2 (Ex. 1001, "the '154 patent"). Patent Owner SimpleAir, Inc. ("SimpleAir") filed a Preliminary Response. Paper 9 ("Prelim. Resp."). Based on these submissions, we instituted trial as to claims 1–4, 6, 8–11, 13, 14, 16, 20, 21, and 29–31 of the '154 patent. *See* Papers 11 ("Dec. on Inst."), 15 (noting SimpleAir filed a statutory disclaimer of claims 19, 24, 27, 33, and 34 of the '154 patent); Ex. 3002. SimpleAir filed a Response. Paper 22 ("PO Resp.").   Google filed a Reply. Paper 26 ("Pet. Reply").

An oral argument was conducted on December 15, 2015. A transcript of the argument is entered in the record. Paper 36 ("Tr.").

We have jurisdiction under 35 U.S.C. § 6(c). This Final Written Decision is entered pursuant to 35 U.S.C. § 318(a).

A. Related Proceedings

The parties identify the following proceedings as affecting or being affected by a decision in this proceeding: *SimpleAir, Inc. v. Amazon.com Inc.*, No. 2-14-cv-00679 (E.D. Tex.); *SimpleAir, Inc. v. Microsoft Corp.*, No. 2-11-cv-00416 (E.D. Tex.); *SimpleAir, Inc. v. Google Inc.*, No. 2-13-cv-00587 (E.D. Tex.); *SimpleAir, Inc. v. Google Inc.*, No. 2-13-cv-00937 (E.D. Tex.); and *SimpleAir, Inc. v. Google Inc.*, No. 2-14-cv-00011 (E.D. Tex.). Pet. 55; Paper 4, 1–2.

B. The '154 Patent (Ex. 1001)

The '154 patent discloses wireless communication system 10. *See* Ex. 1001, 5:40–43. Internet and on-line information sources 12 provide data feeds 16 to a network of servers 33 in central broadcast server 34 where data feeds are parsed, compressed, encrypted, and packetized for broadcast. *Id.* at 7:59–66. Central broadcast server 34 operates as a network operations center. *Id.* at 6:29–30. Data parsed from plural incoming data feeds 16 from information sources 12 is transmitted wirelessly by central broadcast server 34 through wireless network 36 to connected and non-connected computing devices 14, as illustrated in Figure 1, reproduced below. *Id.* at 6:46–50.
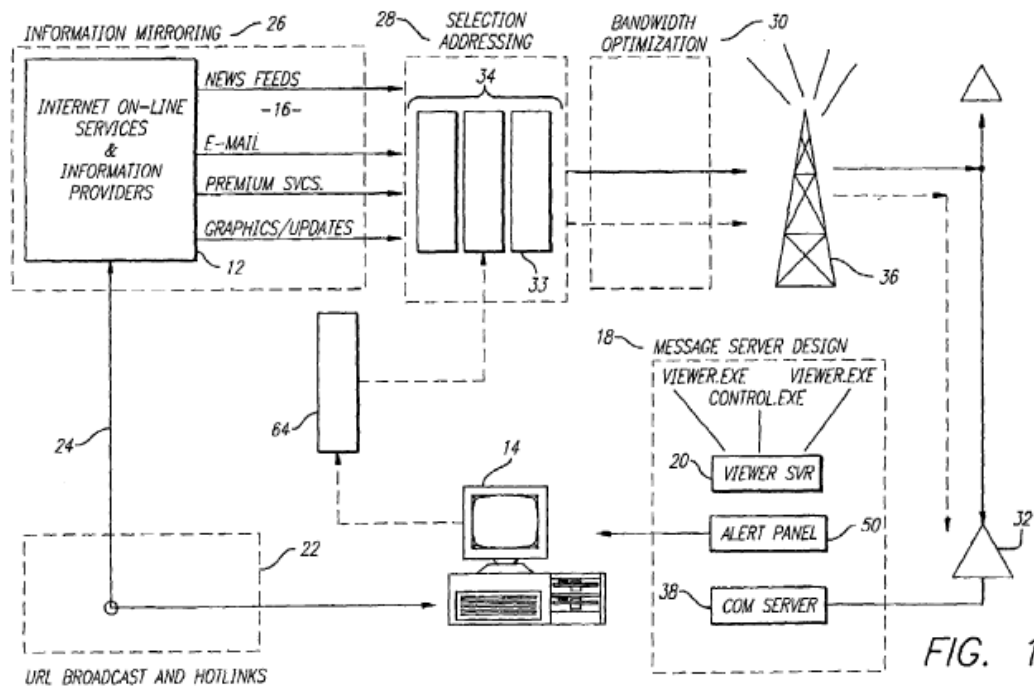

Figure 1 is a schematic diagram of a communication network. Once data is received at the user end, communications server 38 in message server design 18 notifies user interface panel 50, which presents an icon that, when clicked, notifies viewers 20 that are registered to display particular data on user computer 14 and alerts users to incoming messages. *Id.* at 6:52–62.

