UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
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RPX CORPORATION AND VIMEO, INC.,
Petitioner,

v.

LINK ENGINE TECHNOLOGIES LLC,
Patent Owner.
_____

Case IPR2017-00886
Patent 7,480,694 B2
_____

Before RAMA G. ELLURU, SCOTT A. DANIELS, and
DANIEL J. GALLIGAN, *Administrative Patent Judges.*

DANIELS, *Administrative Patent Judge.*

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

I. INTRODUCTION

A. Background

RPX Corporation and VIMEO, Inc. ("Petitioner") filed a Petition to institute an *inter partes* review of claims 1–33 of U.S. Patent No. 7,480,694 B2 ("the '694 patent"). Paper 3 ("Pet."). Link Engine Technologies LLC. ("Patent Owner") filed a Preliminary Response. Paper 8 ("Prelim. Resp.").

We have authority to determine whether to institute an *inter partes* review under 35 U.S.C. § 314 and 37 C.F.R. § 42.4(a). Upon consideration of the Petition and the Preliminary Response, we determine that Petitioner has established a reasonable likelihood of prevailing on the claims challenged in the Petition. For the reasons expressed below, we institute an *inter partes* review of claims 1–33 of the '694 patent.

B. Additional Proceedings

Petitioner states that the '694 patent is asserted against VIMEO Inc. in Case No. 0:2-16-cv-01070 in the United States District Court, Eastern District of Texas. Pet. 1.

C. The '694 Patent

The '694 patent (Ex. 1001), titled "Web Playlist System, Method, and Computer Program," relates generally to a computer program that displays a sequence of web pages, i.e. a playlist, to a viewer and provides a control panel which allows the user to control the display. Ex. 1001, 1:52–57, 5:20–21. By way of example, the '694 patent explains that the computer program could be implemented by an internet browser retrieving a plurality of network addresses, e.g. uniform resource locators ("URL's"), from a computer memory and displaying the addresses in a panel in a browser window. *Id.* at 5:6–21, Fig. 3. Figure 3 of the '694 patent is reproduced below.
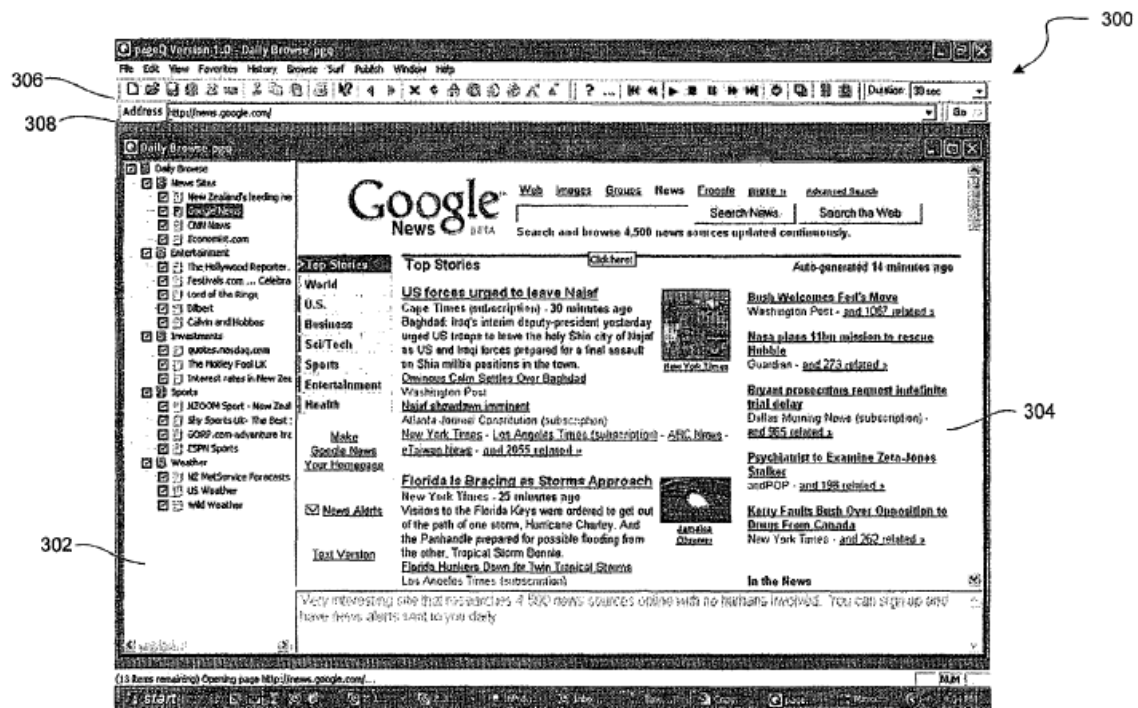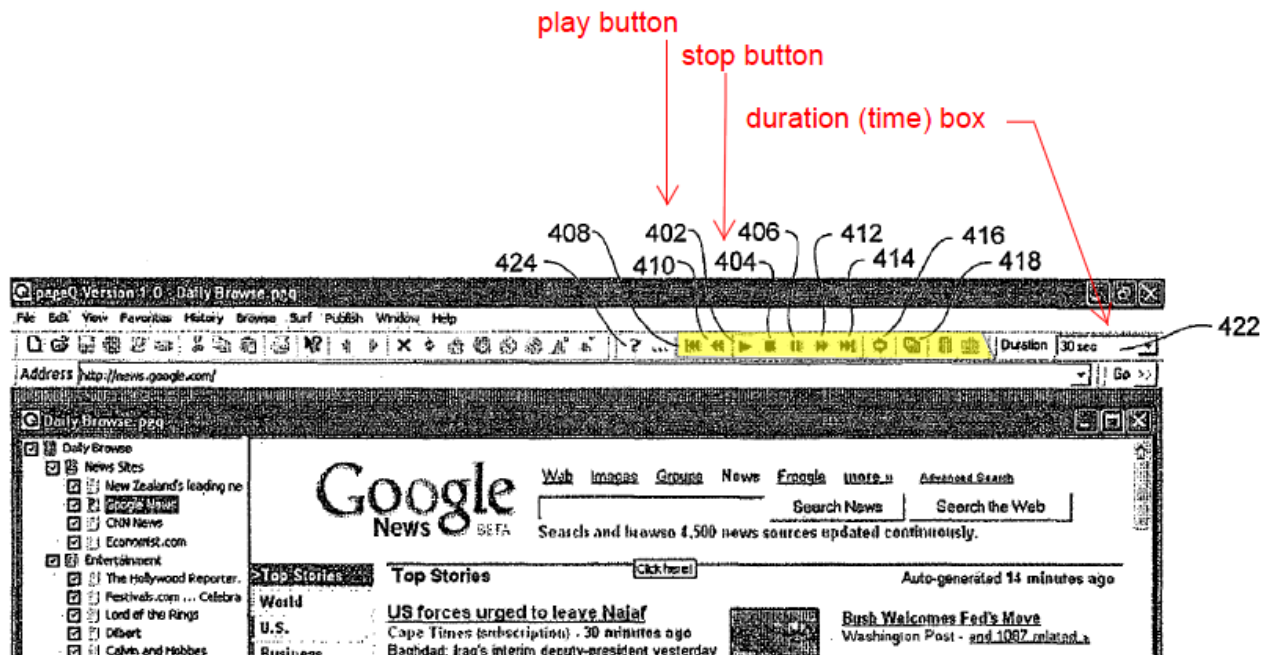
FIGURE 3

