

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FEDEX CORPORATION,
Petitioner,

v.

INTELLECTUAL VENTURES II LLC,
Patent Owner.

Case IPR2017-00741
Patent 6,633,900 B1

Before DAVID C. MCKONE, BARBARA A. PARVIS, and
JOHN A. HUDALLA, *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

We have jurisdiction under 35 U.S.C. § 6. This Final Written Decision is issued pursuant to 35 U.S.C. § 318(a) and 37 C.F.R. § 42.73. The evidentiary standard is a preponderance of the evidence. *See* 35 U.S.C. § 316(e); 37 C.F.R. § 42.1(d). For the reasons that follow, we determine that FedEx Corporation (“Petitioner”) has shown by a preponderance of the

evidence that claim 1 of U.S. Patent No. 6,633,900 B1 (Ex. 1001, “the ’900 Patent”) is unpatentable.

A. Background

Petitioner filed a Petition (Paper 2, “Pet.”) to institute an *inter partes* review of claim 1 of the ’900 Patent. Petitioner indicates that FedEx Corp., FedEx Corporate Services, Inc., Federal Express Corporation, FedEx Ground Package System, Inc., FedEx Freight, Inc., FedEx Custom Critical, Inc., FedEx Office and Print Services, Inc., and GENCO Distribution System, Inc., are real parties in interest. Pet. 41. Intellectual Ventures II LLC (“Patent Owner”) filed a Preliminary Response (Paper 6, “Prelim. Resp.”). Pursuant to 35 U.S.C. § 314, we instituted trial on the only challenged claim and on the only asserted ground. Paper 7 (“Inst. Dec.”).

After institution of trial, Patent Owner filed a Patent Owner Response (Paper 16, “PO Resp.”), to which Petitioner filed a Reply (Paper 21, “Pet. Reply”). A transcript of the hearing held on April 26, 2018, has been entered into the record as Paper 29 (“Tr.”).

B. Related Matters

The parties indicate that the ’900 Patent has been asserted against Petitioner in *Intellectual Ventures II LLC v. FedEx Corp.*, No. 2:16-cv-980 (E.D. Tex.). Pet. 42; Paper 5, 1. Petitioner indicates that the ’900 Patent also has been asserted in *Intellectual Ventures II LLC v. FTD Cos. Inc.*, No. 6:16-cv-195 (E.D. Tex.) and *Intellectual Ventures II LLC v. Sally Beauty Holdings, Inc.*, No. 2:15-cv-1414 (E.D. Tex.), but these cases have been terminated. Pet. 42.

C. Evidence Relied Upon

Petitioner relies on the following prior art:

Ex. 1002 (“Storch”)	US 5,920,846	July 6, 1999 (Filed Feb. 27, 1996)
Ex. 1003 (“Butler”)	US 4,922,516	May 1, 1990

Petitioner also relies on the Declaration of Tal Lavian, Ph.D.

(Ex. 1004). Patent Owner relies on the Declaration of Jacob Sharony, Ph.D.
(Ex. 2010).

D. The Asserted Ground

Petitioner asserts that claim 1 is unpatentable, under 35 U.S.C.
§ 103(a), over Storch and Butler. Pet. 3.

E. The '900 Patent

The '900 Patent describes a method for managing work order
assignments. Ex. 1001, 2:29–40. Figure 5, reproduced below, illustrates an
example:

