

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GLOBAL TEL*LINK CORPORATION,
Petitioner

v.

SECURUS TECHNOLOGIES, INC.,
Patent Owner

Case IPR2017-01436
Patent No. 8,340,260

**PETITION FOR *INTER PARTES* REVIEW OF CLAIMS 2, 5, 8, 9, 11, 12,
AND 14-18 OF U.S. PATENT NO. 8,340,260**

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EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 8,340,260 to Rae, <i>et al.</i> , issued December 25, 2012
1002	Declaration of Dr. Leonard J. Forys in Support of Petition for <i>Inter Partes</i> Review of U.S. Patent No. 8,340,260
1003	Dr. Leonard J. Forys Curriculum Vitae
1004	SR-4717, “Voice Over Packet in Next Generation Networks: An Architectural Framework” by Bellcore
1005	U.S. Patent No. 7,333,798 to Hodge, issued February 19, 2008
1006	U.S. Patent No. 6,831,556 to Boykin, issued December 14, 2014
1007	U.S. Patent No. 5,861,810 to Nguyen, issued January 19, 1999
1008	“Criminal Calls: A Review of the Bureau of Prisons’ Management of Inmate Telephone Privileges” (U.S. Department of Justice, Office of the Inspector General, August 1999)
1009	<i>Securus Technologies, Inc. v. Global Tel*Link Corporation</i> , No. 3-16-cv-01338, Complaint (N.D. Tex. May 13, 2016)
1010	U.S. Patent No. 4,054,756 to Comella, <i>et al.</i> , issued October 18, 1977
1011	PacketCable™ 1.0 Architecture Framework Technical Report, PKT-TR-ARCH-V01-991201 (Cable Television Laboratories, Inc. 1999)
1012	Bur Goode, Voice Over Internet Protocol (VoIP), Proceedings of the IEEE, Vol. 90, No. 9, 1495-1517 (Sept. 2002)
1013	U.S. Patent No. 7,899,167 to Rae, issued March 1, 2011
1014	U.S. Patent No. 7,505,406 to Spadaro, <i>et al.</i> , issued March 17, 2009
1015	reserved, not used
1016	reserved, not used
1017	Science Dynamics, SciDyn, IP Telephony - BubbleLINK, (archived by web.archive.org on June 18, 2006), accessible at http://web.archive.org/web/20060618234103/http://www.scidyn.com/products/BubbleLink%20White.pdf

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Exhibit No.	Description
1018	BOP Historical Timeline
1019	SENTRY Audit Report No. 0325 (July 2003)
1020	SENTRY Inmate Management System (July 2012)
1021	U.S. Patent No. 8,031,849 to Apple, <i>et al.</i> , issued October 4, 2011
1022	Inmate Security Designation and Custody Classification Program Statement, published in September 2006
1023	U.S. Patent No. 7,197,560 to Caslin, <i>et al.</i> , issued on March 27, 2007
1024	SIP and IPLink in the Next Generation Network, published in 2001
1025	Commander II, published March 6, 2002
1026	SR-2275, Bellcore Notes on the Networks, published December 1997
1027	Engineering and Operations in the Bell System, published in 1984
1028	U.S. Patent No. 4,191,860 to Weber, issued March 4, 1980
1029	A Telecommunications Buildings/Power Infrastructure In A New Era of Public Networking by Nicholas Osifchin (IEEE 2000)
1030	<i>Securus Technologies, Inc. v. Global Tel*Link Corporation</i> , No. 3-16-cv-01338, Proof of Service (N.D. Tex. June 7, 2016)
1031	<i>Securus Technologies, Inc. v. Global Tel*Link Corporation</i> , No. 3-16-cv-01338, Amended Answer (N.D. Tex. January 9, 2017)
1032	Murder Suspect Arrested, LAPD News Release, April 24, 2002

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Petitioner, Global Tel*Link Corporation (“GTL”), petitions for *inter partes* review (“IPR”) of dependent claims 2, 5, 8, 9, 11, 12, and 14-18, the sole remaining claims in U.S. Patent No. 8,340,260 (“the ’260 patent”). The Board previously found independent claims 1 and 10 and dependent claims 3, 4, 6, 7, 13, 19, and 20 unpatentable. *Global Tel*Link Corporation v. Securus Technologies, Inc.*, IPR2014-00824, Paper 36 (PTAB Dec. 2, 2015).

The claims of the ’260 patent are directed to managing inmate information and communications for multiple facilities at a remote, centralized location. In particular, the ’260 patent describes “centralized or nodal inmate management and telephone call processing capabilities.” (Exhibit GTL 1001, ’260 patent, 2:62-65.) The inmate management and telephone call processing system “serves a plurality of controlled environment facilities” and “includes an inmate information database to provide data aggregation and sharing capabilities across several facilities, in addition to call processing functionality.” (*Id.*, 2:66-3:7.)

Remote, centralized call processing and shared information management were well-known before July 2007, the filing date of U.S. Patent No. 7,529,357 (“the ’357 patent”), which Patent Owner contends is the priority date for the remaining claims of the ’260 patent being challenged herein. Dr. Leonard Forsys, who has nearly 50 years of experience working in the telecommunications industry, explains that the purported invention of the ’260 patent, centralizing

information management, was standard practice in the telecommunications industry for at least four decades prior to the filing date of the '260 patent. Prison systems also followed these trends and incorporated centralization well before the '260 patent. For example, the Federal Bureau of Prisons (BOP) centralized storage and management of inmate data in its SENTRY database as early as 1978. Federal prison facilities accessed the centralized SENTRY database to load, update and manage inmate records.

Centralization of call processing was also known and established in the prison environment prior to the filing date of the '260 patent. For example, U.S. Patent No. 4,054,756 to Comella, issued in 1977, introduced centralized call processing facilities to service collect calls. These centralized platforms handled inmate calls from remote prison facilities. (Exhibit GTL 1002, Forys Decl., ¶59.) Both U.S. Patent No. 7,505,406 to Spadaro and SR-4717, Voice Over Packet in Next Generation Networks: An Architectural Framework by Bellcore applied the well-known centralization concept to inmate communications systems utilizing Voice over Internet Protocol (VoIP) networks more than six years before the alleged priority date of the remaining claims of the '260 patent. Further, U.S. Patent No. 7,333,798 to Hodge applied shared information management to centralized prison call processing platforms almost five years before the alleged priority date of the remaining claims of the '260 patent.

As discussed in more detail below, the few dependent claims that remain in the '260 patent do nothing more than add trivial features to these well-known centralized call processing and shared information management concepts. Petitioner demonstrates below that these claims are unpatentable. In fact, the only reason that dependent claims 2, 5, 8, 9, 11, 12, and 14-18 were not invalidated in IPR2014-00824 along with independent claims 1 and 10 and dependent claims 3, 4, 6, 7, 13, 19, and 20 was because Patent Owner misrepresented the date of invention of these claims to the Board. Despite Patent Owner's misrepresentations, the grounds presented herein demonstrate that the few dependent claims that remain in the '260 patent are obvious over the combination of Bellcore and Hodge, a combination deemed redundant in the IPR2014-00824.

I. Identification of challenge.

A. Citation of prior art.

In support of the grounds of unpatentability cited below, GTL cites the following prior art references:

SR-4717, Voice Over Packet in Next Generation Networks: An Architectural Framework by Bellcore ("Bellcore") is prior art under at least 35 U.S.C. § 102(b) because it published in January 1999, more than eight years prior to the filing date of the '357 patent, which Patent Owner alleges is the priority date of the remaining claims of the '260 patent. (Forys Decl., ¶¶63-67.) Bellcore is

provided as Exhibit GTL 1004.

U.S. Patent No. 7,333,798 to Hodge, titled “Telecommunication Call Management and Monitoring System,” (“Hodge”) is prior art under at least 35 U.S.C. § 102(b) because it published on February 12, 2004, more than three years prior to the alleged priority date of the remaining claims of the ’260 patent. Hodge is provided as Exhibit GTL 1005.

U.S. Patent No. 6,831,556 to Boykin, titled “Composite Mobile Digital Information System,” (“Boykin”) is prior art under at least 35 U.S.C. § 102(b) because it was issued on December 14, 2004, more than two years prior to the alleged priority date of the remaining claims of the ’260 patent. Boykin is provided as Exhibit GTL 1006.

U.S. Patent No. 5,861,810 to Nguyen, titled “System and Method for Providing Crime Victims Updated Information and Emergency Alert Notices,” (“Nguyen”) is prior art under at least 35 U.S.C. § 102(b) because it issued on January 19, 1999, more than eight years prior to the alleged priority date of the remaining claims of the ’260 patent. Nguyen is provided as Exhibit GTL 1007.

B. Statutory grounds for the challenge.

GTL requests review of claims 2, 5, 8, 9, 11, 12, and 14-18 on three grounds:

GROUND 1: Claims 2, 8, 9, 11, 14, 16, and 17 are unpatentable under 35

U.S.C. § 103 as obvious over Bellcore and in view of Hodge.

GROUND 2: Claims 5 and 12 are unpatentable under 35 U.S.C. § 103 as obvious over Bellcore, Hodge, and Boykin.

GROUND 3: Claims 15 and 18 are unpatentable under 35 U.S.C. § 103 as obvious over Bellcore, Hodge and Nguyen.

II. Grounds for standing.

The undersigned and GTL certify that the '260 patent is available for *inter partes* review. GTL certifies that it is not barred or estopped from requesting this *inter partes* review on the grounds identified herein.

A. Related district court complaint.

The assignee of the '260 patent, Securus Technologies, Inc., filed a complaint in the Northern District of Texas against GTL alleging infringement of the '260 patent on May 13, 2016. (Exhibit GTL 1009.) GTL is not barred or estopped from requesting this *inter partes* review on the basis of Securus' district court complaint, because the present petition is being filed within one year of the May 31, 2016 service on Petitioner. (Exhibit GTL 1030.)