Figure 3 of the '694 patent, above, depicts browser window 304 including a display of the "GoogleNews" web page identified in a playlist of network addresses 302 and shown darkened in the panel on the left-hand side of the browser window.

The browser window may include also a control panel as shown in annotated Figure 4 from the '694 patent, reproduced in part below and enlarged for ease of viewing.

Partial Figure 4 of the '694 patent, above with annotations, illustrates a control panel, a portion of which is highlighted in yellow (no reference number), including for example, play button 402 and stop button 404. *See Id*. at 6:3–18. Also illustrated it "Duration" box 422, which conveys to the viewer a default time, "30 sec", for the web page to be displayed. *Id*. at 7:35–37.

D. Illustrative Claim

Of the challenged claims, claims 1, 7, 13, 20 and 28 are independent.[1] Each of dependent claims 2–6, 8–12, and 14–19 depend directly or indirectly from respective independent claims 1, 7, and 13. Claims 21–27 depend directly or indirectly from claim 20, and dependent claims 29–33 depend

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[1] As noted by Petitioner's Declarant, Dr. Greenspun, there is significant overlap and similarity across the independent claims. *See* Ex. 1010 ¶ 172. To this point, Patent Owner has confined its substantive arguments in its Preliminary Response to claim 1. *See* Prelim. Resp. 6–16 (Substantively arguing only claim 1 in Grounds 1 and 7.).

directly from independent claim 28. Claim 1 illustrates the claimed subject

matter and is reproduced below:

> 1. A computer device executing an Internet browser comprising:

> at least one browser window configured to display to a user at
> least one web page identified by one of a plurality of network
> addresses in computer memory, said network addresses
> representing a sequence;

> a playlist engine configured to retrieve user selected network
> address(es) from the sequence, and further configured to
> display, in the browser window, web pages corresponding to
> the user selected network addresses; and

> a control panel configured to enable a user to select for display
> in the browser window(s) at least one of the web pages
> corresponding to the user selected network address(es), the
> control panel having a play mode control which when selected
> by the user causes the playlist engine to retrieve successive
> addresses from the sequence in the absence of user selection
> and to display in the browser window web pages
> corresponding to the retrieved successive addresses, the web
> pages each displayed for one or more predefined durations;

> wherein the network addresses are associated with one or more
> duration values, the predefined duration for each web page
> specified by the associated duration value; and

> further comprising a timer configured to display, for at least one
> of the displayed web pages, the time remaining for the playlist
> engine to display the web page.

Ex. 1001, 15:55–16:13.

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