

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ONE WORLD TECHNOLOGIES, INC.
d/b/a TECHTRONIC INDUSTRIES POWER EQUIPMENT,
Petitioner,

v.

THE CHAMBERLAIN GROUP, INC.,
Patent Owner.

Case IPR2017-01137
Patent 6,998,977 B2

Before JONI Y. CHANG, JUSTIN T. ARBES, and
JON M. JURGOVAN, *Administrative Patent Judges*.

CHANG, *Administrative Patent Judge*.

FINAL WRITTEN DECISION
35 U.S.C. § 318 (a) and 37 C.F.R. § 42.73

I. INTRODUCTION

One World Technologies, Inc. d/b/a Techtronic Industries Power Equipment (“Petitioner”) filed a Petition requesting an *inter partes* review of claims 1–11 and 22–25 (“the challenged claims”) of U.S. Patent No. 6,998,977 B2 (Ex. 1001, “the ’977 patent”) and a Declaration of Stuart Lipoff (Ex. 1008). Paper 2 (“Pet.”). The Chamberlain Group, Inc. (“Patent Owner”) filed a Preliminary Response. Paper 6 (“Prelim. Resp.”). Upon consideration of the Petition and Preliminary Response, we instituted the instant *inter partes* review as to claims 1–11 and 22–25. Paper 7 (“Dec.”).

Subsequent to institution, Patent Owner filed a Response (Paper 10, “PO Resp.”) and a Declaration of Nathaniel J. Davis IV, Ph.D. (Ex. 2001). Petitioner filed a Reply (Paper 14, “Reply”) and a second Declaration of Mr. Lipoff (Ex. 1014). A combined oral hearing with Case IPR2017-01132 was held on June 14, 2018, and a transcript has been entered into the record as Paper 29 (“Tr.”).

This Final Written Decision is entered pursuant to 35 U.S.C. § 318(a). For the reasons that follow, Petitioner has demonstrated by a preponderance of the evidence that claims 1–11 and 22–25 of the ’977 patent are unpatentable.

A. Related Matters

Petitioner also challenges claims 12–21 of the ’977 patent in Case IPR2017-01132. Petitioner indicates that the ’977 patent has not been asserted against Petitioner. Pet. 1. Petitioner also identifies other related proceedings—e.g., U.S. Patent Nos. 7,224,275 and 7,635,966 are involved in

The Chamberlain Group, Inc. v. Techtronic Industries Co. Ltd., Case No. 1:16-cv-06097 (N.D. Ill.). *Id.* at 1–2.

B. The '977 Patent

The '977 patent describes a method and an apparatus for monitoring a movable barrier (e.g., a garage door) over a network. Ex. 1001, 1:12–15.

Figure 3 of the '977 patent is reproduced below with color highlighting added by Petitioner (Pet. 5).

