

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BATTERY-BIZ, INC.,
Petitioner,

v.

COMARCO WIRELESS TECHNOLOGIES, INC.,
Patent Owner

Case IPR2016-00632
Patent 7,460,381 B2

Before KEVIN F. TURNER, LYNNE E. PETTIGREW, and
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

TURNER, *Administrative Patent Judge*.

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

I. INTRODUCTION

Battery-Biz, Inc. (“Petitioner”) filed a Petition for *inter partes* review of claims 1–4, 6–8, 11, 12, 14, and 17¹ (“the challenged claims”) of U.S. Patent No. 7,460,381 B2 (Ex. 1001, “the ’381 Patent”). Paper 1 (“Pet.”). Patent Owner, Comarco Wireless Technologies, Inc., filed a Preliminary Response. Paper 12 (“Prelim. Resp.”). We have jurisdiction under 35 U.S.C. § 314(a), which provides that an *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 shows there is a reasonable likelihood that Petitioner would prevail in establishing the unpatentability of claims 1–4, 6–8, 11, 12, 14, and 17.

A. Related Matters

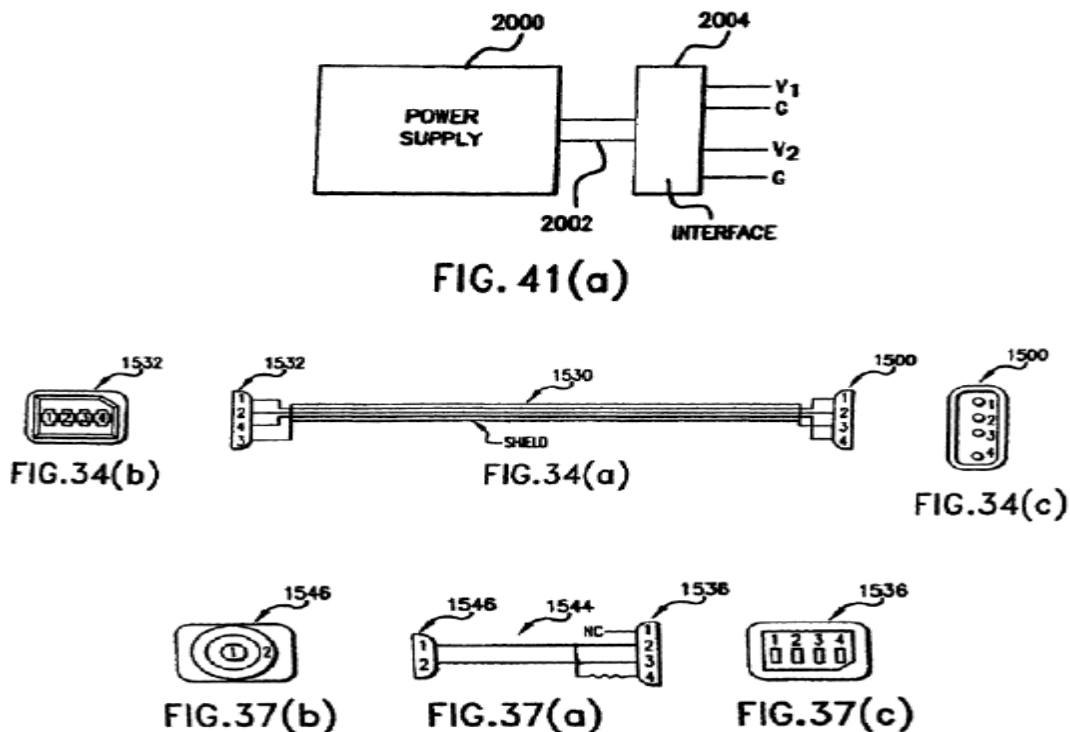
The parties acknowledge that the ’381 Patent was asserted against real parties-in-interest Best Buy Stores, L.P. and BestBuy.com, LLC in *Comarco Wireless Technologies, Inc. v. Best Buy Stores, L.P.*, Civil Action No. 8:15-cv-00256 (C.D. Cal. 2015), along with U.S. Patent No. 7,863,770, also