B. 35 U.S. Code § 315(e)(1).

Petitioner is also not estopped from requesting the present *inter partes* review as a result of the final written decision in IPR2014-00824. Section 315(e)(1) sets forth the specific instances where a petitioner is estopped from

requesting an *inter partes* review of claims that were previously challenged:

The petitioner in an inter partes review of a claim in a patent under this chapter that results in a final written decision under section 318(a) ... may not request or maintain a proceeding before the Office with respect to that claim on any ground that the petitioner raised or reasonably could have raised during that inter partes review.

35 U.S.C. § 315(e)(1). The estoppels outlined in section 315(e)(1) do not apply to claims 2, 5, 8, 9, 11, 12, and 14-18 of the '260 patent for at least two reasons: (i) the grounds raised in this petition were not, and could not have reasonably been raised during an earlier *inter partes* review; and (ii) there has been no final written decision on the patentability of these claims.

1. The grounds raised in this Petition were not, and could not have reasonably been raised during an earlier *inter partes* review.

GTL is not estopped from challenging the remaining claims of the '260 patent based on the Bellcore and Hodge grounds presented in IPR2014-00824 but not instituted by the Board. *See, Shaw Industries Group v. Automated Creel Systems*, 817 F.3d 1293, 1300 (Fed. Cir. 2016); *see also HP Inc. v. MPHJ Tech. Investments, LLC*, No. 2015-1427 (Fed. Cir. Apr. 5, 2016). In *Shaw*, the Federal Circuit noted that “the plain language of the statute prohibits the application of estoppel” in the circumstance where Petitioner raised a ground in the Petition and the Board denied institution of that ground without substantive analysis. *Shaw*, 817

F.3d at 1300 (“[t]hus, Shaw did not raise – nor could it have reasonably raised – the Payne-based ground *during* the IPR.”) (emphasis in original). The PTAB also came to the same conclusion in its recent Institution Decision in *Great West Casualty Co. et al. v. Intellectual Ventures II LLC*. See IPR2016-01534, Paper 13 at 12 (PTAB Feb. 15, 2017) (“we discern that Shaw Industries Group held that estoppel does not apply to any ground of unpatentability that was presented in a petition, but denied institution. That is consistent with our above analysis of Section 315(e)(1).”).

Here, like in the *Shaw* and *Great West Casualty* cases, the Board exercised its discretion to not institute review of the Bellcore and Hodge grounds and therefore the estoppel provisions of 35 U.S.C. § 315(e) do not attach to these grounds. On May 27, 2014, GTL filed IPR2014-00824 challenging all the claims of the ’260 patent based on two groups of prior art: (1) Spadaro and Hodge, and (2) Bellcore and Hodge. The Board instituted trial only on the Spadaro and Hodge grounds. *Global Tel*Link Corp. v. Securus Tech., Inc.*, IPR2014-00824, Paper 9 at 34-35 (PTAB Dec. 8, 2014). In the Institution Decision, the Board did not substantively address the Bellcore and Hodge grounds. *Id.* Rather, the Board provided a single sentence that it was exercising “our discretion and do not institute a review of the asserted grounds that (i) claims 1-4, 6-11, 14, 16, 17, 19, and 20 would have been obvious over Bellcore and Hodge, (ii) claims 5 and 12

would have been obvious over Bellcore, Hodge, and Boykin; (iii) claim 13 would have been obvious over Bellcore, Hodge, and Cree; and (iv) claims 15 and 18 would have been obvious over Bellcore, Hodge, and Nguyen.” *Id.*

Accordingly, GTL is not estopped from challenging claims 2, 5, 8, 9, 11, 12, and 14-18 as obvious over the combination of Bellcore and Hodge.

2. There has been no final written decision on the patentability of claims 2, 5, 8, 9, 11, 12, and 14-18.

Section 315(e)(1) estoppel does not apply to the few remaining claims of the ’260 patent because there has been no final written decision on the patentability of these claims – a requirement to trigger 315(e)(1) estoppel. Rather, the Board’s only determination with respect to claims 2, 5, 8, 9, 11, 12, and 14-18 was a determination on the threshold issue of whether Spadaro is disqualified under section 103(c) – a determination that does not trigger section 315(e)(1) estoppel.

Section 315(e)(1) estoppel is triggered only by a final written decision under section 318(a) *with respect to the patentability* of a challenged claim. In IPR2014-00824, the Board did not issue “a final written decision with respect to the patentability” of claims 2, 5, 8, 9, 11, 12, and 14-18 of the ’260 patent. Rather, the Board stated that the panel members “are persuaded that under § 103(c) Spadaro is disqualified prior art and so is not available to preclude patentability in an obviousness challenge under § 103(a) against claims 2, 5, 8, 9, 11, 12, and 14-18.”

*Global Tel*Link Corp. v. Securus Tech., Inc.*, Case IPR2014-00824, Paper 36 at 24 (PTAB Dec. 2, 2015). This was the Board’s only finding with respect to these challenged claims.

A section 103(c) disqualification does not go to the merits of the challenge or address the patentability of the challenged claims. A 103(c) disqualification simply serves the statutory function of removing the challenge and raises neither a presumption nor estoppel on the merits of the challenge. In fact, even more than not itself being a patentability finding, the language of section 103(c) goes one step further and actually precludes a patentability finding:

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

35 U.S.C. § 103(c)(1) (emphasis added). Thus, the disqualification of a reference under 103(c) does not – and statutorily cannot – amount to a patentability finding.

Rather than addressing the patentability of a challenged claim, whether a reference should be disqualified under 103(c) due to common ownership is a “threshold issue” that is determined before a patentability analysis. “The issue of whether [a reference] is available as prior art in light of Patent Owner’s contentions

regarding common ownership presents a *potential threshold issue*.” *Baker Hughes Oilfield Operations, Inc. v. Smith Int’l, Inc.*, Case IPR2016-01440, Paper 10 at 2 (PTAB Dec. 1, 2016) (emphasis added). A patentability analysis is performed if – and only if – the Board determines that the reference is *not* disqualified under section 103(c). It is only *after* the Board determines that 103(c) does not disqualify a reference that the Board turns to the merits of patentability. *See Purdue Pharma L.P. v. Depomed, Inc.*, Case IPR2014-00377, Paper 72 at 14 (PTAB July 8, 2015) (stating, after declining to disqualify a reference under section 103(c), “[w]e now address the substantive challenges to the instituted claims.”). But if, as in IPR2014-00824, the Board determines that 103(c) disqualifies the reference, no patentability analysis is ever performed. *See, e.g., Cresta Tech. Corp. v. CF Crespe LLC.*, Case IPR2015-00594, Paper 90 at 28 (PTAB Aug. 15, 2016) (stating, after finding 103(c) disqualifies the reference, “[c]onsequently a ground of unpatentability based on obviousness may not be asserted against Patent Owner for these claims.”); *see also* 35 U.S.C. § 103(c)(1).

Therefore, because the Board’s section 103(c) disqualification of Spadaro in IPR2014-00824 did not address *the patentability* of the challenged patent claims, it did not trigger section 315(e)(1) estoppel.

III. Securus’ misrepresentations to the Board.

As discussed above, the only reason that claims 2, 5, 8, 9, 11, 12, and 14-18

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remain in the '260 patent is because of Patent Owner's misrepresentations to the Board in IPR2014-00824. It is because of these misrepresentations that GTL is requesting this *inter partes* review.

Securus and its counsel of record in IPR2014-00824, all of whom had a duty of candor to the Board, knowingly misrepresented the date of invention of claims 2, 5, 8, 9, 11, 12, and 14-18 of the '260 patent. That misrepresentation resulted in the disqualification of the Spadaro reference as invalidating prior art and in a finding that these claims are not unpatentable.

On May 27, 2014, GTL filed an IPR petition challenging the patentability of claims 1-20 of the '260 patent. *See Global Tel*Link Corporation v. Securus Technologies, Inc.*, IPR2014-00824, Paper 1 (PTAB May. 27, 2014). As the patent owner, Securus was a party to IPR2014-00824. As a party to IPR2014-00824, Securus had a duty of candor and good faith to the Board during the course of the proceeding. 37 C.F.R. § 42.11. Securus' counsel of record in IPR2014-00824 (Justin B. Kimble, Terry A. Saad, Nicholas C. Kliwer, and Jeffrey R. Bragalone of Bragalone Conroy P.C.) also had a duty of candor and good faith to the Board during the course of the proceeding. *Id.* Securus' counsel of record in IPR2014-00824 was obligated, and acknowledged its obligations, to observe all the rules of the United States Patent and Trademark Office ("USPTO") including 37 C.F.R. §§ 42.11 and 11.18.

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On February 11, 2015, Securus filed a Patent Owner's Response in IPR2014-00824. *See Global Tel*Link Corporation v. Securus Technologies, Inc.*, IPR2014-00824, Paper 15 (PTAB Feb. 11, 2015). In this filing, Securus represented that, "at the time of its filing, the application that became the '260 patent, and the Spadaro Application, U.S. Patent Application Serial No. 09/905,014 were owned by the same person as the '357 Application (the parent of the '260 patent)." *Id.* at 8.

In its Patent Owner's Response, Securus further represented that the inventions claimed in claims 2, 5, 8, 9, 11, 12, and 14-18 of the '260 patent "are based on material not constructively reduced to practice until the filing of the '260 Application" and therefore that "the 'time the invention was made' for each of these claims is July 12, 2007." *Id.* At 9. Based on this representation, Securus asserted that the Spadaro reference was "ineligible for use as prior art under the exception provided in Pre-AIA 35 U.S.C. § 103(c)(1)." *Id.* At 9-10. At oral argument in IPR2014-00824, Securus' counsel of record re-asserted the factual representations made in the Patent Owner's Response and the allegation that the Spadaro reference was ineligible as an invalidating prior art reference under Pre-AIA 35 U.S.C. § 103(c)(1). IPR2014-00824, Paper 35, Record of Oral Hearing at pp. 24-36.

Securus' and its counsels' representation that July 12, 2007, was the time of

invention of claims 2, 5, 8, 9, 11, 12, and 14-18 of the '260 patent was false.

