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Paper 21
Entered: November 19, 2018

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE LLC,
Petitioner,

v.

SEVEN NETWORKS, LLC,
Patent Owner.

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Case IPR2018-01051
Patent 9,516,127 B2

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Before THU A. DANG, JONI Y. CHANG, and
JACQUELINE T. HARLOW, *Administrative Patent Judges*.

CHANG, *Administrative Patent Judge*.

DECISION
Institution of *Inter Partes* Review
35 U.S.C. § 314(a)

IPR2018-01051
Patent 9,516,127 B2

I.   INTRODUCTION

Google LLC ("Petitioner") filed a Petition requesting an *inter partes* review of claims 10−23 ("the challenged claims") of U.S. Patent No. 9,516,127 B2 (Ex. 1001, "the '127 patent"). Paper 2 ("Pet."). The SEVEN Networks, LLC and CF SVN LLC (collectively, "Patent Owner") filed a Preliminary Response. Paper 9 ("Prelim. Resp."). Pursuant to our prior authorization, Petitioner filed a Reply (Papers 16, 17, "Reply") to the Patent Owner Preliminary Response as to the issue of whether Petitioner had named all of the real parties in interest, and Patent Owner file a Sur-Reply (Papers 18, 19, "Sur-Reply"). [1] The parties also filed Motions to Seal (Papers 15, 20) the un-redacted versions of their papers (Papers 16, 18) and certain exhibits and have agreed to the Revised Protective Order (Paper 15, Appendix A).

Under 35 U.S.C. § 314(a), an *inter partes* review may not be instituted unless the information presented in the petition "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." For the reasons stated below, we determine that there is a reasonable likelihood that Petitioner would prevail with respect to at least one challenged claim. We hereby institute *inter partes* review of all the challenged claims on all the grounds of unpatentability asserted in the Petition.

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[1] Both parties filed un-redacted and redacted versions of their papers. Our citations correspond to the un-redacted version of each paper.
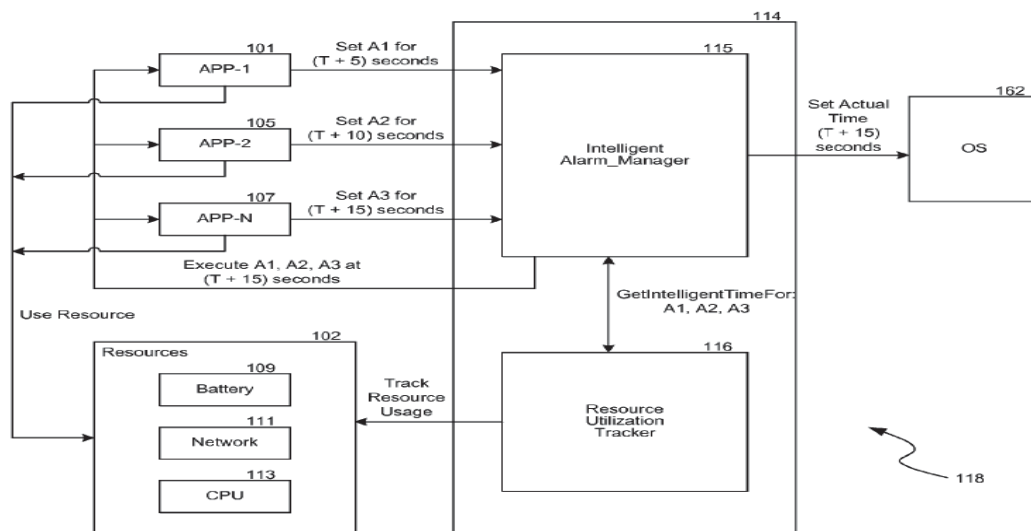
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A. *Related Matters*

The parties indicate that the '127 patent is involved in *Google LLC v. SEVEN Networks, LLC*, Case No. 3:17-cv-04600 (N.D. Cal.). Pet. 63; Paper 10, 1. The parties also list other related proceedings. Paper 10, 1−2.

B. *The '127 Patent*

The '127 patent claims priority to U.S. Provisional Application No. 61/805,070, which was filed on March 25, 2013. Ex. 1001 at [54], [60]. The '127 patent discloses a system and method "for tracking resources used by triggers such as alarms and timers that are used by mobile applications to schedule tasks and intelligently manipulating the timing of the triggers to optimize usage of resources." *Id.* at Abstract.

Figure 1A-1 of the '127 patent is reproduced below.

FIG. 1A-1

Figure 1A-1 of the '127 patent illustrates an example resource utilization tracking and intelligent alarm management of triggers across

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multiple applications on a mobile device. *Id*. at 5:15−20. In particular, Figure 1A-1 shows intelligent alarm manipulator and resource tracker module 114 having intelligent alarm manger 115 and resource utilization tracker 116. *Id*. Applications 101, 105, and 107 are applications of a mobile device, which can set alarms for different times to perform different tasks. *Id*. at 5:24−26. Alarms A1, A2, and A3 are intercepted and/or tracked by intelligent alarm manger 115, and they use resources 102, including battery 109, network 111, and CPU 113. *Id*. at 5:29−33. Resource utilization tracker 116 tracks or monitors the usage of various resources by alarms A1, A2, and A3, or tasks triggered by the alarms. *Id*. at 5:33−36. For example, assuming that alarm A1 wakes up the mobile device from the sleep mode, when alarm A1 is triggered, the mobile device's battery/power resource and CPU resource can be utilized. *Id*. at 5:36−39.

C. Illustrative Claim

OF the challenged claims, claims 10 and 17 are independent. Claims 11−16 depend from claim 10. Claims 18−23 depend from clam 17. Claim 10 is illustrative:

> 10. A mobile device, comprising:
>
> a memory;
>
> a processor in communication with the memory and configured to execute instructions stored in the memory to:
>
>> enter a power save mode based on a backlight status and sensed motion of a mobile device;
>>
>> delay a timing of one or more triggers for multiple applications on the mobile device,

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> wherein the timing is delayed such that the triggers execute within a window of time,
>
> wherein at least a subset of the triggers are associated with wakelocks; and
>
> exit the power save mode when the backlight of the mobile device turns on or motion of the mobile device is sensed.

Ex. 1001, 24:26–41.

D. Prior Art Relied Upon

Petitioner relies upon the references listed below (Pet. 4–6).

Reference		Exhibit
Giaretta	US 9,264,868 B2, issued Feb. 16, 2016 (filed Nov. 3, 2011)	1004
Lando	US 2008/0242370 A1, published Oct. 2, 2008	1005
Sengottaiyan	EP 2 343 930 A2, published July 13, 2011	1006
Lin	US 9,474,022 B2, issued Oct. 18, 2016 (filed Dec. 2, 2013; claimed priority to Chinese Application No. 2012 1 0507375, filed Nov. 30, 2012)	1007
Black	US 2010/0274507 A1, published Oct. 28, 2010	1008
Felker[2]	"Reminding the User with AlarmManager" in *Android Application Development for Dummies*, Chapter 13, pages 291–302 (Wiley Publishing, Inc. 2001)	1035

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[2] On this record, Petitioner has made a threshold showing that Felker is a printed publication under § 102(a)(1). Pet. 5–6; Ex. 1035, 1, 3; Ex. 1037

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