

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

FLYPSI, INC.,
Patent Owner.

IPR2023-00357
Patent 11,218,585 B2

Before ROBERT J. WEINSCHENK, JAMES J. MAYBERRY, and
MICHAEL T. CYGAN, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

JUDGMENT
Final Written Decision
Determining All Challenged Claims Unpatentable
35 U.S.C. § 318(a)

I. INTRODUCTION

A. *Background and Summary*

Google LLC (“Petitioner”) filed a Petition (Paper 1, “Pet.”) requesting an *inter partes* review of claims 1–4 (“the challenged claims”) of U.S. Patent No. 11,218,585 B2 (Ex. 1001, “the ’585 patent”). Flypsi, Inc. (“Patent Owner”) filed a Preliminary Response (Paper 6, “Prelim. Resp.”) to the Petition. We instituted an *inter partes* review of the challenged claims on July 31, 2023. Paper 9 (“Dec. on Inst.”), 21. After institution, Patent Owner filed a Response (Paper 21, “PO Resp.”) to the Petition, Petitioner filed a Reply (Paper 24, “Pet. Reply”) to the Response, and Patent Owner filed a Sur-reply (Paper 26, “PO Sur-reply”) to the Reply. We held an oral hearing on May 7, 2024, and a transcript of the hearing is included in the record. Paper 32 (“Tr.”).

For the reasons set forth below, Petitioner has shown by a preponderance of the evidence that claims 1–4 of the ’585 patent are unpatentable.

B. *Real Parties in Interest*

The parties identify themselves as the only real parties in interest. Pet. 1; Paper 12, 2.

C. *Related Matters*

The parties indicate that the ’585 patent is the subject of the following district court cases: 1) *Flypsi, Inc. (d/b/a Flyp) v. Google LLC*, No. 6:22-cv-00031 (W.D. Tex.); and 2) *Flypsi, Inc. (d/b/a Flyp) v. Dialpad, Inc.*, No. 6:21-cv-00642 (W.D. Tex.). Pet. 1; Paper 12, 2. The parties also indicate that patents related to the ’585 patent are the subject of petitions for *inter partes* review in IPR2022-01048, IPR2022-01049, IPR2022-01050,

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IPR2022-01051, IPR2023-00358, IPR2023-00359, IPR2023-00360, and
IPR2023-00361. Pet. 2; Paper 12, 2–3.

D. The '585 Patent

The '585 patent relates to “providing telephone service by transmitting call handling information between a handset and a switch using an [Internet Protocol (‘IP’)] channel or similar protocol channel and by transmitting a voice call associated with the call handling information between the handset and the switch using a voice channel.” Ex. 1001, 1:55–64. Figure 3 of the '585 patent is reproduced below.

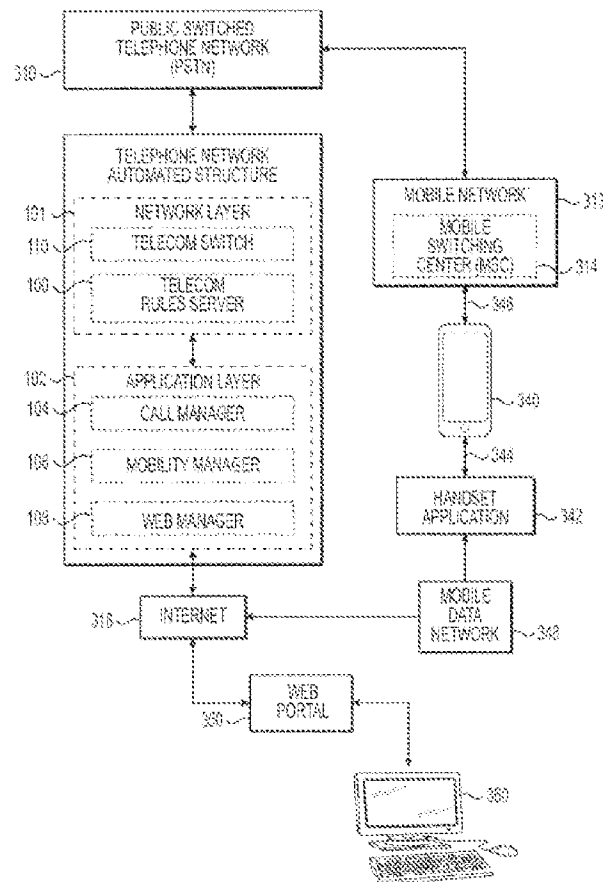


FIG. 3

Id. at Fig. 3. Figure 3 shows server 100 and telephone handset 340. *Id.* at 4:27–32. According to the '585 patent, server 100 and handset 340 may

communicate via Internet 316 (i.e., a data channel) and via Public Switched Telephone Network (“PSTN”) 310 (i.e., a voice channel). *Id.* at 4:49–60.

The ’585 patent explains that handset 340 transmits information to server 100 via Internet 316 requesting that one or more secondary telephone numbers be associated with the primary telephone number assigned to handset 340 at activation. *Id.* at 5:11–22. To place an outgoing call, handset 340 transmits information to server 100 via Internet 316 selecting one of the aforementioned secondary numbers as the origination number and selecting a contact number to be called. *Id.* at 7:42–58. In response, server 100 transmits a bridge number to handset 340 via Internet 316. *Id.* at 7:59–8:2. Handset 340 then calls the bridge number via PSTN 310, and switch 110 connects the outgoing call from handset 340 to the contact number via PSTN 310. *Id.* at 8:21–38. Switch 110 sends information to the contact number that “causes the secondary telephone number [of handset 340] to be displayed as the number from which the call appears to have been placed.” *Id.* at 8:38–42.

E. Illustrative Claim

Of the challenged claims, claim 1 is independent and is reproduced below.

1. A method of providing telephone service, comprising:
 - automatically storing electronic information that indicates an association of a secondary telephone number and a primary telephone number with a mobile device in a computer memory associated with a server;
 - automatically transmitting information that indicates an access telephone number to the mobile device via a data channel;

automatically associating a primary telephone number and access telephone number pairing with a corresponding secondary telephone number and contact telephone number pairing in the computer memory;

receiving, at a switch associated with the server, an outgoing call from the mobile device to the access telephone number via a second channel;

receiving, at the server, information from the switch indicating the outgoing call is being made to the access telephone number from the primary telephone number; and

receiving, at the switch, information from the server directing the switch to:

(a) connect the outgoing call to the contact telephone number of the secondary telephone number and contact telephone number pairing, and

(b) identify a telephone number from which the outgoing call is being made as the secondary telephone number.

Ex. 1001, 10:14–40.

F. Evidence

Petitioner submits the following evidence:

Evidence	Exhibit No.
Declaration of Dr. Bill Lin (“Lin Declaration”)	1002
Backhaus, US 2013/0295892 A1, published Nov. 7, 2013 (“Backhaus”)	1005
Taylor, US 2009/0052437 A1, published Feb. 26, 2009 (“Taylor”)	1007
Saksena, US 2006/0077956 A1, published Apr. 13, 2006 (“Saksena”)	1008

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