Contrary to these representations, the time of the alleged invention of each of these claims was at least as early as November 24, 2003. *See, e.g.*, Exhibit GTL 1031, *Securus Technologies, Inc. v. Global Tel*Link Corporation*, No. 3-16-cv-01338 (N.D. Tex.), GTL's Amended Answer, pp. 12-39. Moreover, Securus and its counsel of record in IPR2014-00824 knew that the time of invention that they asserted was false. Indeed, the subject matter of claims 2, 5, 8, 9, 11, 12, and 14-18 of the '260 patent was previously disclosed at least in U.S. Patent Application No. 10/135,878, filed April 29, 2002 ("the '878 application"), U.S. Patent Application No. 10/720,848, filed November 24, 2003 ("the '848 application"), and U.S. Patent Application No. 10/360,248 ("the '248 application"), filed February 7, 2003. *Id.*

Securus had knowledge of these applications. The '260 patent, filed on March 24, 2009, is a continuation of the '357 patent, which itself is a continuation-in-part of the '167 patent, filed on August 15, 2003. The '167 patent provides a listing of related applications, including the '878 application. (Exhibit GTL 1013, the '167 patent, 1:6-9.) In addition to claiming priority to the '167 patent, the '260 patent provides a listing of related patent applications, including both the '878 application and the '848 application. ('260 patent, 1:12-14, 47-49.) The '848 application is a continuation-in-part of the '878 application. Securus filed a copy of the '878 application in an Information Disclosure Statement (IDS) during

prosecution of the '260 patent. The '167 and '260 patents each also cites the '248 application, filed on February 7, 2003, as a related application. (Exhibit GTL 1013, the '167 patent, 1:25-27; '260 patent, 1:29-31.)

Securus, the successor of Evercom, was the owner of the '167 and '260 patents and the '878, '848 and '248 applications. Therefore, Securus was aware of the content of these patents and applications. Additionally, Securus' counsel of record in IPR2014-00824 was aware of the content of the '167 and '260 patents and the '878, '848, and '248 applications. These attorneys had awareness of the contents of these patents and applications, at least as part of their obligation to make a reasonable inquiry into the factual assertion that the time of invention of claims 2, 5, 8, 9, 11, 12, and 14-18 of the '260 patent was the filing date of the '260 patent.

In IPR2014-00824, Securus did not dispute that the time of the alleged invention of independent claims 1 and 10 and dependent claims 3, 4, 6, 7, 13, 19, and 20 of the '260 patent was at least as early as the August 15, 2003 filing date of their parent, the '167 patent. The Board found independent claims 1 and 10 along with dependent claims 3, 4, 6, 7, 13, 19, and 20 unpatentable in IPR2014-00824. *Global Tel*Link Corp. v. Securus Tech., Inc.*, Case IPR2014-00824, Paper 36 at 61 (PTAB Dec. 2, 2015). Also, in its Institution Decision in IPR2014-00824, the Board determined that a reasonable likelihood existed that claims 2, 8, 9, 11, 14,

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16, and 17 were obvious over the combination of Spadaro and U.S. Patent No. 7,333,798 to Hodge; that claims 5 and 12 were obvious over Spadaro, Hodge, and U.S. Patent No. 6,831,556 to Boykin (“Boykin”); that claim 13 was obvious over Spadaro, Hodge, and U.S. Patent No. 6,665,380 to Cree (“Cree”); and that claims 15 and 18 were obvious over Spadaro, Hodge, and U.S. Patent No. 5,861,810 to Nguyen (“Nguyen”). *Global Tel*Link Corp. v. Securus Tech., Inc.*, Case IPR2014-00824, Paper 9 at 35 (PTAB Dec. 8, 2014).

Yet, based on the representation by Securus that the time of invention of claims 2, 5, 8, 9, 11, 12, and 14-18 of the ’260 patent was the July 12, 2007 filing date of the ’357 patent, the Board determined that the Spadaro reference should not be treated as prior art to the enumerated claims of the ’260 patent and, on that basis, concluded that GTL had failed to carry its burden to demonstrate the invalidity of those claims. *Global Tel*Link Corp. v. Securus Tech., Inc.*, Case IPR2014-00824, Paper 36 at 24 (PTAB Dec. 2, 2015). As detailed above, Securus’s representation that July 12, 2007, was the time the claimed inventions were made was false. And Securus knew that this representation was false. Had the Board been provided with the actual date of inventions for these claims by Securus, the Board would not have disqualified Spadaro as prior art and the remaining claims in the ’260 patent would have also been found unpatentable.

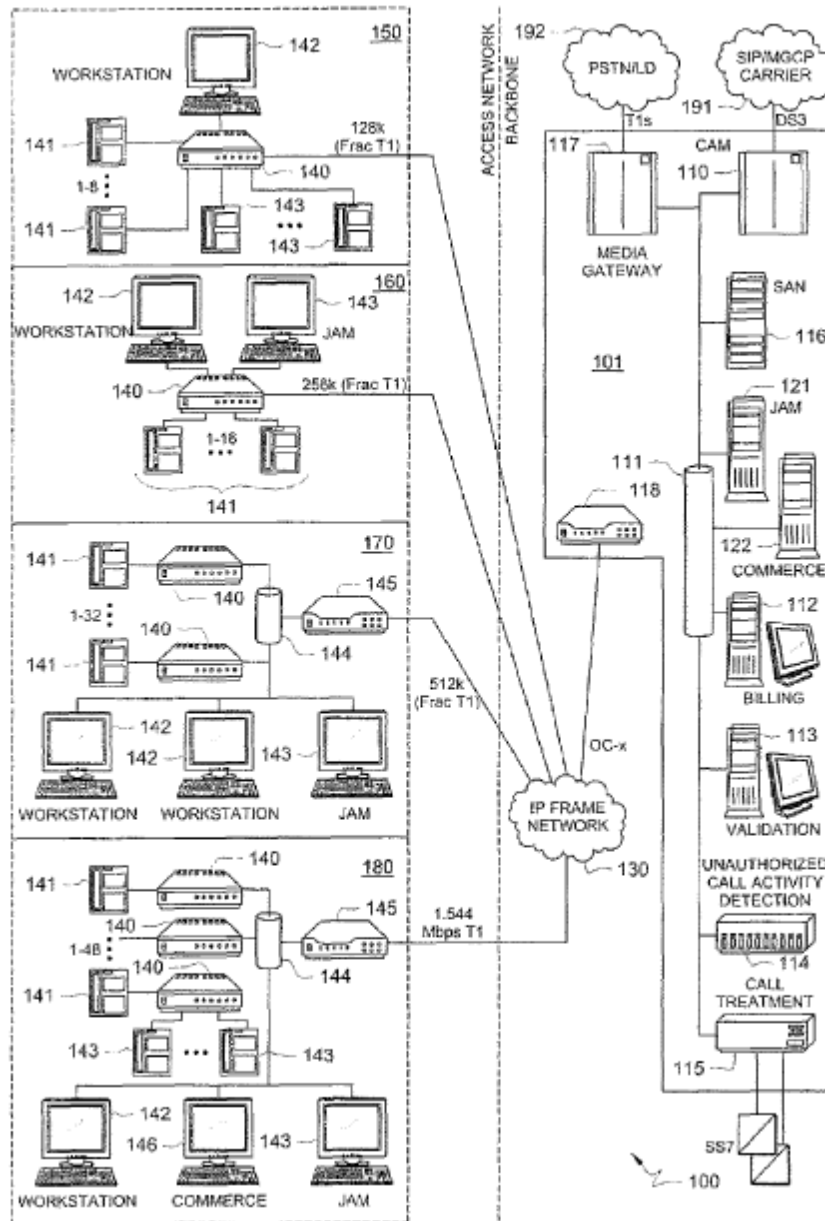
As discussed further below, claims 2, 5, 8, 9, 11, 12, and 14-18 of the ’260

patent add only trivial features to independent claims 1 and 10, which the Board already found unpatentable in IPR2014-00824. Yet, because of Securus' misrepresentations, GTL submits the following grounds (which the Board found redundant of the grounds that invalidated the independent claims of the '260 patent in IPR2014-00824), which demonstrate that claims 2, 5, 8, 9, 11, 12, and 14-18 were known and/or obvious prior to July 12, 2007.

IV. Overview of the '260 patent.

The '260 patent describes “systems and methods that provide centralized or nodal inmate management and telephone call processing capabilities.” ('260 patent, Abstract.) Figure 1 of the '260 patent (reproduced below) illustrates the components of the centralized or nodal inmate management system (centralized call processing platform 101). As shown in Figure 1, the call processing platform 101 provides calling and related services to multiple facilities 150, 160, 170, and 180.

FIG. 1



The '260 patent describes the use of VoIP to transport calls handled by the centralized call processing platform. (*See, e.g., '260 patent, 4:14-21.*) The call processing platform 101 communicates with one or more call processing gateways 140 located at or near facilities 150-180 via network 130. (*See, e.g., id., 6:40-42.*)

A router/switch 118 at the centralized platform (referred to in the claims as a “network device”) is coupled to network 130 to receive data packets from the plurality of facilities. (*See id.*, 15:32-39.)

Neither the ’260 patent nor its parent, the ’167 patent purports to invent new call processing functionality or new VoIP functionality. (*See id.*, 7:20-23.) Indeed, the Board found all claims of the ’167 VoIP call processing patent unpatentable and the Federal Circuit affirmed the Board’s decision. *Global Tel*Link Corporation v. Securus Technologies, Inc.*, IPR2014-00493, Paper 32 at 81 (PTAB Sept. 11, 2015); *Securus Technologies, Inc. v. Global Tel Link Corporation*, Appeal No. 2016-1372, 2016-1373, Fed. Cir. R 36 Affirmance (December 8, 2016). Instead, the ’260 patent merely adds shared information management functionality to the unpatentable centralized call processing system. (’260 patent, 1:60-62 (“The present invention relates generally to information systems, and more particularly, to systems and methods for inmate management and call processing.”).) According to the ’260 patent, “the centralized configuration of inmate monitoring and call processing system 100 may be utilized to provide data sharing, aggregation, and/or analysis across a plurality of controlled environment facilities ... to collect intelligence, to improve facility management, to minimize administrative burden, etc.” (’260 patent, 14:35-43.) However, these motivations were not new – the same motivation drove centralization of information

management in the telecommunications industry and in prison systems for decades prior to the filing date of the '260 patent. (Forys Decl., ¶¶43-62.)