¹ We note that the Petition is inconsistent in its listing of the challenged claims. *Compare* Pet. 1 and 39, *with* Pet. 9. Based on the discussion of the grounds and the claim charts, we determine that the former listing is the intended listing of the challenged claims.

assigned to Patent Owner. Pet. 7; Paper 5. The latter patent is also subject to *inter partes* review in related proceeding IPR2016-00630.

B. The '381 Patent

Petitioner acknowledges that the '381 Patent has expired. Pet. 1. For purposes of this proceeding, Petitioner accepts that the challenged claims have a priority date of December 19, 1997. *Id.* at 16. The '381 Patent relates to power supply equipment for simultaneously providing power to multiple electronic devices. Ex. 1001, 2:46–48. Figures 41(a), 34(a)–(c) and 37(a)–(c) of the '381 Patent illustrate such a power supply and its connectors to other electronic devices, where those figures are reproduced below.



Figs. 41(a), 34(a)–(c) and 37(a)–(c) illustrate a power supply system and connectors.

Power supply 2000 includes circuitry that provides first voltage V1 and second voltage V2 through interface 2004. *Id.* at 21:30–43. Cable 1530 connects with the power supply 2000 through proximal end 1500, where the cable also includes connector 1532 that detachably mates with connector adapter 1544 through first plurality of contacts 1536. *Id.* at 20:11–18, 21:8–16. Connector adapter 1544 includes first connector 1536, mateable with the cable connector 1532, and second connector 1546, with a pair of wires extending between the first and second connectors 1536 and 1546. *Id.* at 21:16–19. The connector adapter 1544 may connect to an electronic device through the second connector 1546. *Id.*

C. Illustrative Claims

Claims 1, 8, 11, and 17 of the '381 Patent are independent, with challenged claims 2–4, 6, 7, 12, and 14 being dependent on those claims. Claims 1 and 8 are illustrative of the claimed subject matter:

1. Power supply equipment comprising:
 - a power supply for producing DC output power at a cable connector disposed on a distal end of a cable, a proximal end of the cable originating at the power supply; and
 - a connector adapter including:
 - a first plurality of contacts to mate with the cable connector;
 - a second plurality of contacts to mate with contacts of an electronic device; and
 - a conductor that forms a portion of a divider circuit with circuitry within the power supply, the divider circuit programming a parameter of the DC output power produced by the power supply, wherein the conductor, the first plurality of contacts, and the second plurality of contacts are disposed in a single housing, and at least two contacts in the first plurality of contacts are

electrically connected to at least two contacts in the second plurality of contacts without a cable disposed between the first plurality of contacts and the second plurality of contacts.

8. Power supply equipment comprising:
a power supply for producing output power at a cable connector disposed on a distal end of a cable, a proximal end of the cable originating at the power supply; and
first and second connector adapters, each connector adapter including:
a first plurality of contacts to mate with the cable connector;
and
a second plurality of contacts to mate with contacts of an electronic device, wherein
the first plurality of contacts and the second plurality of contacts are disposed in a single housing, and at least two contacts in the first plurality of contacts are electrically connected to at least two contacts in the second plurality of contacts without a cable disposed between the first plurality of contacts and the second plurality of contacts, and wherein
the power supply produces the output power at a first voltage when the first connector adapter is mated with the cable connector and at a second voltage, different than the first voltage, when the second connector adapter is mated with the cable connector.

Ex. 1001, 25:31–50, 26:5–26.

D. Asserted Grounds of Unpatentability

Petitioner contends that claims 1–4, 6–8, 11, 12, 14, and 17 of the '381 Patent are unpatentable based on the following specific grounds (Pet. 1, 23–39):

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