

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HONEYWELL INTERNATIONAL, INC.

Petitioner

v.

ALLURE ENERGY, INC.

Patent Owner

Case No. IPR2016-
Patent No. 8,498,749

**PETITION FOR *INTER PARTES* REVIEW OF
UNITED STATES PATENT NO. 8,498,749
PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
US Patent and Trademark Office
PO Box 1450
Alexandria, Virginia 22313-1450

TABLE OF CONTENTS

I.	MANDATORY NOTICES UNDER 37 C.F.R § 42.8.....	1
A.	Real Party-In-Interest under 37 C.F.R. § 42.8(b)(1).....	1
B.	Related Matters under 37 C.F.R. § 42.8(b)(2)	1
C.	Lead and Back-Up Counsel under 37 C.F.R. § 42.8(b)(3)	2
D.	Service Information.....	2
II.	PETITION FOR INTER PARTES REVIEW	2
III.	INTRODUCTION	3
IV.	PAYMENT OF FEES – 37 C.F.R. § 42.103.....	3
V.	REQUIREMENTS FOR IPR UNDER 37 C.F.R. § 42.104.....	3
A.	Grounds for Standing under 37 C.F.R. § 42.104(a).....	3
B.	Challenge under 37 C.F.R. § 42.104(b) and Relief Requested.....	3
C.	Claim Construction under 37 C.F.R. §§ 42.104(b)(3)	4
i.	Control selector	4
ii.	Web application	6
iii.	Detection module	6
iv.	Network device, alarm system, lighting system, HVAC system, home media management system, smart appliance, set-top box, hot water heater	8
v.	Altering an operating condition	9
VI.	SUMMARY OF THE '749 PATENT	10
A.	Brief Description	10
B.	Summary of the Original Prosecution of the '381 Patent	10
C.	Summary of the Original Prosecution of the '749 Patent	11
VII.	OBVIOUSNESS OF CLAIMS 1–9 BY ROSENBLATT IN VIEW OF SCHLAGE	13
A.	Rosenblatt.....	13
B.	Schlage	16
C.	Reasons for Combining Rosenblatt and Schlage	19

D.	Mapping of Claim Elements	22
	Claim 1	22
	Claim 2	34
	Claim 3	36
	Claim 4	37
	Claim 5	39
	Claim 6	39
	Claim 7	40
	Claim 8	41
	Claim 9	41
VIII.	OBVIOUSNESS OF CLAIMS 1-9 BY TRUNDLE IN VIEW OF EHLERS AND ROSENBLATT.....	43
A.	Trundle	43
B.	Trundle's Effective § 102(e) Date.....	45
C.	Ehlers.....	46
D.	Reasons for Combining	48
E.	Mapping of Claim Elements	53
	Claim 1	53
	Claim 2	64
	Claim 3	65
	Claim 4	67
	Claim 5	68
	Claim 6	69
	Claim 7	69
	Claim 8	70
	Claim 9	71
IX.	NON-REDUNDANCY GROUNDS.....	71
X.	CONCLUSION.....	72
XI.	CERTIFICATE OF WORD COUNT	73

TABLE OF AUTHORITIES

	Page(s)
CASES	
<i>Allure Energy, Inc. v. Honeywell Int'l Inc.</i> , Case Number 1:15-cv-00079-RP.....	1
<i>Allure Energy, Inc. v. Nest Labs, Inc.</i> , Case Number 9:13-cv-00102-RC	1
<i>Dynamic Drinkware, LLC v. Nat'l Graphics, Inc.</i> , 800 F.3d 1375 (Fed. Cir. 2015)	45
<i>In re Giacomini</i> , 612 F.3d 1380 (Fed. Cir. 2010)	45
<i>In re Kahn</i> , 441 F.3d 977 (Fed. Cir. 2006)	19, 48
<i>In re Translogic Tech., Inc.</i> , 504 F.3d 1249 (Fed. Cir. 2007)	4, 6, 7
<i>KSR Int'l v. Teleflex Inc.</i> , 550 U.S. 398 (2007).....	passim
<i>Magnetar Techs. Corp. v. Six Flags Theme Parks, Inc.</i> , 2014 U.S. Dist. LEXIS 15679 (D. Del. 2014).....	passim
<i>Ruiz v. A.B. Chance Co.</i> , 357 F.3d 1270 (Fed. Cir. 2004)	19, 48
STATUTES	
35 U.S.C. §§ 311–319	2
OTHER AUTHORITIES	
37 C.F.R. § 42.8.....	1, 2

...

37 C.F.R	
§ 42.10(b).....	2
37 C.F.R.	
§ 42.15(a)	3
§ 42.24.....	73
§ 42.100(b).....	4
§ 42.103.....	3
§ 42.104.....	3, 4

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.