V. Claim construction.

Except for the exemplary term set forth below, the terms are to be given their plain and ordinary meaning under the broadest reasonable interpretation, as understood by one of ordinary skill in the art and consistent with the disclosure.

In IPR2014-00824, the Board construed the term “*call application management system*” recited in independent claim 1 as a system that performs the enumerated function – “connecting a call to or from the telephone terminals over a telephone carrier network responsive to receiving a request for connecting the call.” *Global Tel*Link Corporation*, IPR2014-00824, Paper 36 at 27. GTL proposes that the Board maintain this construction.

VI. Level of ordinary skill in the art.

In IPR2014-00824, the Board determined that one of ordinary skill in the art would have a B.S. degree in Electrical Engineering, Computer Science, or an equivalent field, as well as at least 3 years of academic or industry experience in telephony systems. *Global Tel*Link Corporation*, IPR2014-00824, Paper 36 at 29-30. For purposes of this proceeding, GTL adopts the Board’s prior determination of the level of ordinary skill in the art.

VII. GROUND 1: Dependent claims 2, 8, 9, 11, 14, 16, 17 are obvious over Bellcore in view of Hodge.

On December 2, 2015, the Board found independent claims 1 and 10 of the '260 patent obvious over the combination of Spadaro and Hodge. The Board did not address the substantive obviousness ground presented for dependent claims 2, 8, 9, 11, 14, 16 and 17. Instead, Patent Owner represented that it did not invent the subject matter claimed in these dependent claims until the filing date of the '357 patent, rendering Spadaro unavailable as prior art under 35 U.S.C. § 103(c). The Board accepted Patent Owner's representations and found the claims not unpatentable under the combination of Spadaro and Hodge. Although Petitioner continues to dispute Patent Owner's representations, the combination of Bellcore and Hodge also demonstrates that dependent claims 2, 8, 9, 11, 14, 16 and 17 are unpatentable.

A. The combination of Bellcore and Hodge renders independent claim 1 obvious.

In the Final Written Decision in IPR2014-00824, the Board found that the combination of Spadaro and Hodge renders independent claims 1 and 10 obvious. Thus, the Board recognized that the underlying VoIP architecture disclosed and claimed in the '260 patent was known prior to the earliest possible priority date of the '260 patent. *Global Tel*Link Corporation* , IPR2014-00824, Paper 36 at 38-52. Bellcore, like Spadaro, discloses this underlying VoIP architecture. Published in

1999, Special Report, SR-4717, “Voice Over Packet in Next Generation Networks: An Architectural Framework” by Bellcore provides a comprehensive discussion of various VoIP architectures. (Bellcore, 1-3.) As described in detail below, a person of skill in the art (POSITA) would have used the VOP architecture of Bellcore in the prison environment of Hodge. (Forys Decl., ¶¶68-85.)

1. The VoIP architecture of Bellcore and Hodge.

Figure 4-2 of Bellcore (reproduced below) depicts an exemplary architectural framework for a Voice over Packet (VOP) network. The VOP network of Bellcore includes a set of functional elements: signaling gateway, trunk gateway, routing & translation server, billing agent, call connection agent, service agent, and voice feature servers. (Bellcore, 4-12 to 4-13.) As illustrated in Figure 4-2, these elements are centralized in the VOP network and therefore accessible by multiple customers served through the customer gateways or access gateways. (Forys Decl., ¶¶68.)

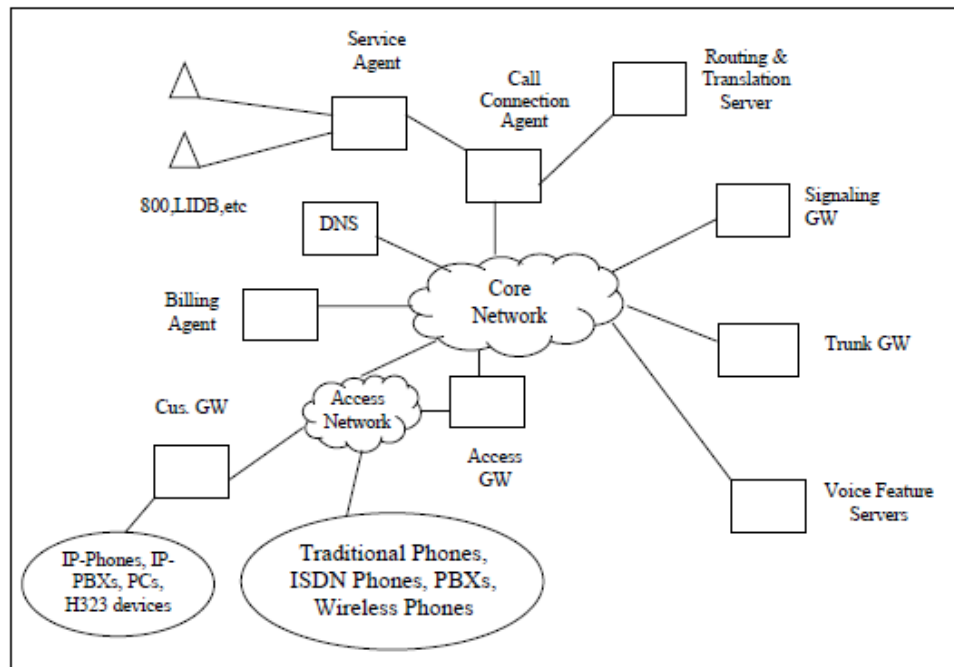


Figure 4-2 VOP Network with Additional Elements and CPE Examples

Figure 4-2 of Bellcore does not illustrate the details of the Core Network (which is depicted as a cloud). However, Bellcore describes several specific implementations that can be used for the Core Network, including Internet Protocol networks (Bellcore, 5-46) and ATM networks. (*Id.*, 5-52.) Figure 5-11 of Bellcore, reproduced below, illustrates an exemplary Classical IP over ATM (CIOA) network that can be used as the Core Network of Figure 4-2.

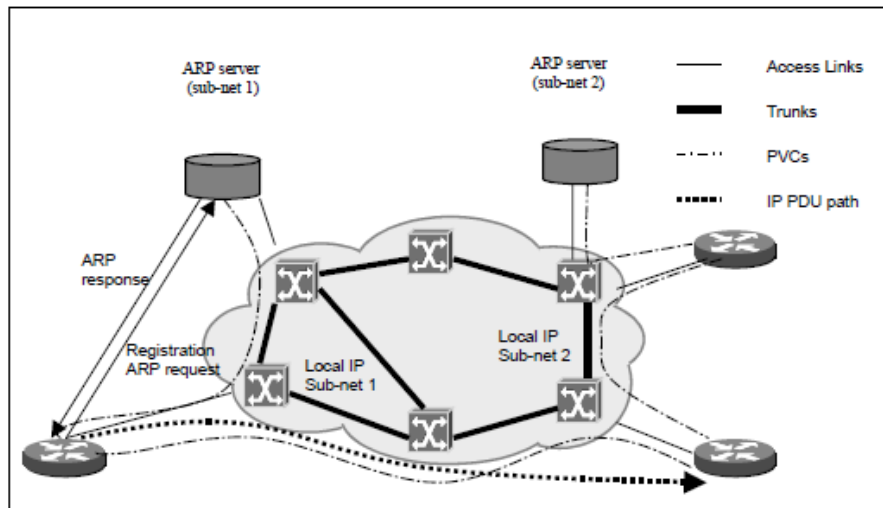


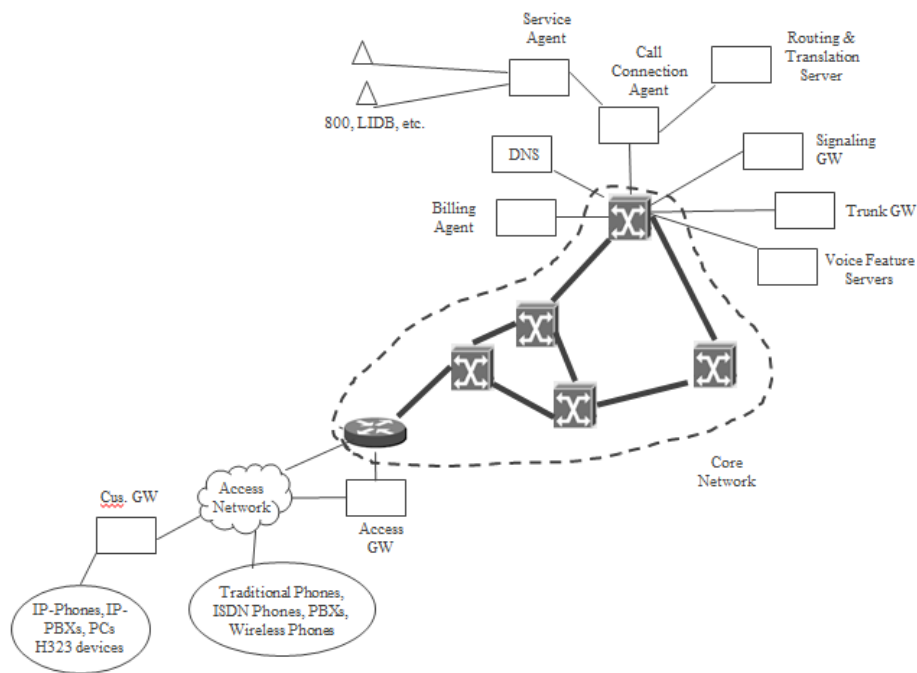
Figure 5-11 COIA

Figure A of the Forys Declaration (reproduced below) edits Bellcore Figure 4-2 to incorporate routing elements of the exemplary COIA core network of Figure 5-11. For ease of description, only a set of routing elements is depicted in Figure A. As would be appreciated by a POSITA, the core network shown in Figure A could include additional routing elements and/or address resolution protocol (ARP) servers. (Forys Decl., ¶70.)

