

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DELL INC., ZTE (USA) INC., and ZTE CORPORATION,
Petitioner,

v.

3G LICENSING S.A.,
Patent Owner.

IPR2020-01157
Patent 7,274,933 B2

Before TERRENCE W. McMILLIN, AMANDA F. WIEKER, and
RUSSELL E. CASS, *Administrative Patent Judges*.

CASS, *Administrative Patent Judge*.

DECISION
Granting Institution of *Inter Partes* Review
35 U.S.C. § 314

I. INTRODUCTION

A. Background

Dell Inc., ZTE (USA) Inc., and ZTE Corporation (“Petitioner”) filed a Petition requesting an *inter partes* review of claims 1–4, 6–9, 11–14, and 19 (the “challenged claims”) of U.S. Patent No. 7,274,933 B2 (Ex. 1001, “the ’933 patent”). Paper 4 (“Pet.”). 3G Licensing S.A. (“Patent Owner”) filed a Preliminary Response. Paper 8 (“Prelim. Resp.”). With our authorization (Paper 9), Petitioner filed a Preliminary Reply (Paper 10, “Prelim. Reply”) and Patent Owner filed a Preliminary Sur-reply (Paper 11, “Prelim. Sur-reply”).

We have authority to determine whether to institute an *inter partes* review, under 35 U.S.C. § 314 and 37 C.F.R. § 42.4. An *inter partes* review may not be instituted unless it is determined that “the information presented in the petition filed under section 311 and any response filed under section 313 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.” 35 U.S.C. § 314 (2018); *see also* 37 C.F.R. § 42.4(a) (“The Board institutes the trial on behalf of the Director.”).

For the reasons provided below and based on the record before us, we determine that Petitioner has demonstrated a reasonable likelihood that Petitioner would prevail in showing the unpatentability of at least one of the challenged claims. Accordingly, we institute an *inter partes* review on all grounds set forth in the Petition.

B. Real Parties in Interest

Petitioner states that “Dell Inc., ZTE (USA) Inc., and ZTE Corporation (collectively, ‘Petitioners’), as well as Dell Marketing L.P., Dell

Products L.P., Denali Intermediate Inc., and Dell Technologies Inc.” are the real parties in interest. Pet. 68.

Patent Owner states that 3G Licensing S.A. is the real party in interest. Paper 5, 1.

C. Related Proceedings

The parties identify the following matters related to the '933 patent:

Sisvel Int'l S.A. et al. v. Dell Inc., No. 1:19-cv-1247 (D. Del.);

Sisvel Int'l S.A. et al. v. ZTE (USA), Inc. et al., No. 3:19-cv-1694

(N.D. Tex.);

Sisvel Int'l S.A. et al. v. AnyDATA Corp., No. 1:19-cv-1140 (D. Del.);

Sisvel Int'l S.A. et al. v. Verifone, Inc., No. 1:19-cv-1144 (D. Del.);

Sisvel Int'l S.A. et al. v. Blu Products, Inc., No. 1:20-cv-20813 (S.D.

Fl.);

IPR2020-01158, challenging U.S. Patent No. 7,460,868;

IPR2020-01159, challenging U.S. Patent No. 7,596,375;

IPR2020-01160, challenging U.S. Patent No. 8,275,374; and

IPR2020-01162, challenging U.S. Patent No. 8,948,756.

Pet. 68–69; Paper 5, 1–2.

D. The '933 Patent (Ex. 1001)

The '933 patent “relates generally to mobile stations and home network name displaying methods.” Ex. 1001, 1:18–19, 3:31–32.

The '933 patent explains that wireless mobile stations communicate through “a plurality of base stations, each of which provides near-exclusive communication coverage within a given geographic area.” *Id.* at 1:25–28.

