

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MLB ADVANCED MEDIA, L.P.,
Petitioner,

v.

FRONT ROW TECHNOLOGIES, LLC,
Patent Owner.

Case IPR2017-01127
Patent 8,583,027 B2

Before JUSTIN T. ARBES, MATTHEW R. CLEMENTS, and
TERRENCE W. McMILLIN, *Administrative Patent Judges*.

ARBES, *Administrative Patent Judge*.

FINAL WRITTEN DECISION
35 U.S.C. § 318(a)

I. BACKGROUND

Petitioner MLB Advanced Media, L.P. filed a Petition (Paper 2, “Pet.”) requesting *inter partes* review of claims 1, 3, 4, 7, 9, and 10 of U.S. Patent No. 8,583,027 B2 (Ex. 1001, “the ’027 patent”) pursuant to 35 U.S.C. § 311(a). On October 3, 2017, we instituted an *inter partes* review of all challenges raised in the Petition, namely, claims 1, 3, 4, 7, 9, and 10 on two grounds of unpatentability. Paper 9 (“Dec. on Inst.”); *see* Pet. 3. Patent Owner Front Row Technologies, LLC subsequently filed a Patent Owner Response (Paper 16, “PO Resp.”) and Petitioner filed a Reply (Paper 29). Patent Owner also filed a Motion to Amend (Paper 25, “Mot.”),¹ Petitioner filed an Opposition (Paper 28, “Opp.”), and Patent Owner filed a Reply (Paper 33, “Reply”). An oral hearing was held on May 21, 2018, and a transcript of the hearing is included in the record (Paper 41, “Tr.”).

We have jurisdiction under 35 U.S.C. § 6. This Final Written Decision is issued pursuant to 35 U.S.C. § 318(a). For the reasons that follow, we grant Patent Owner’s Motion to Amend to the extent it requests the cancellation of claims 1, 3, 4, 7, 9, and 10 of the ’027 patent, and deny the Motion to Amend with respect to proposed substitute claims 19–24.

A. The ’027 Patent

The ’027 patent discloses techniques for “remotely delivering sports and entertainment data to [handheld] devices” and “providing increased viewing opportunities for audiences within and external to venue environments, such as stadiums and concert arenas.” Ex. 1001, col. 2,

¹ Patent Owner refiled its Motion to Amend after the originally filed version was stricken. *See* Papers 18, 24.

ll. 2–7. The '027 patent states that “[m]ost modern stadiums and live entertainment facilities or arenas . . . typically employ large television screens that receive video images and are linked within the stadium to a plurality of television cameras positioned to capture video images at diverse locations within the stadium.” *Id.* at col. 2, ll. 13–19. However, audience members can only see one view on the screen, the screen may be far away, and the screen may show unwanted information (e.g., advertisements when the audience member would rather watch an instant replay). *Id.* at col. 2, ll. 29–55. “The audience members, therefore, essentially view the large screen at the behest of the camera operator and cannot select their own views or camera angles.” *Id.* at col. 2, ll. 55–58. The '027 patent attempts to solve these problems by providing on-demand video and other information to audience members’ wireless handheld devices. *Id.* at col. 4, ll. 10–22.

Figure 5 of the '027 patent is reproduced below.

