UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
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SECURUS TECHNOLOGIES, INC.,
Petitioner,

v.

GLOBAL TEL*LINK CORPORATION,
Patent Owner.
_____

Case IPR2017-01177
Patent 9,521,250 B2
_____

Before KEVIN F. TURNER, BARBARA A. BENOIT, and
GEORGIANNA W. BRADEN, *Administrative Patent Judges*.

TURNER, *Administrative Patent Judge*.

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

I. INTRODUCTION

Securus Technologies, Inc. ("Petitioner") filed a Petition for *inter partes* review of claims 1–20 of U.S. Patent No. 9,521,250 B2 (Ex. 1001, "the '250 Patent"). Paper 2 ("Pet."). Global Tel*Link Corporation ("Patent Owner") filed a Preliminary Response (Paper 6). We have jurisdiction under 35 U.S.C. § 314(a), which provides that an *inter partes* review may not be instituted "unless . . . the information presented in the petition . . . and any response . . . shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition."

Upon consideration of the Petition and the Preliminary Response, we conclude the information presented shows there is a reasonable likelihood that Petitioner would prevail in establishing the unpatentability of claims 1–20.

A. Related Matters

The '250 Patent is indicated as being the subject of a patent infringement lawsuit, brought by Patent Owner, captioned *Global Tel*Link Corp. v. Securus Techs., Inc.*, No. 3:16-cv-01338-K (N.D. Tex.). Pet. 67. Petitioner also lists currently-pending U.S. patent applications and issued U.S. patents that claim priority to one or more of the applications in the priority chain of the '250 Patent. *Id*.; *accord* Paper 4, 1–2; Paper 5, 1.

B. The '250 Patent

The '250 Patent relates to implementation of a speaker verification system to control access to a secure telephone call management system. Ex. 1001, Abstract. Figure 1 of the '250 Patent is reproduced below.
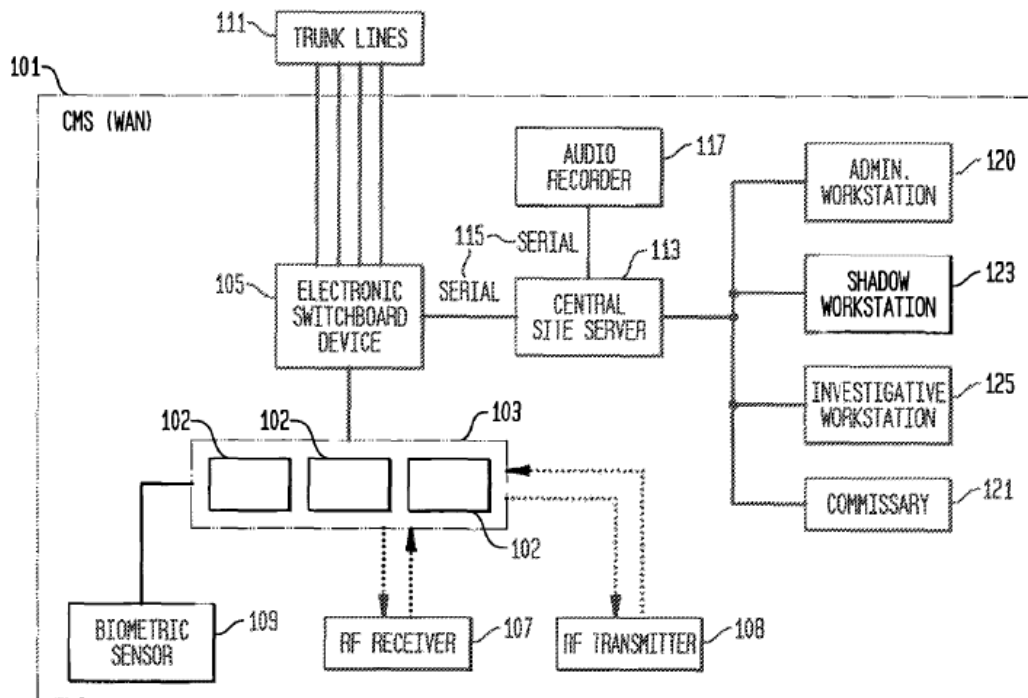
FIG. 1

Figure 1 is a schematic view of the call management system configured to operate on a wide area network. *Id.* at 16:42–44. The '250 Patent describes a "telephone call management system using improved identification means including biometric identification," such as through biometric sensor 109. *Id.* at 9:55–57, 18:65–19:4. The system includes means for identifying and authenticating the calling party, as well as the called party. *Id.* at 10:1–3, 12:56–57. This authentication may be accomplished by using a combination

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of biometric data and personal information to determine whether an unknown user attempting to access a telephone system is actually the same person as a known user who previously registered with the system. *Id.* at 48:46–64.

C. *Illustrative Claim*

Claims 1, 10, and 16 of the '250 Patent are independent. Claim 1 is illustrative of the claimed subject matter:

1. A system, comprising:
a database;
a control platform configured to:
  receive biometric data related to a user;
  store the biometric data in the database;
  receive identifying information related to the user; and
  store the identifying information in the database in correspondence with the biometric data of the user; and
an authentication module configured to:
  receive second biometric data related to a second user;
  receive second identifying information related to the second user;
  find in the database third identifying information that substantially matches the second identifying information received from the second user;
  retrieve from the database third biometric data associated with the third identifying information;
  compare the second biometric data received from the user with the third biometric data retrieved from the database; and
  authenticate the second user based on the comparison.

Ex. 1001, 54:11–32.

D. Asserted Grounds of Unpatentability

Petitioner contends that claims 1–20 of the '609 Patent are unpatentable based on the following grounds (Pet. 19–67):

Challenged Claims	Basis	Reference(s)
1–6 and 8–15	§ 103	Otto[1]
7 and 16–20	§ 103	Otto, Gainsboro[2], and San Martin[3]
7 and 16–20	§ 103	Otto and Hogg[4]

II. DISCUSSION

A. Claim Construction / Level of Ordinary Skill in the Art

In an *inter partes* review, claim terms in an unexpired patent are interpreted according to their broadest reasonable construction in light of the specification of the patent in which they appear. 37 C.F.R. § 42.100(b); *Cuozzo Speed Techs., LLC v. Lee*, 136 S. Ct. 2131, 2144–46 (2016). Under that standard, claim terms are presumed to be given their ordinary and customary meaning as would be understood by one of ordinary skill in the art in the context of the entire disclosure. *In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007). An inventor may provide a meaning for a

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[1] U.S. Patent No. 6,389,397 B1, filed December 23, 1998, issued May 14, 2002 (Ex. 1005, "Otto").
[2] U.S. Patent No. 5,655,013, filed August 2, 1995, issued August 5, 1997 (Ex. 1006, "Gainsboro").
[3] U.S. Patent No. 6,681,205 B1, filed December 17, 1999, issued January 20, 2004 (Ex. 1007, "San Martin").
[4] U.S. Publication No. 2008/0118042 A1, filed November 22, 2006, published May 22, 2008 (Ex. 1008, "Hogg").

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