Filed: February 16, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD
GOOGLE INC. Petitioner
v.
BLACKBERRY LTD. Patent Owner
Patent No. 8,745,149

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,745,149

### TABLE OF CONTENTS

I.	INTR	ODUCTION	1		
II.	MANDATORY NOTICES				
III.	PAYMENT OF FEES				
IV.	GROUNDS FOR STANDING2				
V.	PRECISE RELIEF REQUESTED				
	A.	Proposed Grounds and Prior Art	2		
	B.	All Proposed Grounds Should Be Adopted	4		
VI.	LEVI	EL OF ORDINARY SKILL	6		
VII.	OVERVIEW OF THE '149 PATENT AND PRIOR ART				
	A.	The '149 Patent	7		
	B.	Prosecution History of the '149 Patent	7		
	C.	Graham	8		
	D.	Milton	9		
	E.	Toshio	9		
	F.	Deshpande	.10		
	G.	MacPhail	.10		
VIII.	CLAI	M CONSTRUCTION	.10		
IX.	DETAILED EXPLANATION OF GROUNDS				
	A.	Ground 1: Graham Renders Obvious Claims 1, 5, 7, 9, 13, 15, and 1			
		1. Claim 1	.13		
		2. Claim 5	.27		



	3. Claim 7	27
	4. Claim 9	29
	5. Claim 13	31
	6. Claim 15	31
	7. Claim 17	31
B.	Ground 2: <i>Graham</i> and <i>Milton</i> Render Obvious Claims 1 15, and 17	
	1. Claims 1, 9, 17	34
	2. Claim 5	41
	3. Claim 6	41
	4. Claim 7	41
	5. Claim 13	42
	6. Claim 14	42
	7. Claim 15	42
C.	Ground 3: <i>Graham</i> and <i>Toshio</i> Render Obvious Claims 1	
	1. Claims 1, 9 and 17	43
	2. Claim 2	51
	3. Claim 3	52
	4. Claim 4	52
	5. Claim 5	53
	6. Claim 10	53
	7. Claim 11	54
	8. Claim 12	54

### Petition for Inter Partes Review Patent No. 8,745,149

		9. Claim 13
	D.	Ground 4: Graham and MacPhail Render Obvious Claims 8 and 1654
		1. Claim 854
		2. Claim 1658
	E.	Ground 5: <i>Graham</i> , <i>Milton</i> , and <i>MacPhail</i> Render Obvious Claims 8 and 16
	F.	Ground 6: <i>Graham</i> , <i>Toshio</i> , and <i>MacPhail</i> Render Obvious Claims 8 and 16
	G.	Grounds 7-12: Combinations with <i>Deshpande</i> Render Obvious Claims 1-17 Under an Alternative Interpretation of the Instant Messaging Terms
Y	CON	ICLUSION 62



#### TABLE OF AUTHORITIES

	Page(s)
Cases	
KSR Int'l Co. v. Teleflex Inc., 550 U.S. 398 (2007)	passim
Liberty Mutual Ins. Co. v. Progressive Casualty Ins. Co., CBM2012-00003, Paper 7 (Oct. 25, 2012)	5
Regulations	
37 C.F.R. § 42.100(b)	10



# DOCKET

# 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.