Customers (depicted in the ovals at the bottom of Figure. A) connect to the VOP infrastructure via a Customer Gateway or Access Gateway, depending on the type of user equipment at the customer site. Bellcore explains that customers are motivated to use VOP services “[t]o save money” and “[f]or convenient access to new services.” (Bellcore, 3-2.) Although Bellcore does not explicitly state that a prison facility can be a customer, a POSITA would have understood that, just like

other customers, prison facilities would also benefit from using VOP services.

(Forys Decl., ¶¶72, 73, 83.) For these reasons, a POSITA would have been motivated to use the VOP architecture of Bellcore with the prison communications functionality of Hodge. (Forys Decl., ¶¶71-80, 83-85.)



Forys Declaration - Figure A

Figure 36 of Hodge (reproduced below) illustrates a prison communications system including a telephone bank 103 having a plurality of user telephones 102. (Hodge, 18:19-27.) Telephone bank 103 is connected to an electronic switchboard device 105. The electronic switchboard device 105 of Hodge includes a network access device. (Forys Decl., ¶74.)

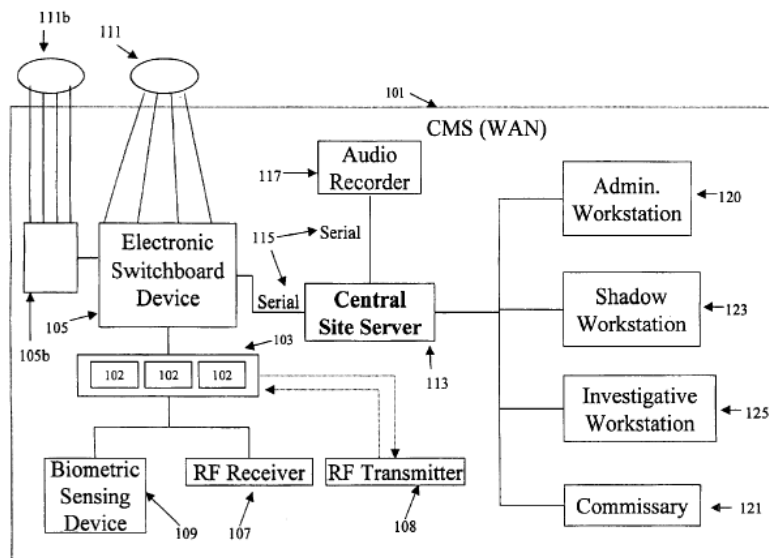


FIG. 36

Hodge also describes several functional elements specific to prison customers: a shadow workstation 123, an investigative workstation 125, and a commissary workstation 121. Hodge further describes that these functional elements are integral within the central site server: “Furthermore, administrative workstation 120, shadow workstation 123, investigative workstation 125, and commissary workstation 121 may be integral within the central site server.” (Hodge, 21:13-18.) Indeed, Hodge illustrates these elements as directly connected to the central site server. (*Id.*, Figure 36.) Hodge indicates that “[i]n a WAN configuration, the site server is connected to multiple switchboard devices **that are located in separate institutions.**” (*Id.*, 10:41-43 (emphasis added).) That is, the site server and its integral functional elements are centralized. (Forys Decl., ¶75)

A POSITA would have been motivated to combine the functional elements

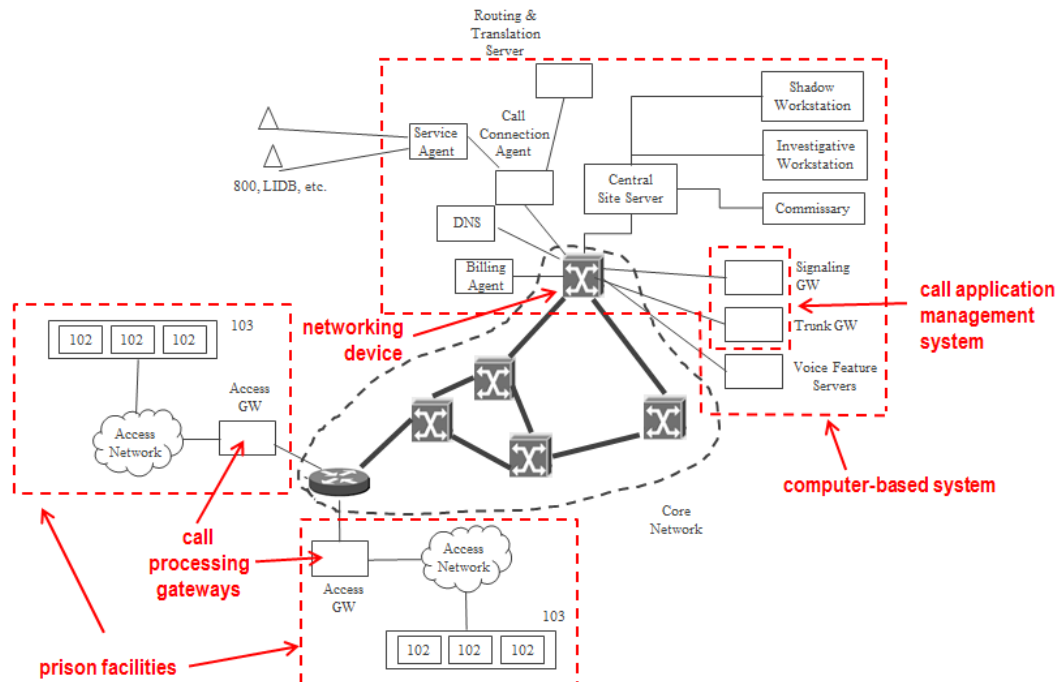
of Hodge with the architectural framework of Bellcore because both are in the same field (telecommunications) and address the same problem – centralized control and management of telecommunications across multiple sites. (Forys Dec., ¶¶75-78.) For example, Bellcore and Hodge both disclose numerous centralized call control and management capabilities, such as: centralized logging and recording of calls placed through their respective systems (*see, e.g.*, Bellcore, 5-22, Hodge, 10:24-26), centralized security management (*see* Bellcore, 5-22, Hodge, 21:1-2), centralized storage of voice announcements/prompts used to interact with users through Interactive Voice Response units (*see, e.g.*, Bellcore, 4-13, Hodge, 50:54-58), centralized (and local) account management access restrictions (*see* Bellcore, 5-85,86, Hodge, 41:46-67), implementation of live operators at centralized facilities (*see* Bellcore, 3-3, Hodge, 20:42-61), and centralized collection of call detail records (*see, e.g.*, Bellcore, 4-12, Hodge, 25:36-43). Bellcore also emphasizes the need for network-based fraud detection such as provided by the shadow and investigative workstations of Hodge. (Forys Decl., ¶77.) And, Hodge discloses that the switchboard devices can be located at a remote institution. Thus, for these additional reasons, a POSITA would have been motivated to combine Bellcore with Hodge.

Additionally, Hodge discloses that its functional elements are configured for use with a number of different wide area network (“WAN”) data connections

(Hodge, 50:37-45), and Bellcore provides a VOP architecture (a known example of a WAN data connection) as a specific recommendation. Indeed, U.S. Patent No. 8,031,849 (“Apple”) noted that “the application of VOIP principles to the implementation of ICS [inmate communication systems] offer flexibility, added feature functionality and reduction in operating costs needed to support significant upgrading of existing ICS systems and services.” (Exh. 1021, Apple, 6:27-31.) Thus, a POSITA would have been further motivated to combine the functional elements of Hodge with the architectural framework of Bellcore, because the resulting system would have had a reasonable expectation of success. (Forys Decl., ¶80.) A POSITA could have combined the functions of Hodge with the architecture of Bellcore by known methods. (*Id.*) The results of the combination would have been predictable to a POSITA. (*Id.*)

Figure B of the Forys Declaration edits Forys Figure A to incorporate the centralized functional elements of Hodge (central site server 113, commissary workstation 121, shadow workstation 123 and investigative workstation 125 into the central call control platform of Bellcore). In addition, Forys Figure A has been edited to illustrate multiple prison facilities as customers, each having a telephone bank 103 with multiple user telephones 102. As shown, the telephone bank 103 of Hodge is connected to the VoIP network access gateway of Bellcore. Figure B of Forys is further annotated to illustrate how the combination of Bellcore and Hodge

maps to the limitations of the independent claims.



Forys Declaration – Figure B

2. The combination of Bellcore and Hodge discloses the preamble of claim 1.

The combination of Bellcore and Hodge (as illustrated in Forys Figure B) discloses a “*computer-based system, at a plurality of facilities...each of the facilities having one or more telephone terminals...the computer-based system located remotely from at least one of the plurality of facilities*” [1P]. (Forys Decl., ¶¶87-90.) The VOP architecture of Bellcore includes a number of functional elements used to process calls made by customers (*e.g.*, the prison facilities of Hodge) including, among other elements, a call connection agent (CCA), a service

agent, voice feature servers, a trunk gateway, a signaling gateway, and a billing agent. (Bellcore, 4-12- 4-13.) These functions are “*computer-based.*” (Forys Decl., ¶87.) Hodge provides additional functional elements which are also computer-based – investigative workstation, shadow workstation and commissary workstation used to provide call processing. (*See, e.g.,* Hodge, 20:18-21:18.) Bellcore emphasizes the need for network-based fraud detection (*see, e.g.,* Bellcore, 5-73, 5-85, 5-86) so the addition of the investigative functionalities of Hodge to the architecture of Bellcore would have been obvious to a POSITA. (Forys Decl., ¶87.)