Real time data feeds from information sources 12 are provided to a network of servers 33 in central broadcast server 34, such as FTP server 102 and SMTP server 104, shown in Figure 2, reproduced below. *Id.* at 8:9–15.
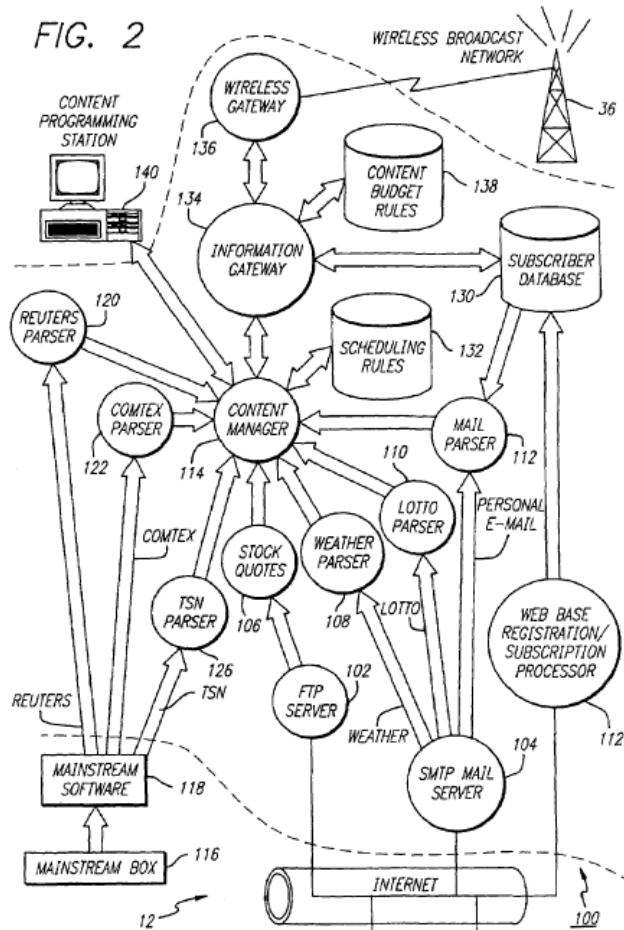

FIG. 2

Figure 2 is a block diagram of the wireless communication network of Figure 1. Data, such as stock quotes, weather, lotto, and email, are parsed by stock quote parser 106, weather parser 108, lotto parser 110, and mail parser 112, and transmitted to content manager 114 in central broadcast server 34. *Id.* at 8:16–21. Content manager 114 specifies priorities for different types of information, determines what information is transmitted or rejected, and also applies scheduling rules 132 to determine when messages are transmitted to users and the format used. *Id.* at 8:42–51. Content

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manager 114 communicates with information gateway 134, which builds and addresses data blocks. *Id.* at 8:62–67, 22:13–18. Wireless gateway 136 packetizes, compresses, and encrypts data blocks for transmission over wireless broadcast network 36. *Id.* at 9:18–20, 11:31–40.

C. Illustrative Claim

Claim 1, the sole independent claim, is reproduced below.

1. A method to transmit data from an information source via a central broadcast server to remote computing devices, the method comprising:

  (a) generating data at the information source, wherein the information source is associated with an online service relating to the generated data;

  (b) identifying one or more users that have subscribed to receive a notification relating to the generated data;

  (c) transmitting the generated data to a central broadcast server configured to process the generated data using at least one parser and transmit the processed data to receivers communicatively coupled with remote computing devices associated with subscribed users, wherein the central broadcast server:

    (i) comprises one or more servers associated with a parser to parse the generated data received from the information source;

    (ii) is communicatively coupled to at least one information gateway, the information gateway configured to build data blocks from the parsed data and assign addresses to the data blocks; and

    (iii) is communicatively coupled to at least one transmission gateway, the transmission gateway configured to prepare the addressed data blocks for transmission to the receivers and configured to cause the addressed data blocks to be transmitted to the receivers, and wherein the transmission is made whether the remote computing devices are online or offline from a data channel associated with the remote computing devices.

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