

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BITDEFENDER INC.,
Petitioner,

v.

UNILOC USA, INC.,
Patent Owner.

Case IPR2017-01315
Patent 6,510,466 B1

Before MIRIAM L. QUINN, ROBERT J. WEINSCHENK, and
JESSICA C. KAISER, *Administrative Patent Judges*.

KAISER, *Administrative Patent Judge*.

DECISION
Partial Institution of *Inter Partes* Review
35 U.S.C. § 314 and 37 C.F.R. § 42.108

BitDefender Inc. (“Petitioner”) filed a Petition pursuant to 35 U.S.C. §§ 311–319 requesting an *inter partes* review of claims 1, 2, 7–9, 15–17, 22–24, 30, and 35–37 of U.S. Patent No. 6,510,466 B1, issued on January 21, 2003 (Ex. 1001, “the ’466 patent”). Paper 1 (“Pet.”). Uniloc USA, Inc. (“Patent Owner”)¹ filed a Preliminary Response. Paper 6 (“Prelim. Resp.”). Applying the standard set forth in 35 U.S.C. § 314(a), which requires demonstration of a reasonable likelihood that Petitioner would prevail with respect to at least one challenged claim, we grant Petitioner’s request and institute an *inter partes* review of claims 1, 2, and 7–9, but not of claims 15–17, 22–24, 30, and 35–37.

I. BACKGROUND

A. The ’466 Patent (Ex. 1001)

The ’466 patent relates to management of application programs on a network including a server supporting client stations. Ex. 1001, at [57]. The ’466 patent states that user mobility and hardware portability are provided by establishing a user desktop interface responsive to a user login request. *Id.* Responsive to a request from the user on the user desktop screen at the client, a selected application program is provided from the server to the client. *Id.*

Figure 1 of the ’466 patent is reproduced below.

¹ We note that the Preliminary Response identifies only Uniloc Luxembourg S.A. as the patent owner (Prelim. Resp. 1), but Patent Owner’s Mandatory Notice identifies both Uniloc USA, Inc. and Uniloc Luxembourg S.A. as Patent Owner in this case. Paper 4, 1. Petitioner states that the “’466 patent is owned by Uniloc Luxembourg, S.A., and exclusively licensed to Uniloc USA Inc.” Pet. 2.

FIG. 1

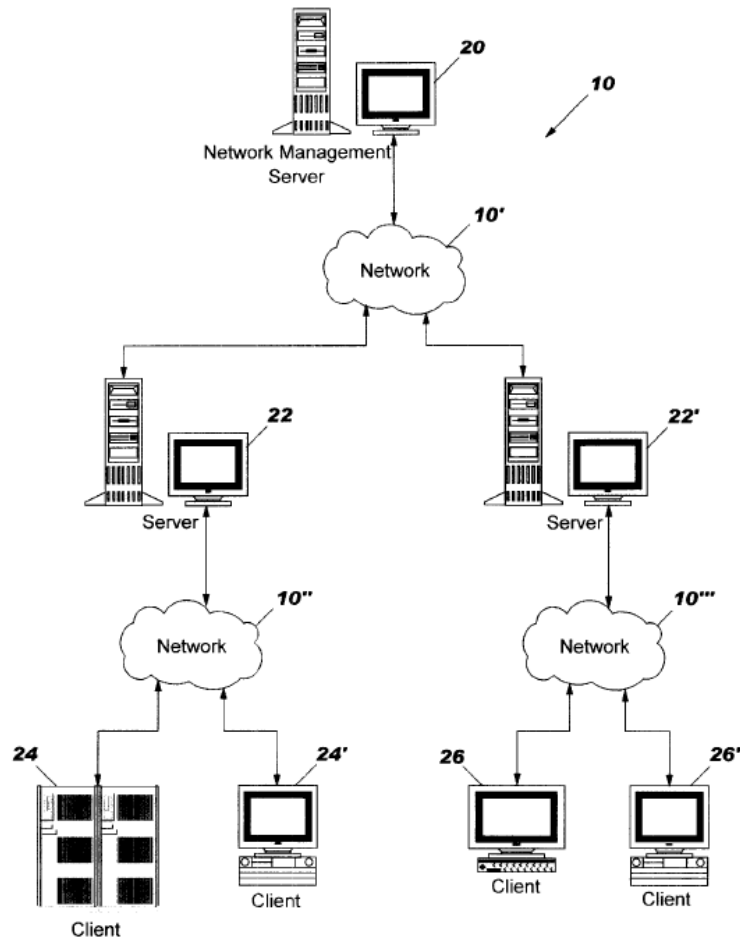


Figure 1 illustrates a computer network according to an embodiment of the invention. *Id.* at 6:57–60. In particular, network management server 20 is connected to on-demand servers 22 and 22' which are in turn connected to client stations 24 and 24' and 26 and 26' respectively. *Id.* at 6:60–7:6.

Figure 8 of the '466 patent is reproduced below.

FIG. 8

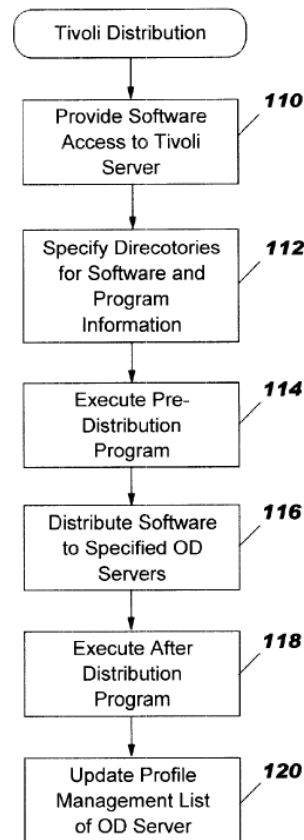


Figure 8 is a flowchart illustrating operations for application program distribution and execution in a network management server environment. *Id.* at 6:28–31. In particular, in block 110, an application program to be distributed is placed by a system administrator on a disk or storage device at a network management server such as a Tivoli server. *Id.* at 17:52–55. At block 112, the application program source and destination programs are specified, and a pre-distribution program is run (if specified) at block 114. *Id.* at 17:55–60. The application program is then distributed to the on-demand servers at block 116, and any specified after-distribution programs are executed at block 118. *Id.* at 17:60–18:7.

B. Illustrative Claims

Of the challenged claims, claims 1, 15, and 16 are independent claims. Claim 1 is directed to a method for management of application programs on a network including a server and a client; claim 15 is directed to an application program management system for managing the same; and claim 16 is directed to a computer program product for managing the same. Claim 15 is illustrative and is reproduced below.

15. An application program management system for managing application programs on a network including a server and a client comprising:

means for installing a plurality of application programs at the server;

means for receiving at the server a login request from a user at the client;

means for establishing a user desktop interface at the client associated with the user responsive to the login request from the user, the desktop interface including a plurality of display regions associated with a set of the plurality of application programs installed at the server for which the user is authorized;

means for receiving at the server a selection of one of the plurality of application programs from the user desktop interface; and

means for providing an instance of the selected one of the plurality of application programs to the client for execution responsive to the selection.

Id. at 22:57–23:8.

C. Related Proceedings

Petitioner and Patent Owner identify a related litigation in the Eastern District of Texas involving the '466 patent, titled *Uniloc USA, Inc. et al. v. BitDefender Holding BV et al.*, 2:16-cv-00394-RWS (E.D. Tex.). Pet. 2;

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