As discussed above, and illustrated in Bellcore Figure 4-2 and Forys Figure B, the functional elements of both Bellcore and Hodge are centralized in the network. Centralization of functional elements such as illustrated in Bellcore was a standard practice in the telecommunications industry for decades prior to the filing date of the '260 patent. (Forys Decl., ¶¶43-62.) Hodge describes that centralization can be applied in the prison context: “In a WAN configuration, the site server is connected to multiple switchboard devices that are located in separate institutions.” (Hodge, 10:41-43.) That is, the central site server and its integral functional elements are centralized (located remotely from the telecommunications platforms (switchboard devices) in the prison facilities). (Forys Decl., ¶88.)

Hodge further discloses that information storage and management can be

centralized (located remotely from the facilities). For example, Hodge describes a site server that is “connected to multiple switchboard devices that are located in separate institutions.” (Hodge, 10:41-43.) The site server “serves as the database location for the entire system.” (*Id.*) Figure 1 of Hodge shows that several different “workstations” (administrative workstation 120, investigative workstation 125, etc.) can be connected to the central site server 113. These workstations are described as running “software utilizing a GUI (graphical user interface).” (*Id.*, 10:49-52.) Thus, a POSITA would have understood that these workstations could be “computer terminals.” (Forys Decl., ¶90.)

Hodge describes that “administrative and investigative workstations may be located at every facility” serviced by the site server, and that these workstations can be “used to create, edit, and monitor user accounts and telephone calls.” (*Id.*, 10:44-46, 10:35-37.) Additionally, the call management system 101 of Hodge includes a telephone bank 103 having a plurality of user telephones 102. (Hodge, 18:19-27.) Thus, Hodge discloses that “*each of the facilities*” has “*one or more telephones and computer terminals.*”

**3. The combination of Bellcore and Hodge discloses the
“networking device” limitation.**

Claim 1 requires “*a networking device exchanging Voice over Internet Protocol (VoIP) data packets with call processing gateways at the plurality of*

facilities over communication links.” The combination of Bellcore and Hodge teaches or suggests both the networking device and call processing gateway.

(Forys Decl., ¶¶91-96.) The access gateways (AG) of Bellcore (illustrated in Forys Figure B) are the recited “*call processing gateways at the plurality of facilities.*”

An access gateway (AG) “provides customer access to the VOP network from traditional network access interfaces supported in circuit switched networks.”

(Bellcore, 5-1.) An access gateway is a VoIP gateway providing “Circuit-Mode to Packet-Mode Conversion for Media Streams.” (*Id.*, 5-3.)

Bellcore does not explicitly disclose that an access gateway is implemented at a prison facility. A POSITA would recognize that an access gateway would be implemented at a customer site, which may include a prison facility. (Forys Decl., ¶92.) Hodge discloses the use of a communication gateway (the electronic switchboard) at multiple prison facilities. The VoIP access gateway of Bellcore could be utilized in place of the network access functionality provided by the electronic switchboard device 105 of Hodge. (Forys Decl., ¶92.) Both Spadaro and Apple motivate the usage of access gateways in a prison VoIP infrastructure. (Forys Decl., ¶92.) And the ’260 patent acknowledges that call processing gateways were known and in use prior to the filing date of the ’260 patent. (’260 patent, 7:20-23.)

The ’260 patent does not use the term “*networking device*” in the

specification. Instead, the '260 patent describes the networking device as simply a router/switch – commonly used communication network components. (Forys Decl., ¶93.) Bellcore describes such a “*networking device*.” (Forys Decl., ¶94.) As discussed above and illustrated in Bellcore Figure 5-11 and Forys Figure B, the Core Network of Bellcore may be implemented using a variety of technologies including “Classical IP over ATM.” (Bellcore, 5-55.) “In Classical IP over ATM, IP routers are attached to ATM backbone networks. Switches in the ATM network are treated as devices of IP sub-networks.” (*Id.*, 5-55.) Like the router/switch 118 of the '260 patent, a routing element (*e.g.*, an ATM switch) in the Core Network of Bellcore is connected to the centralized call processing elements (*e.g.*, signaling gateway, trunk gateway, billing agent, etc.) and is the recited “*networking device*.” (Forys Decl., ¶94.)

The access gateway (“*call processing gateway*”) “provides functions such as packetization” of calls from traditional telephone sets. (Bellcore, 4-12.) The access gateway in the combined system transmits VoIP packets from the customer (*e.g.*, prison facility of Hodge) over the core network to the routing element (*e.g.*, ATM switch), connected to the centralized call processing components. This architecture is analogous to the architecture shown in Figure 1 of the '260 patent where the call processing gateways connect to a router/switch through a network. (Forys Decl., ¶¶94-95.) The access gateways (*call processing gateways*) therefore “*process[] the*

VoIP data packets to or from the telephone terminals for transmission over the communication links.”

The routing element (*e.g.*, ATM switch), in the core network therefore receives VoIP data packets from a plurality of access gateways over a communications link (IP network). Thus, the routing element (*e.g.*, ATM switch) in the core network (“networking device”) connected to the centralized call processing components “*exchange[s] [VoIP] data packets with the call processing gateways at the plurality of facilities over communications links.*”

4. The combination of Bellcore and Hodge discloses the “inmate management-system” limitation.

As described above, the call processing system of Bellcore and Hodge (as highlighted by Forys Figure B) is centralized and located remotely from the facilities. For example, Hodge discloses a site server that is “connected to multiple switchboard devices that are located in separate institutions,” and that “serves as the database location for the entire system.” (Hodge, 10:41-44.) Further, Hodge describes that, at the site server, inmate information is “digitized for efficient data transfer and efficient record keeping.” (*Id.*, 19:38-40.) This data includes user call information, financial transaction data, call restrictions, PINs, biometric verification data, etc. (*See id.*) Also, because Hodge describes the site server as being centralized with respect to multiple facilities, a POSITA would have found it

obvious to couple Hodge's site server to Bellcore's Core Network (networking device), which is also centralized. (Forys Decl., ¶96.) Therefore, Bellcore and Hodge disclose "*an inmate management-system coupled to the networking device for providing shared data access of inmate records to computer terminals at said plurality of facilities.*" (Forys Decl., ¶¶97-98.)

Hodge also teaches that the creation and modification of inmate records can be performed by different facilities. As discussed above, Hodge discloses that administrative workstations may be located "at every facility." (Hodge, 10:44-46.) These administrative workstations can "**create, edit**, and monitor user accounts and telephone calls." (*Id.*, 10:35-37 (emphasis added).) A POSITA would have recognized that the centralized data is stored and that data for creating records in the system can be received from multiple different facilities. (Forys Decl., ¶¶97-98.) Further, a POSITA would have understood that modifying an existing record is equivalent to creating a new record that includes old unmodified data of the existing record and the new "modifying" data. (Forys Decl., ¶98.)

For example, after a user account has been created at a first facility (as depicted, *e.g.*, in Figure 24 of Hodge), an administrator at a second facility can access an account screen 2400 (via a computer terminal), and by pressing the Change button 2419, "modify data such as user name, living unit, user language preference, status code, and comments." (Hodge, 43:19-21.) Throughout Hodge's

specification, Hodge provides several other modifications that can be made to inmate records, without ever restricting the locations at which those changes can be made. This understanding is consistent with Hodge's site server, through which is routed "all inmate and call information" for "efficient data transfer and efficient record keeping." (Hodge, 19:37-40.) Thus, the combination of Bellcore and Hodge discloses "*said inmate records created with first inmate information collected from a first computer terminal at a first facility of the plurality of facilities and second inmate information from a second computer terminal at a second facility of the plurality of facilities.*"

As discussed above, the centralization of storage and management of inmate data was well-known and routine prior to the alleged priority date of the remaining claims, July 12, 2007. The Federal BOP's SENTRY system provided for shared data access of inmate records to computer terminals at a plurality of prison facilities as illustrated in the Figure from the BOP Audit Report, reproduced below. (Audit Report, p. 3.) SENTRY "resides on a BOP mainframe computer located at the Justice Data Center in Dallas, Texas (JDC-D) operated by the Department of Justice (Department) Justice Management Division's (JMD) Computer Services." (*Id.*, p. 2.) Personal computers "at approximately 200 facilities in the Department and BOP" access SENTRY "by way of the BOP's Washington, D.C., Network Control Center." (*Id.*) "The remote sites include

federal correctional facilities, regional offices, Community Corrections Offices (CCO), and other selected offices.” (*Id.*, p. 2.) Through this centralized architecture, “SENTRY allows concurrent sharing of data among multiple users.” (*Id.*, p. 3.) SENTRY therefore allowed for inmate records to be created with inmate information collected from a first computer terminal at a first facility and modified responsive to collecting second inmate information from a second computer terminal at a second facility. (Forys Decl., ¶100.)

5. The combination of Bellcore and Hodge discloses the “call application management system” limitation.

The VOP network of Bellcore includes a trunk gateway and a signaling gateway. (*See* Bellcore, Figure 4-2; Forys Decl., Figure B.) The trunk gateway and signaling gateway together provide the functionality of the claimed “*call application management system*.”

The Trunk Gateway of Bellcore “provides the communications interface between the PSTN and the Core (VOP) network.” (Bellcore, 5-18.) The Trunk Gateway includes a module that “performs packetization of audio signals (received from the PSTN) and depacketization of data (received from the Core network).” (Bellcore, 5-19; *see also*, Forys Decl., ¶¶101-02.) Thus, the Trunk Gateway “*connect[s] a call to or from the telephone terminals over a telephone carrier network*.” Also, a POSITA would have understood that such call connections are

commonly performed “*responsive to receiving a request for connecting the call,*” which occurs whenever a caller dials a telephone number at a telephone terminal. (Forys Decl., ¶102.)

In addition, Hodge teaches call authorization based on inmate records. Hodge describes a central site server that “serves as the database location for the entire system.” (Hodge, 10:44-45.) Hodge further discloses PIN checking, and states that “[t]he information entered by the user is compared with information stored in the database for that specific user.” (Hodge, 11:44-45.) After a pre-determined number of failed attempts by the user to enter a correct PIN, “the individual may be denied access to the telephone system and an official may be notified.” (Hodge, 11:45-48.) Thus, in Hodge, call authorization is also dependent on inmate records (*e.g.*, a stored PIN code for the inmate).

