

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TRANSCORE, LP,
Petitioner

v.

AXCESS INTERNATIONAL, INC.,
Patent Owner

Case IPR2018-00048
Patent No. 7,286,158

PATENT OWNER'S PRELIMINARY RESPONSE

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

TABLE OF CONTENTS

I. INTRODUCTION	1
II. OVERVIEW OF THE '158 PATENT	2
A. Prosecution History	3
III. SUMMARY OF CITED REFERENCES	4
A. Clare	4
B. Vaios	6
C. Enright	7
IV. CLAIM CONSTRUCTION	8
A. “integrated remote monitoring services”	9
B. “RFID system”	12
C. “receiving and storing radio frequency identification (RFID) data from an RFID system at a remote facility of a subscriber”	12
D. “remote facility”	13
E. “receiving and storing video data from a video system at the facility”	13
F. “alert condition”	14
V. Level of Ordinary Skill in the Art	15
VI. THE BOARD SHOULD DENY GROUNDS A-D AGAINST ALL THE CHALLENGED CLAIMS.	16
A. Ground A Should be Denied.	16
1. Claim 1	16
2. Claim 2	26
3. Claim 3	26
5. Claim 5	27
6. Claim 8	27
7. Claim 9	28
8. Claim 10	28
9. Claim 11	29
10. Claim 12	29
B. Ground B Should be Denied	29
C. Ground C Should Be Denied	31
1. Claim 1	32
2. Claim 2	33

3. Claim 3.....	33
4. Claim 4.....	34
5. Claim 5.....	34
6. Claim 8.....	34
7. Claim 9.....	35
8. Claim 10.....	35
9. Claim 11.....	35
10. Claim 12.....	36
D. Ground D Should Be Denied.....	36
VII. CONCLUSION	37

EXHIBIT LIST

Exhibit	Description
Ex. 2001	Declaration of Allan R. Griebenow

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.107(a), patent owner Axxess International, Inc. (“Patent Owner”), submits this Preliminary Response to the Petition for *Inter Partes* Review (“Petition”) of U.S. Patent No. 7,286,158 (the “’158 Patent”) (Exhibit 1001 to Petition) filed by Transcore, LP (“Petitioner”). Petitioner challenges claims 1-5, 8-12, and 19-21 of the ’158 Patent based on four grounds. Ground A challenges claims 1-5 and 8-12 as obvious under 35 U.S.C. § 103 by U.S. Patent No. 5,745,036 to Clare (“Clare”) (Exhibit 1004 to Petition) in light of U.S. Patent No. 6,271,752 to Vaios (“Vaios”) (Exhibit 1005 to Petition). Ground B challenges claims 19-21 as obvious under 35 U.S.C. § 103 by Clare in light of European Patent Application No. 0 921 505 to Cox (“Cox”) (Exhibit 1006 to Petition). Ground C challenges claims 1-5 and 8-12 as obvious under 35 U.S.C. § 103 by Clare in light of U.S. Patent No. 6,583,813 to Enright *et al.* (“Enright”) (Exhibit 1007 to Petition). Ground D challenges claims 19-21 as obvious under 35 U.S.C. § 103 by Clare in view of itself.

All four grounds advanced by petitioner are based upon flawed assumptions and legal errors. For example, Petitioner relies on Clare as the primary reference for all four grounds. However, Clare does not disclose either “integrated remote monitoring services” or “receiving and storing video data from a video system at the facility,” and none of the secondary references remedy these defects. For example, the inventions disclosed in Clare do not “receiv[e] and stor[e] video from a video

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.