“Although different networks are available, a mobile station automatically selects and registers with its home communication network (i.e.,) the

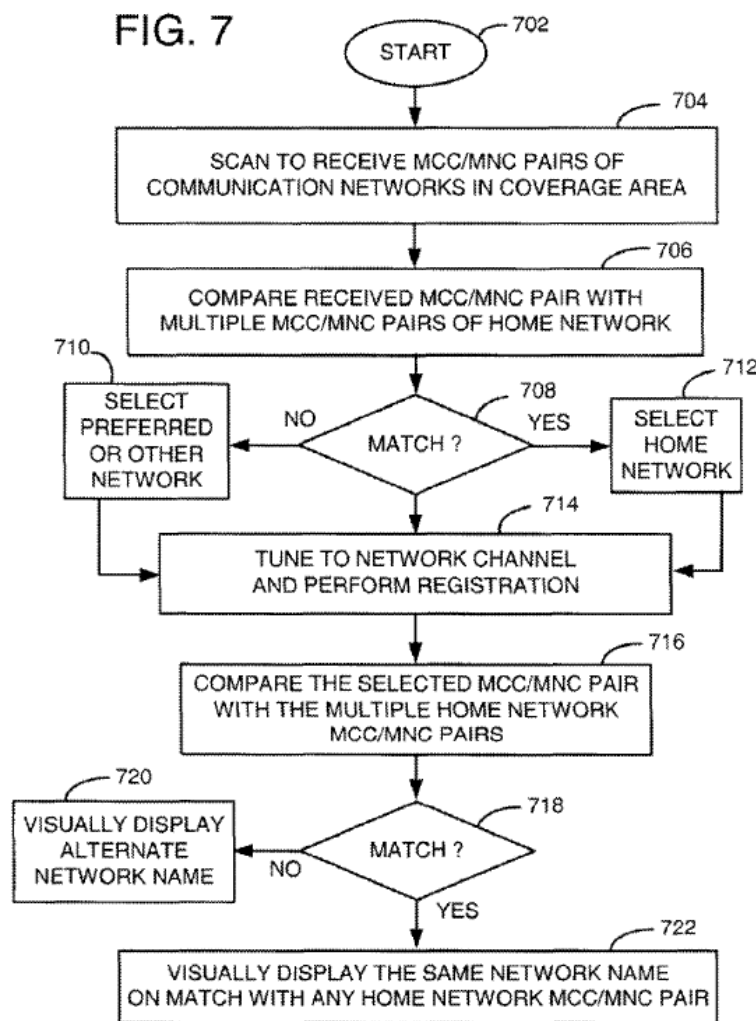
network of the contracted service provider) for operation.” *Id.* at 1:34–37. When connecting to a network, the ’933 patent explains, “the mobile station receives a Mobile Country Code (MCC) and a Mobile Network Code (MNC) from each network and operates with a preference towards choosing that network having the MCC/MNC pair uniquely associated with the home network.” *Id.* at 1:37–41. However, in an area in which the home service provider lacks a network infrastructure, the mobile device may connect to “a different network associated with an MCC/MNC pair different from that of the home network,” which may “incur additional service charges (e.g., [‘roaming’ charges])” to the user. *Id.* at 1:58–1:65.

Additionally, the ’933 patent explains that a service provider may enter into a “cooperative network relationship” with other providers in a different area. *Id.* at 2:1–3. In such a case, roaming charges are not incurred when a subscriber connects to the cooperative network. *Id.* However, despite the cooperative relationship, “a service provider name different from that of the home network is displayed on the mobile station. This may be confusing to a subscriber who may believe that, for example, roaming charges are being incurred due to use of the alternative network when in fact they are not.” *Id.* at 2:3–8. To avoid this confusion, the ’933 patent describes an alternative naming technique called “Enhanced Operator Named String,” in which “instead of displaying a name that is different from that of the home network . . . the same or substantially similar ‘home network’ name may be displayed even though a different network is actually being used.” *Id.* at 2:8–19.

The ’933 patent also describes a situation in which a “service provider becomes the new owner of one or more networks which have MCC/MNC

pairs different from that of the primary home network's" MCC/MNC pair. *Id.* at 2:23–26. In such a situation, the “mobile station might be provided with multiple MCC/MNC pairs corresponding to all of these ‘home’ networks, and operate to preferentially select and register with these networks over others.” *Id.* at 2:26–29. Again, however, “the name displayed on the mobile station may not correspond to the home network [name],” leading to confusion. *Id.* at 2:29–32. Accordingly, the '933 patent seeks to provide an improved method for displaying a home network name. *Id.* at 2:33–39.

Figure 7 of the '933 patent is reproduced below.



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