Trials@uspto.gov
571-272-7822

Paper 19
Entered: December 16, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GLOBAL TEL*LINK CORPORATION,
Petitioner,

v.

SECURUS TECHNOLOGIES, INC.,
Patent Owner.

Case IPR2015-01223
Patent 7,961,860 B1

Before KEVIN F. TURNER, BARBARA A. BENOIT, and GEORGIANNA W. BRADEN, *Administrative Patent Judges*.

BENOIT, *Administrative Patent Judge*.

DECISION
Denying Institution of *Inter Partes* Review
37 C.F.R. § 42.108

I. INTRODUCTION

Global Tel*Link Corporation ("Petitioner") filed a corrected Petition for *inter partes* review of claims 1–31 of U.S. Patent No. 7,961,860 B1 (Ex. 1001, "the '860 patent"). Paper 5 ("Pet."). Patent Owner, Securus Technologies, Inc., filed a Preliminary Response. Paper 18 ("Prelim. Resp."). We have jurisdiction under 35 U.S.C. § 314(a), which provides that *inter partes* review may not be instituted "unless . . . the information presented in the petition . . . and any response . . . shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition."

Upon consideration of the Petition and the Preliminary Response, we conclude the information presented does not show there is a reasonable likelihood that Petitioner would prevail in establishing the unpatentability of claims 1–31 of the '860 patent. Accordingly, we deny institution of an *inter partes* review.

A. Related Matters

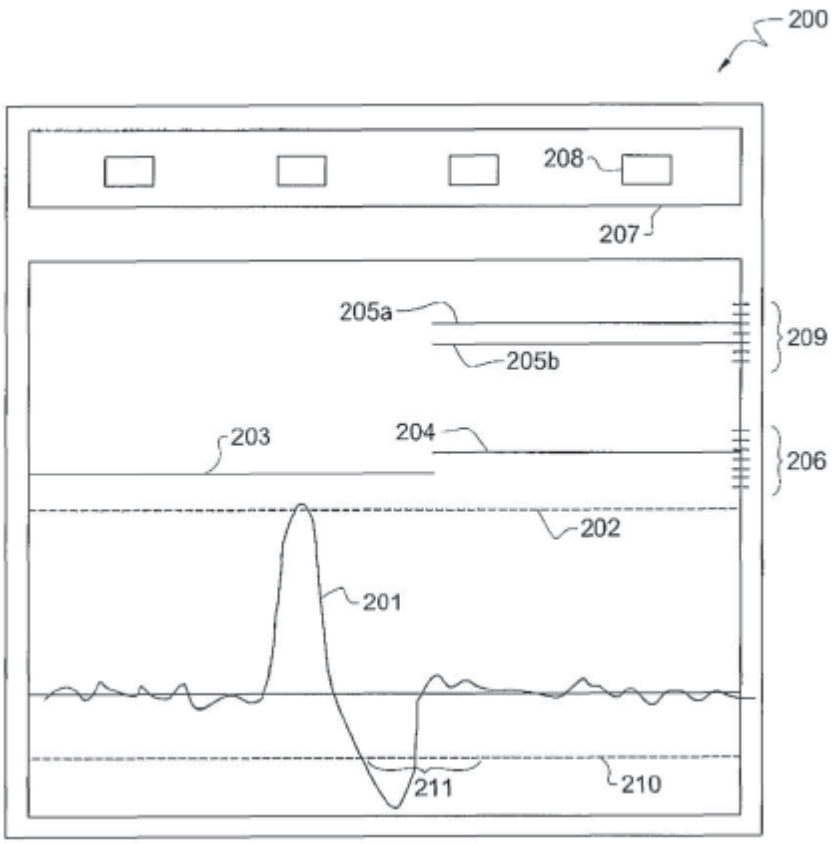
Each party represents no judicial or administrative matters would affect or be affected by this proceeding. Pet. 60; Paper 4 (Patent Owner's Mandatory Notices).

B. The '860 Patent

The '860 patent relates to techniques to display graphically call processing operations related to signals in a telephone call and the results of event detection algorithms used to analyze those signals. Ex. 1001, Abs.,

2:7–20. Figure 2, reproduced below, shows a display screen 200 of an example graphical display system showing signals related to a telephone call. *Id.* at 5:4–7.

FIG. 2



The display screen 200 of Figure 2 shows waveform 201 that is based on the signal in the telephone line and is continuously "scrolling . . . to give a realtime view of the telephone call." *Id.* at 5:6–10. "Threshold levels 202

and 210 are levels used by the [digital signal processing[1]] algorithm for detecting events" and enable an administrator viewing the display screen to see the thresholds in relation to the amplitude of the waveform representing the telephone call. *Id.* at 5:11–15. The '860 patent explains that, when a threshold is crossed, the DSP algorithm typically reacts in some way, such as by indicating an event has occurred. *Id.* at 5:15–19.

C. Illustrative Claim

Claims 1, 11, 20, and 25 of the challenged claims in the '860 patent are independent. Claim 1 is illustrative of the claimed subject matter:

> 1. A method for graphically demonstrating a call-processing operation, said method comprising:
>
> receiving data representing signals in a telephone call and data from an event-detecting algorithm, said data from said event-detecting algorithm describing an operation of said algorithm on said telephone call;
>
> generating a graphical display including a waveform based on said data representing signals in said telephone call and a graph of said operation of said event-detection algorithm, said graphical display further including one or more parameters used by said algorithm to analyze said telephone call depicted in relation to said waveform.

Ex. 1001, 10:58–11:7.

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[1] *Compare* Ex. 1001, 4:11–14 (indicating "a Digital Signal Processor (DSP) chip perform[s] the algorithm by sampling, digitizing, analyzing signals on telephone line[s] and identifying phenomena that are indicative of various events," *with id.* at 5:11–12 (indicating "levels used by the DSP algorithm").

D. Asserted Grounds of Unpatentability

Petitioner contends that claims 1–31 of the '860 patent are unpatentable based on the following specific grounds (Pet. 8–59):

Reference[s]	Basis	Challenged Claims
Bress[2]	§ 103	1–5, 7–9, 11, 13, 14, 17, and 18
Bress and Easton[3]	§ 103	10 and 19
Bress and Hodge[4]	§ 103	6, 15, 20, and 23–27
Bress and McNitt[5]	§ 103	12 and 16
Bress, Hodge, and McNitt	§ 103	28 and 30
Bress, Hodge, and Kitchin[6]	§ 103	21, 22, 29, and 31

II. DISCUSSION

A. Claim Construction

In an *inter partes* review, claim terms in an unexpired patent are interpreted according to their broadest reasonable construction in light of the specification of the patent in which they appear. 37 C.F.R. § 42.100(b); *see In re Cuozzo Speed Techs*., LLC, 793 F.3d 1268, 1278, 1279 (Fed. Cir. 2015) ("Congress implicitly approved the broadest reasonable interpretation standard in enacting the AIA," and "the standard was properly adopted by PTO regulation."). Under that standard, claim terms are presumed to be

[2] U.S. Patent No. 7,076,031 B1, issued July 11, 2006 (Ex. 1004, "Bress" or "the Bress Patent").
[3] U.S. Patent No. 5,371,842, issued Dec. 6, 1994 (Ex. 1009, "Easton").
[4] US 2005/0259809 A1, pub. Nov. 24, 2005 (Ex. 1005, "Hodge").
[5] U.S. Patent No. 7,079,637 B1, issued July 18, 2006 (Ex. 1007, "McNitt").
[6] U.S. Patent No. 5,319,702, issued June 7, 1994 (Ex. 1008, "Kitchin").

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