Hodge envisions several other ways in which a call may be authorized or denied based on inmate records. For example, Hodge discloses that calls are only permitted when a minimum amount of funds is available in an inmate account: “In order for a user to place a direct call, a user must have sufficient funds in an account to pay for at least a three-minute call.” (Hodge, 42:3-7.) In addition, Hodge discloses that an inmate may have a blocked or allowed call list that dictates whether a particular number is callable: after entering a telephone number, the system “access[es] a list of telephone numbers that the inmate may not call, or

alternatively, the system may access a list of numbers that the inmate is authorized to connect to (*i.e.*, the inmate can only call the numbers appearing on the list).”

(Hodge, 3:34-38.) Each of these examples authorizes or denies a particular call based on inmate records. Therefore, Bellcore and Hodge discloses “*a call application management system connecting a call...responsive to...the call being authorized based on the inmate records provided by the inmate management system.*”

B. The combination of Bellcore and Hodge renders independent claim 10 obvious.

Claim 10 is a method claim that includes substantially the same limitations as claim 1. The following claim chart maps the limitations to Bellcore and Hodge.

10. A method for managing inmate information at multiple facilities including a first facility and a second facility, each facility comprising multiple telephone terminals and computer terminals, the method carried out in a computer-based system located remotely from at least one of the multiple facilities, the method comprising:	<p><i>See</i> Section VII.A.2; Forys Decl., ¶¶87-90 and 119-122</p> <p>“CCA provides much of the necessary call processing functionality to support voice on the packet network.” (Bellcore, 4-12-4-13.)(emphasis added.)</p> <p>Hodge provides additional functional elements which are also computer-based – investigative workstation, shadow workstation and commissary workstation used to provide call processing. (<i>See, e.g.</i>, Hodge, 20:18-21:18.)</p> <p>Bellcore emphasizes the need for network-based fraud detection. (<i>See, e.g.</i>, Bellcore, 5-73, 5-85, 5-86.)</p> <p>“The switchboard is connected to a site server, which is commonly referred to as an ITAC (Inmate Tele- phone Access Control) in</p>
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	<p>penal institutions or UTAC (User Telephone Access Control) in certain other types of institutions.” (Hodge, 10:19-22.)</p> <p>“Connected to the ITAC/UTAC are a number of administrative and investigative workstations used to create, edit, and monitor user accounts and telephone calls. (Hodge, 10:35-37.)</p> <p>“In a WAN configuration, the site server is connected to multiple switchboard devices that are located in separate institutions. In this embodiment, the ITAC/UTAC serves as the database location for the entire system. Administrative and investigative work- stations may be located at every facility.” (Hodge, 10:41-46.)</p> <p>The call management system 101 of Hodge includes a telephone bank 103 having a plurality of user telephones 102. (Hodge, 18:19-27.)</p> <p><i>See also</i> Bellcore Figure 4-2; Hodge FIG. 1; and Forys Figure B.</p>
<p>receiving, from a first computer terminal at the first facility, first in- mate information associated with an inmate;</p>	<p><i>See</i> Section VII.A.4; Forys Decl., ¶¶96-98 and 123-124</p> <p>“The switchboard is connected to a site server, which is commonly referred to as an ITAC (Inmate Tele- phone Access Control) in penal institutions or UTAC (User Telephone Access Control) in certain other types of institutions.” (Hodge, 10:19-22.)</p> <p>“Connected to the ITAC/UTAC are a number of administrative and investigative workstations used to create, edit, and monitor user accounts and telephone calls. (Hodge, 10:35-37.)</p> <p>“In a WAN configuration, the site server is connected to multiple switchboard devices that</p>

	<p>are located in separate institutions. In this embodiment, the ITAC/UTAC serves as the database location for the entire system. Administrative and investigative work- stations may be located at every facility. Alternatively, it is foreseeable that one or more sets of workstations at a central facility may be used to administrate all user accounts.” (Hodge, 10:41-48.)</p> <p><i>See also</i> Hodge FIG. 24.</p>
<p>receiving, from a second computer terminal at the second facility, second inmate information associated with the;</p>	<p><i>See</i> Section VII.A.4; Forys Decl., ¶¶96-98 and 125-126</p> <p>“The switchboard is connected to a site server, which is commonly referred to as an ITAC (Inmate Tele- phone Access Control) in penal institutions or UTAC (User Telephone Access Control) in certain other types of institutions.” (Hodge, 10:19-22.)</p> <p>“Connected to the ITAC/UTAC are a number of administrative and investigative workstations used to create, edit, and monitor user accounts and telephone calls. (Hodge, 10:35-37.)</p> <p>“In a WAN configuration, the site server is connected to multiple switchboard devices that are located in separate institutions. In this embodiment, the ITAC/UTAC serves as the database location for the entire system. Administrative and investigative work- stations may be located at every facility. Alternatively, it is foreseeable that one or more sets of workstations at a central facility may be used to administrate all user accounts.” (Hodge, 10:41-48.)</p>
<p>generating an in- mate record based on the first inmate information and the second inmate information;</p>	<p><i>See</i> Section VII.A.4; Forys Decl., ¶¶96-98 and 127-128</p> <p>“The switchboard is connected to a site server, which is commonly referred to as an ITAC (Inmate Tele- phone Access Control) in penal</p>

	<p>institutions or UTAC (User Telephone Access Control) in certain other types of institutions.” (Hodge, 10:19-22.)</p> <p>“Connected to the ITAC/UTAC are a number of administrative and investigative workstations used to create, edit, and monitor user accounts and telephone calls. (Hodge, 10:35-37.)</p> <p>“In a WAN configuration, the site server is connected to multiple switchboard devices that are located in separate institutions. In this embodiment, the ITAC/UTAC serves as the database location for the entire system. Administrative and investigative work- stations may be located at every facility. Alternatively, it is foreseeable that one or more sets of workstations at a central facility may be used to administrate all user accounts.” (Hodge, 10:41-48.)</p> <p>“FIG. 24 depicts a sample account screen 2400 which is used to monitor a user's account balance and suspension status.” (Hodge, 42:47-49.)</p> <p>“Buttons located in the lower right corner of account screen 2400 are used to modify a number of user settings. ... Change button 2419 is used to modify data such as user name, living unit, user language preference, status code, and comments. Change register button 2421 allows authorized personnel to change a user's identification number. Change PAC button 2423 is used to modify a user's current PIN. Alert button 2425 toggles alert field 2411. Finally, suspend inmate button 2427 is used to toggle suspension field 2409.” (Hodge, 43:16-26.)</p>
storing the inmate record in the computer- based system for shared access	<p><i>See</i> Section VII.A.4; Forys Decl., ¶¶100 and 129-130</p> <p>“All inmate and call information is routed</p>

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Review of U.S. Patent No. 8,340,260*

across to the in- mate record computer terminals in the multiple facilities;	through central site server 113. At central site server 113, user call information is digitized for efficient data transfer and efficient record keeping. Central site server 113 stores at least each user's financial transaction data. It is preferred that central site server 113 also stores the digitized audio used for voice prompts as well as each user's call restrictions, PIN, biometric verification data, etc.” (Hodge, 19:37-44.)
receiving a request from one of the multiple telephone terminals for connection of a call over a telephone carrier net- work; and	<p><i>See</i> Section VII.A.5; Forys Decl., ¶131</p> <p>An access gateway (AG) “provides customer access to the VOP network from traditional network access interfaces supported in circuit switched networks.” (Bellcore, 5-1.)</p> <p>An AG includes a “circuit-mode to packet-mode con- version for media streams.” (Bellcore, 5-3.)</p> <p>“To access the system, a user dials a special number and inputs a user-specific code for verification followed by the number of the party to be called. Next, the code is verified by the system. If verification is successful and sufficient funds are available, the call is connected.” (Hodge, 5:5:64 – 6:2.)</p> <p><i>See</i> Bellcore, Figure 4-2; Forys Decl., Figure B.</p>
connecting the call from one of the telephone terminals over a telephone carrier net- work and a communication link responsive to authorizing the call based on the inmate records stored in the computer-based system.	<p><i>See</i> Section VII.A.5; Forys Decl., ¶¶101, 102, and 132-134</p> <p>The Trunk Gateway of Bellcore “provides the communications interface between the PSTN and the Core (VOP) network.” (Bellcore, 5-18.)</p> <p>The Trunk Gateway includes a packetization and depacketization module that “performs packetization of audio signals (received from the PSTN) and depacketization of data (received from the Core network).” (Bellcore, 5-19.)</p>

	<p>“In classical IP over ATM, IP routers are attached to ATM backbone networks. Switches in the ATM network are treated as devices of IP sub-networks.” (Bellcore, 5-55.)</p> <p>The access gateway (AG) “provides functions such as packetization” of calls from traditional telephone sets, such as those disclosed in Hodge. (See Bellcore, 4-12.)</p> <p>“A user must have a system account established in order to make telephone calls from a specific facility. This information will be stored on the site server which may be integral or remote from the call system architecture.” (Hodge, 42:14-17.)</p> <p>“To access the system, a user dials a special number and inputs a user-specific code for verification followed by the number of the party to be called. Next, the code is verified by the system. If verification is successful and sufficient funds are available, the call is connected.” (Hodge, 5:5:64 – 6:2.)</p> <p>Hodge describes a central site server that “serves as the database location for the entire system.” (Hodge, 10:44-45.)</p> <p>Hodge further discloses PIN checking, and states that “[t]he information entered by the user is compared with information stored in the database for that specific user.” (Hodge, 11:44-45.)</p> <p>After a pre-determined number of failed attempts by the user to enter a correct PIN, “the individual may be denied access to the telephone system and an official may be notified.” (Hodge, 11:45-48.)</p> <p>“In order for a user to place a direct call, a user must have sufficient funds in an account to pay for at least a three-minute call.” (Hodge, 42:3-7.)</p>
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	After entering a telephone number, the system “access[es] a list of telephone numbers that the inmate may not call, or alternatively, the system may access a list of numbers that the inmate is authorized to connect to (<i>i.e.</i> , the inmate can only call the numbers appearing on the list).” (Hodge, 3:34-38.)
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C. The combination of Bellcore and Hodge renders dependent claims 2 and 14 obvious.