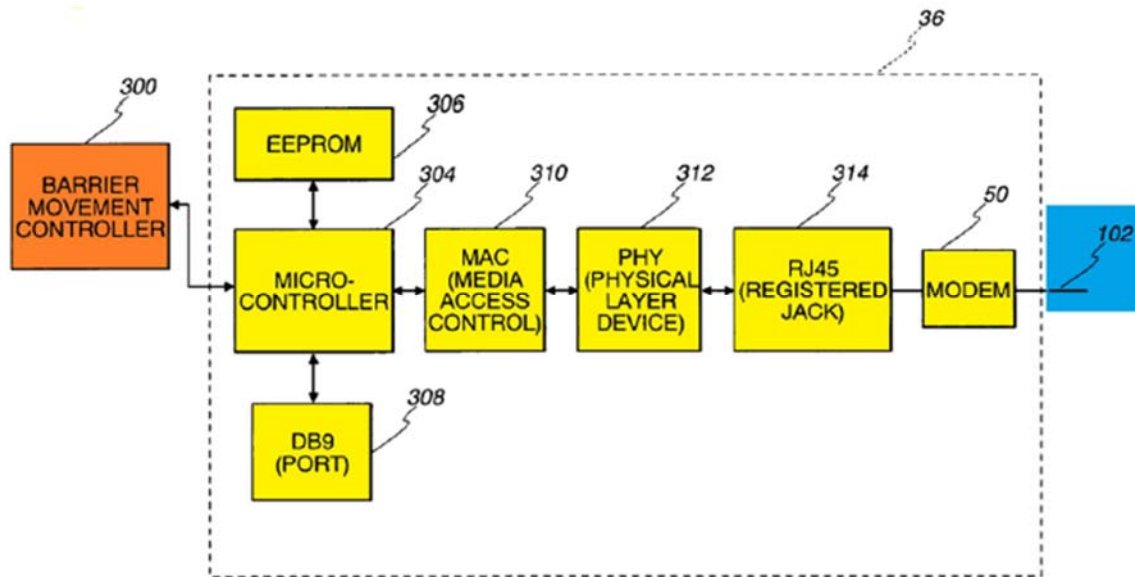


Figure 3 above illustrates a block diagram of a garage door operator connected to network 102. Ex. 1001, 3:36–43. Barrier movement controller 300 (in orange) controls the movement and/or position of the barrier (e.g., garage door). *Id.* at 3:9–12. Network interface 36 is connected to network 102 and coupled to controller 300, which provides network interface 36 with information regarding the status of the garage door operator, allowing an individual to receive the status of the garage door through network 102. *Id.*

at 3:20–35. Network interface 36 includes micro-controller 304, electrically erasable programmable read-only memory (EEPROM) 306, port 308, media access control layer 310, physical layer device 312, jack 314, and modem 50. *Id.* at 3:48–51, Fig. 3.

C. Illustrative Claims

Of the challenged claims, claims 1 and 22 are independent. Claims 2–11 depend, directly or indirectly, from claim 1, and claims 23–25 depend, ultimately, from claim 22. Claims 1 and 22 are illustrative:

1. An apparatus comprising:

a movable barrier operator including a controller for controlling movement of a movable barrier; and

a network interface electronically connected to the controller for connecting the controller to a network;

wherein the network interface responds to requests received on the network by sending a status of the movable barrier over the network and;

wherein the network interface receives a status change request from the network and the controller responds to the status change request by moving the barrier.

Ex. 1001, 5:5–15.

22. An apparatus comprising:

a barrier status monitor coupled to a movable barrier; and

a network interface electronically connecting the barrier status monitor to a network;

a controller coupled to the network interface and the moveable barrier;

wherein the network interface responds to network conveyed

requests by sending a status of the movable barrier over the network in response to a request for the status of the movable barrier; and

wherein the network interface receives a status change request from the network and the controller responds to the status change request by moving the barrier.

Id. at 6:27–39.

D. Prior Art Relied Upon

Petitioner relies upon the references listed below.

Menard	US 2002/0183008 A1	Dec. 5, 2002	(Ex. 1003)
--------	--------------------	--------------	------------

Lee	US 5,475,377	Dec. 12, 1995	(Ex. 1007)
-----	--------------	---------------	------------

Jacobs	US 5,467,266	Nov. 14, 1995	(Ex. 1010)
--------	--------------	---------------	------------

HOMERF SPECIFICATION REVISION 2.0 (HomeRF Working Group, Inc.) (May 7, 2001) (Ex. 1012, “the HomeRF v2.0 Specification”).

HOMERF SPECIFICATION REVISION 2.01 (HomeRF Working Group, Inc.) (July 1, 2002) (Ex. 1004, “the HomeRF v2.01 Specification”).¹

NETWORK DESIGN: PRINCIPLES AND APPLICATIONS, (Gilbert Held ed. 2000 CRC Press, LLC) (Ex. 1005, “Held”).²

¹ Petitioner refers to the two specifications together in its arguments. *See* Pet. 3, 71–74. We refer to the HomeRF v2.0 Specification and HomeRF v2.01 Specification collectively as “the HomeRF Specifications.”

² Citations to Held refer to the original page numbers, not the page numbers added by Petitioner.

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.