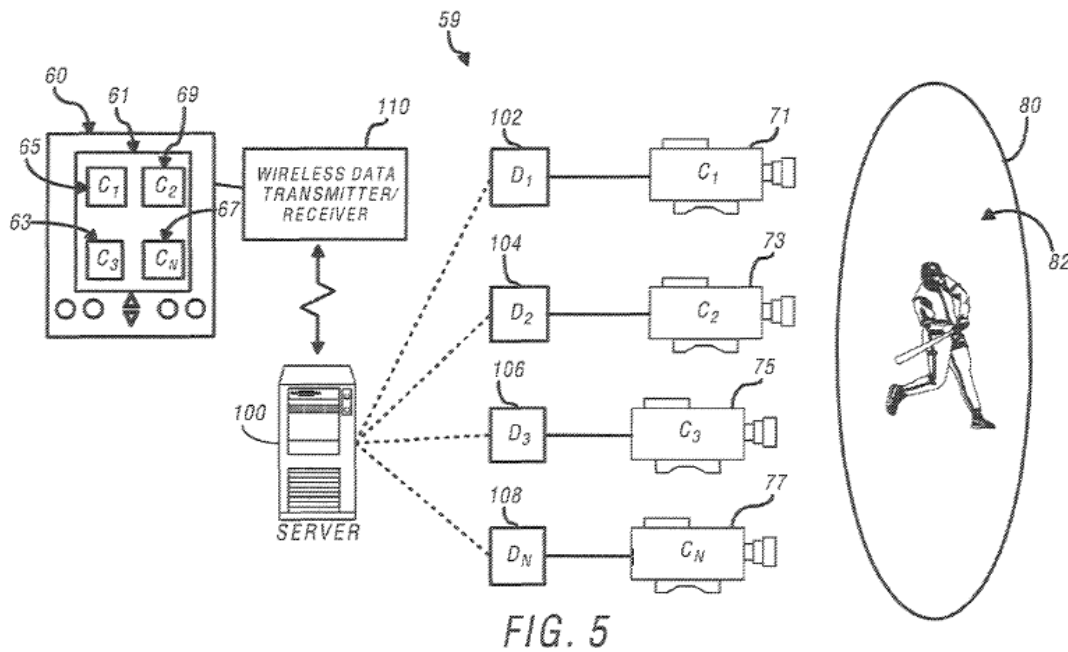


Figure 5 depicts “system 59 that provides multiple perspectives of activity at a venue 80 through a [handheld] device 60 adapted to receive and process real time video data.” *Id.* at col. 11, ll. 5–8. Real time video of baseball player 82 captured by cameras 71, 73, 75, and 77, past video data, and other data are provided wirelessly to handheld device 60. *Id.* at col. 11, ll. 5–52. The ’027 patent further describes determining the location of a user based on communications from the user’s device and authorizing the device to receive a service based on its location. *Id.* at col. 25, ll. 30–61.

B. Illustrative Claim

Claim 1 of the ’027 patent recites:

1. A method for authorizing access by a user of at least one service associated with an event at a venue based on a location of said user as determined by information derived from communication between a computing device in the form of a wireless handheld device carried and utilized by said user and assets of a data communications network, said method comprising:

determining a location of at least one user based on communications of at least one computing device comprised of a wireless handheld device utilized by said at least one user with said data communications network supporting data communications of said at least one computing device;

authorizing said at least one computing device to receive said at least one service based on said location as determined by said data communications network, wherein said at least one service includes streaming video accessed from a server wherein streaming video captured by at least one video camera operating within at least one entertainment venue is processed for delivery to subscribers of the at least one service and wherein said authorizing said at least one computing device further comprising preventing said at least one computing device from receiving said at least one service beyond or within a particular

geographic area based on said location determination by said data communication network.

C. Prior Art

The grounds of unpatentability in the instant *inter partes* review are based on the following prior art:

U.S. Patent No. 6,496,802 B1, filed July 13, 2000, issued Dec. 17, 2002 (Ex. 1032, “van Zoest”);

U.S. Patent Application Publication No. 2010/0122303 A1, filed Oct. 23, 2009, published May 13, 2010 (Ex. 1038, “Maloney”); and

U.S. Patent Application Publication No. 2002/0023010 A1, filed Mar. 20, 2001, provisional application filed Mar. 21, 2000, published Feb. 21, 2002 (Ex. 1028, “Rittmaster”).

D. Grounds of Unpatentability

The instant *inter partes* review involves the following grounds of unpatentability:

Reference(s)	Basis	Claims
Maloney	35 U.S.C. § 103(a) ²	1, 3, 4, 7, 9, and 10
Rittmaster and van Zoest	35 U.S.C. § 103(a)	1, 3, 4, 7, 9, and 10

² The Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284 (2011) (“AIA”), amended 35 U.S.C. §§ 103 and 112. Because the challenged claims of the ’027 patent have an effective filing date before the effective date of the applicable AIA amendments, we refer to the pre-AIA versions of 35 U.S.C. §§ 103 and 112.

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