

Docket No. 1202549-0005

Filed on behalf of American Express Travel Related Services Company, Inc.

By: David M. Tennant, Reg. No. 48,362

White & Case LLP

701 Thirteenth Street, NW

Washington, DC 20005

Tel: (202) 626-3684

Email: dtennant@whitecase.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

American Express Travel Related Services Company, Inc.
Petitioner

v.

William Grecia
Patent Owner

Case No. Unassigned

**PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,533,860
UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. §§ 42.1-9-, 42.100-.123**

Claims 1-30

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	MANDATORY NOTICES	1
	A. Real Party-in-Interest	1
	B. Related Matters.....	1
	C. Notice of Counsel and Service Information.....	3
III.	CERTIFICATION OF GROUNDS FOR STANDING	3
IV.	OVERVIEW OF CHALLENGE AND RELIEF REQUESTED	4
	A. Prior Art.....	4
	B. Grounds for Challenge	5
V.	OVERVIEW OF THE '860 PATENT	5
	A. Priority Date of the '860 Patent.....	5
	B. The '860 Patent	6
VI.	OVERVIEW OF THE PRIOR ART	7
	A. Levy.....	7
	B. SAML.....	11
VII.	PERSON HAVING ORDINARY SKILL IN THE ART	11
VIII.	CLAIM CONSTRUCTION	12
	A. “verified web service”	13
	B. “metadata of the digital content”	13
IX.	SPECIFIC GROUNDS FOR PETITION	14
	A. Ground I: Claims 1-30 are anticipated by Levy.....	14

1. **Claim 1**14

(a) **Preamble:** “A method for authorizing access to digital content using a cloud system, the cloud system comprising connected modules in operation as one or more of a cloud computing or a cloud storage in connection with devices and users, wherein the digital content is at least one of encrypted or not encrypted, the method facilitating access rights between a plurality of data processing devices, the method comprising”14

(b) **Element [1.A.1]:** “receiving a digital content access request from at least one communications console of the plurality of data processing devices”19

(c) **Element [1.A.2]:** “[i] the access request being a read or write request of metadata of the digital content, [ii] wherein the read or write request of metadata is performed in connection with a combination of at least one device and the cloud system”22

(d) **Element [1.A.3]:** “the request comprising a verification token provided by a first user corresponding to the digital content, wherein the verification token is one or more of a password, e-mail address, payment system, credit card, authorize ready device, rights token, or one or more redeemable instruments of trade”22

(e) **Element [1.B]:** “authenticating the verification token”26

(f) **Element [1.C]:** “establishing a connection with the at least one communications console wherein the communications console is a combination of a graphic user interface (GUI) and an Application Programmable Interface (API) protocol, wherein the API is related to a verified web service, the

verified web service capable of facilitating a two way data exchange session to complete a verification process wherein the data exchange session comprises at least one identification reference”28

(g) **Element [1.D]:** “*requesting the at least one identification reference from the at least one communications console, wherein the identification reference comprises one or more of a verified web service account identifier, letter, number, rights token, e-mail, password, access time, serial number, address, manufacturer identification, checksum, operating system version, browser version, credential, cookie, or key,*”32

(h) **Element [1.E]:** “*receiving the at least one identification reference from the at least one communications console,*”35

(i) **Element [1.F]:** “*writing at least one of the verification token or the identification reference into the metadata.*”35

2. Claim 238

(a) **Element [2.A]:** “*The method according to claim 1, wherein the access request being a request from the first user through a data processing device of the plurality of data processing devices.*”38

(b) **Element [2.B]:** “*wherein the access request being a request from one or more secondary users in network to the first user; wherein the secondary users are validated by a membership web service.*”38

3. Claim 339

4. Claim 440

5. **Claim 5**41
6. **Claim 6**42
7. **Claim 7**43
8. **Claim 8**44
9. **Claim 9**45

- (a) **Preamble:** “A system [i] for authorizing access to digital content using a worldwide cloud system infrastructure, the worldwide cloud system infrastructure comprising connected modules in operation as computing and storage, the computing and storage comprising a server, a database, devices and users, wherein the digital content is at least one of encrypted or not encrypted, the system facilitating access rights between a plurality of data processing devices, [ii] the system working as a front-end agent for access rights authentication between the plurality of data processing devices, the system further comprising”45
- (b) **Element [9.A.1]:** “a first receipt module, the first receipt module receiving a digital content access request from at least one communications console of the plurality of data processing devices”46
- (c) **Element [9.A.2]:** “the access request being a read or write request of metadata of the digital content, wherein the read or write request of metadata is performed in connection with a combination of a device, the server, the database and the cloud system, the metadata further comprises one or more of a software or contents of a web page”47
- (d) **Element [9.A.3]:** “the request comprising a verification token provided by a user corresponding to the digital content, wherein the

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.