UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SONY INTERACTIVE ENTERTAINMENT LLC
Petitioner

v.

BOT M8 LLC
Patent Owner

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Case No. IPR2020-01218
U.S. Patent No. 8,095,990

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**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 8,095,990**

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I. INTRODUCTION

Petitioner Sony Interactive Entertainment LLC requests *Inter Partes* Review

("IPR") of Claims 1-10 of U.S. Patent No. 8,095,990 (the "'990 Patent"). *'990*

Patent (Ex. 1001).

II. SUMMARY OF THE '990 PATENT

A. Description of the alleged invention of the '990 Patent

The '990 Patent describes a "gaming machine" that can "authenticate and load

gaming information stored in a portable storage medium." *'990 Patent*, 1:18-23. To

do this, it proposes using various "authentication" programs to verify the integrity

of the data, such as highlighted in Figure 1 below:

FIG. 1
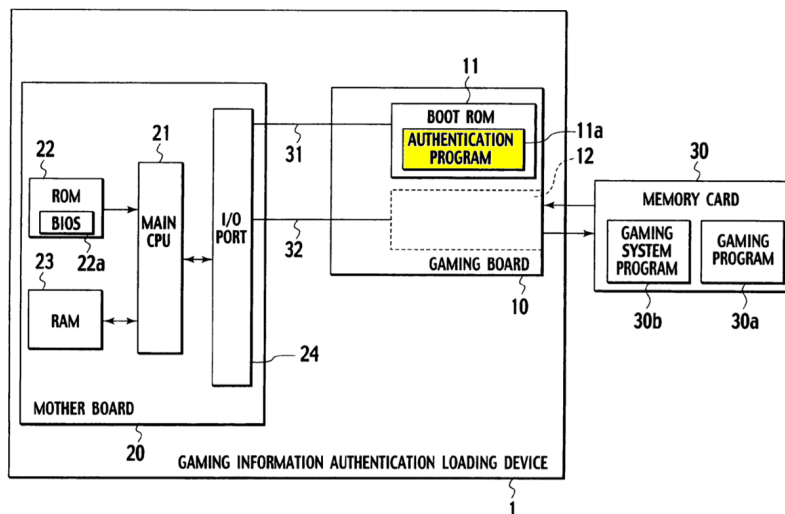
Id., Fig. 1.

B. Summary of the prosecution of the '990 Patent

The application that issued as the '990 Patent was filed on April 19, 2006, and claims priority to two Japanese Applications, both filed on April 25, 2005.[1] *Id.*

Following multiple rejections, Applicant amended the claims to add the following limitation: "a removable storage medium storing therein gaming information including a mutual authentication program." Ex. 1002 (8/23/11 Claim Amendment) at 410. The patent then issued. *Id.* at 423.

C. Level of skill of a person having ordinary skill in the art

A person having ordinary skill in the art ("PHOSITA") in April 2005 would have the equivalent of at least an undergraduate degree in computer science, computer engineering, electrical engineering, or a similar technical field, and with one or more years of work experience in the field of computer hardware and/or software authentication or verification. Additional education may substitute for less work experience and vice versa. *See* Ex. 1003, *Declaration of Andrew Wolfe ("Wolfe Decl.")*, ¶¶46-48.

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[1] For purposes of this Petition only, Petitioner does not contest this priority claim.

III. REQUIREMENTS FOR INTER PARTES REVIEW UNDER 37 C.F.R. §42.104

A. Grounds for standing under 37 C.F.R. §42.104(a)

Petitioner certifies that the '990 Patent is available for IPR and that the Petitioner is not barred or estopped from challenging the claims of the '990 Patent.

B. Identification of challenge under 37 C.F.R. §42.104(b) and relief requested

IPR should be instituted, and Claims 1-10 of the '990 Patent ("Challenged Claims") should be found unpatentable and cancelled based on the following statutory rejections. 37 C.F.R. §42.104(b)(1)-(2).

Proposed Grounds of Unpatentability	Exhibits
Ground 1: Claims 1, 5, and 9 are **obvious** under §103(a) in view of Publ. No. US 2005/0009599 ("*Ryan*") (and incorporated by reference Publ. No. US 2003/0195033 ("*Gazdic*")) (collectively, "*Gazdic/Ryan*") alone or in view of *Diamant*.	1008, 1009, 1006
Ground 2: Claims 4, 8, 9 and 10 are **obvious** under §103(a) over *Gazdic/Ryan* in view of *Diamant* and *Alcorn*.	1008, 1009, 1006, 1007
Ground 3: Claims 2-3 and 6-7 are **obvious** under §103(a) over *Gazdic/Ryan* in view of *Diamant*, *Alcorn*, and Publ. No. 2004/00198496 ("*Gatto*")	1008, 1009, 1006, 1007, 1027
Ground 4: Claims 1, 5, and 9 are **obvious** under §103(a) in view of U.S. Patent No. 6,394,905 ("*Takeda*") and Publ. No. US 2006/0101310 ("*Diamant*")	1005, 1006

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