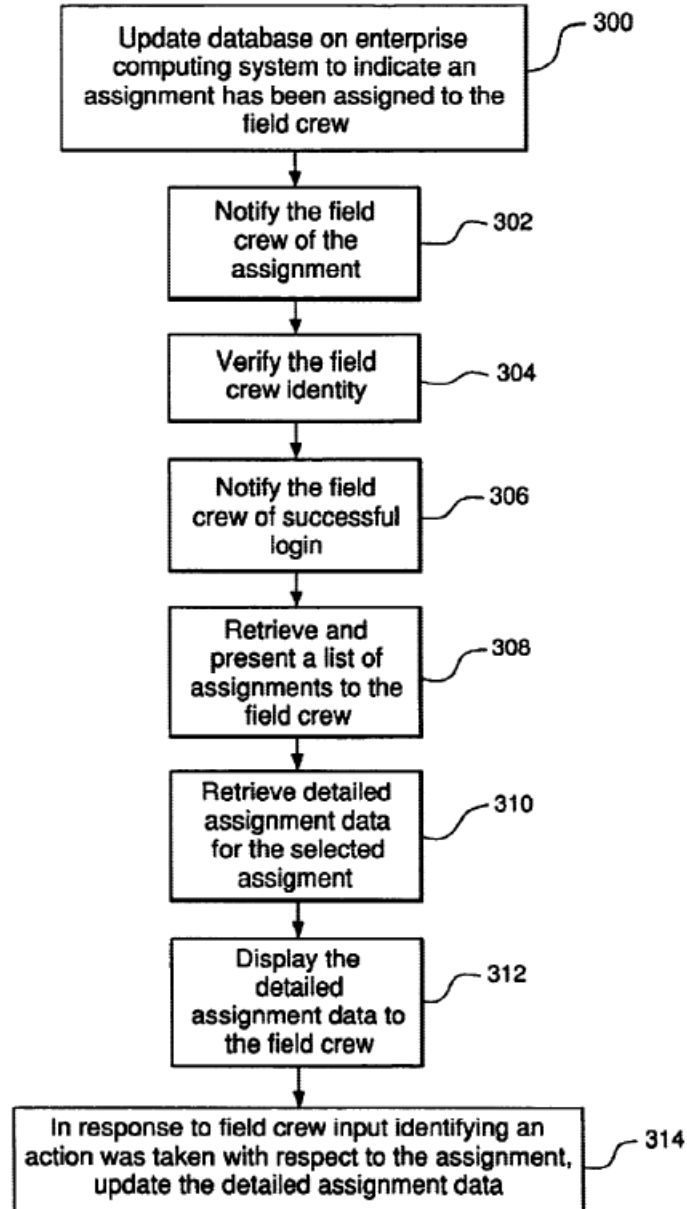


FIG. 5

Figure 5 is flow diagram of a process for distributing work order assignment data to a field crew having a mobile unit. *Id.* at 2:59–61. As shown in Figure 5, at step 300, a database is updated by an application program to indicate a work order has been assigned to a particular field crew. *Id.* at 9:2–4. At step 302 the field crew is notified of the assignment. *Id.* at 9:4–5.

In accordance with Figure 5, at steps 304 and 306, login data input by the field crew is verified and the field crew is notified if the login was successful. *Id.* at 9:5–10. At step 308 a list of assignments is retrieved and presented to the field crew. *Id.* at 9:10–11. At steps 310 and 312, in response to a selection by the field crew of an assignment from the list of assignments, detailed assignment data for the selected assignment is retrieved from the database and displayed on the mobile field unit. *Id.* at 9:11–16. At step 314 in response to field crew input identifying that an action was taken with regard to the assignment, the detailed assignment data is updated in the database. *Id.* at 9:16–19.

Claim 1, reproduced below, is illustrative of the invention:

1. A method for distributing work order assignment data to a field crew using a system having an enterprise computing system and at least one mobile field unit, comprising the following steps:

- (A) updating a database on the enterprise computing system to indicate an assignment has been assigned to the field crew;
- (B) notifying the field crew of the assignment;
- (C) in response to the input of field crew login data, verifying field crew identity;
- (D) notifying the field crew of successful login;
- (E) retrieving and presenting a list of assignments to the field crew;
- (F) in response to field crew input selecting an assignment from the list of assignments, retrieving detailed assignment data for the selected assignment;
- (G) displaying the detailed assignment data to the field crew; and

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