The inmate records of Hodge include “*biometric data of the inmates*”:

Hodge discloses that “biometric data may be required to access the system.” (*Id.*, 12:18-19.) The biometric data “may be acquired from users...upon the creation of a telephone account for use with the system” and “may be stored along with the user’s PIN in the user’s account profile or another storage means to be used later as an authentication device.” (*Id.*, 12:21-28.)

The inmate records of Hodge also include “*contact information of third parties associated with the inmates.*” Hodge discloses that the call processing system “access[es] a list of telephone numbers that the inmate may not call.” (*Id.*, 3:34-36.) These “blocked” telephone numbers are “*contact information*” associated with each inmate, specifying the individuals that the inmate is prohibited from contacting to ensure that the inmate does not threaten or harass these individuals. “For example, a convicted criminal would be blocked from ever calling his previous victims.” (*Id.*, 48:51-52.)

Hodge further discloses that an “inmate debit account may alternatively be

controlled by the inmate's family...The inmate's family may add funds to the debit account and thereby control the call volume allowed to the inmate." (*Id.*, 2:39-46.)

It would have been obvious to a POSITA that where an inmate's account is tied to a third party, information about that third party (such as a billing or contact address) would be stored in order to provide that third party with account and billing statements and other notifications. (Forys Decl., ¶108.)

A POSITA would have also understood that it was well-known and routine to store the type of inmate data recited in claims 2 and 14 prior to the alleged July 12, 2007 priority date. (Forys Decl., ¶¶109, 143.) For example, the Federal BOP SENTRY system centrally stored and managed a wide-range of data about federal inmates including general inmate data, the financial responsibility of inmates (court-ordered financial obligations imposed on an inmate), inmate discipline (infraction of institution rules filed against an inmate) and sentence monitoring. (*See, e.g.*, Audit Report, p. 2.) The centralized inmate records stored in the Federal BOP SENTRY system can also include, among other data, the inmate's name, physical description of the inmate (height, weight, hair color, eye color), social security number of the inmate, offense/sentence, and severity of the offense. (*See*, Program Statement, pp. 26-41.)

D. The combination of Bellcore and Hodge renders claims 8 and 16 obvious.

Claim 8 depends from claim 7 which recites that “*the inmate management system is further configured to control access to the inmate records based on logon information received from the computer terminals.*” The Board found that the combination of Spadaro and Hodge renders this claim obvious. *Global Tel*Link Corporation* , IPR2014-00824, Paper 36 at 54, 61. The combination of Bellcore and Hodge also renders claim 7 obvious.

“*Control[ling] access to the inmate records based on logon information received from the computer terminals*” was well known long before the alleged priority date of claim 7. (Forys Decl., ¶111.) Using information provided at logon (*e.g.*, password) to control access to a computer system has been a standard way to secure computer systems for decades. (*See, e.g.*, Notes on Network, p. 5-11.) Bellcore stresses the importance of data security in its VOP architecture. (Bellcore 5-85, 86.) Hodge discloses an even more robust approach to data security: Hodge describes “[s]ystem administration software” for institution staff members to customize inmate records. (Hodge, 36:16-24.) However, “only authorized staff members may have access to customize system settings, based on individual staff member security levels.” (*Id.*) The staff member security levels may be “determined when a user first logs into the system...based upon username and the

access level that has been set for each user name by a user manager.” (*Id.*)

The combination of Bellcore and Hodge also discloses that the inmate management system “*stores inmate accounts for charging fees to the third parties associated with the inmates for connecting calls placed by the inmates from the plurality of telephone terminals*” (claim 8) and the action of “*establishing an inmate account for charging fees to the third party for connecting calls placed by the inmate associated with the inmate account*” (claim 16). (Forys Decl., ¶¶114, 115, 145.) Hodge discloses that software of his call processing system “can create a debit account for each user.” (Hodge, 11:23-26.) Payment for an inmate’s call is then “subtracted from the account after its completion.” (*Id.*) Hodge further discloses that a third party can control account funds:

The inmate debit account may alternatively be controlled by the inmate’s family. For example, the inmate’s family may control the inmate’s access to the debit account either remotely (e.g., by using the Internet, accessing a toll-free/pay to dial telephone number, using a mail form, etc.) or by visiting the prison facility. The inmate’s family may add funds to the debit account and thereby control the call volume allowed to the inmate.

(*Id.*, 2:39-46.) Fees associated with the connection of calls placed by the inmates are charged to the family (third party) via the debit account. (Forys Decl., ¶115.) Thus, Hodge discloses a system that establishes and stores “*inmate accounts for*

charging fees to the third parties... for connecting calls placed by the inmate associated with the inmate account.”

E. The combination of Bellcore and Hodge renders claims 9 and 17 obvious.

Claim 9, which depends from claim 8, recites that “*the inmate accounts are charged for expenses incurred by said inmates for an activity other than placing the calls.*” (’260 patent, 26:13-15.) Similarly, claim 17 adds the step of “*charging [the] inmate account for an expense incurred by [the] inmate for an activity other than placing the calls.*” (’260 patent, 26:61-63.) Hodge teaches or suggests that an inmate account may be used for both telephone calls and commissary purchases. (Forys Decl., ¶¶117, 147.) As described in Hodge, “telephone communication systems in penal institutions provide an inmate with a telephone account upon arrival ... The cost of each call is then deducted from the total amount in the inmate’s account until no balance remains.” (Hodge, 2:23-31.) Hodge then describes that “[i]n addition, or **alternatively**, an inmate may be assigned a commissary account” (*id.*, 2:32-36 (emphasis added)), which both serves as “the inmate’s general prison spending account” (*id.*, 42:3-11) and allows accumulated funds to be applied “**to the cost of placing telephone calls**” (*id.* 2:32-36 (emphasis added)). Thus, in this embodiment, both telephone expenses and goods are charged to the same inmate account.

F. The combination of Bellcore and Hodge renders claim 11 obvious.

Bellcore and Hodge disclose that the “*first inmate information is received upon [the] inmate’s arrest.*” Obtaining information associated with an inmate soon after an inmate’s arrest was known prior to the alleged priority date of claim 11. (Forys Decl., ¶¶136-38.) The background of the ’260 patent admits that inmate information is collected by authorities immediately or very soon after an arrest explaining that the arresting officer obtains inmate information “identifying the individual, [and] describing the reason for arrest or detention.” (’260 patent, 2:4-7.)

Hodge also suggests that information about an inmate is obtained at the time of the arrest. The system of Hodge is useful in any facility that has “the need to monitor, control, record and provide detailed records of the usage of a telephone system.” (Hodge, 1:17-19.) A POSITA would have understood a police station or other holding facility as being such a place where telephone calls are permitted, but are closely controlled or monitored. (Forys Decl., ¶136.) In addition, Hodge discloses that “telephone communication systems in penal institutions provide an inmate **with a telephone account upon arrival.**” (Hodge, 2:23-25 (emphasis added).) A POSITA would have understood that certain inmate information (*e.g.*, inmate’s name, account number, PIN number, and telephone numbers of the inmate’s friends, family, and/or attorney), would be needed to establish an inmate’s telephone account. (Forys Decl., ¶137.) A POSITA would have also

understood that, at least with respect to the police station facility, an inmate's "arrival" often is equivalent to his arrest. (Forys Decl., ¶138.) Indeed, individuals will frequently turn themselves in (*e.g.*, submit to being arrested) at a police station facility. (Forys Decl., ¶138.) An inmate would thus have a great need for access to a telephone after his or her arrest. (Forys Decl., ¶138.) Therefore, it would be obvious to use the workstations of Hodge at a police station to gather information after arrest such that an inmate can be processed and make calls. Thus, the combination of Bellcore and Hodge renders claim 11 obvious.

VIII. GROUND 2: The combination of Bellcore, Hodge and Boykin renders claims 5 and 12 obvious.

Hodge discloses that "[i]t is common to utilize a controlled telephone system capable of monitoring outgoing telephone connections in **many types of institutional environments**, such as, but not limited to, penal institutions, military institutions, hospitals, schools, businesses, or specific types of government institutions." (Hodge, 1:19-33 (emphasis added).) Although Hodge fails to explicitly disclose that a facility is a "*mobile police station*," Boykin provides this limitation.

Boykin describes how to acquire conversations and other data associated with an inmate while that inmate is in transit to a holding facility or prison. For example, Boykin describes "an effective and efficient method for capturing,

transmitting, and storing potential evidentiary video and related information in mobile environments.” (Boykin, 1:47-50.) A mobile server is also provided for “integrating and storing the captured information in the vehicle” as well as for “transmitting the captured information from the vehicle to a second location, such as a building.” (*Id.*, 1:57-60.) Boykin describes many different mobile environments in which his system can be employed, including “police, fire, and rescue vehicles.” (*Id.*, 2:15-19.) A police vehicle is a mobile police station as acknowledged by the ’260 specification. (’260 patent, 2:7-8.)

A POSITA could have combined the mobile facility of Boykin with the system of Bellcore and Hodge using known networking techniques (*e.g.*, wireless routing). (Forys Decl., ¶¶150, 153.) Adding a new facility to the multi-facility infrastructure of Bellcore and Hodge would have been routine and the results of the combination would have been predictable to a POSITA. (Forys Decl., ¶¶150, 153-56.)

IX. GROUND 3: The combination of Bellcore, Hodge and Nguyen renders claims 15 and 18 obvious.

The call processing system of Hodge “access[es] a list of telephone numbers that the inmate may not call.” (Hodge, 3:34-36.) These “blocked” telephone numbers belong to individuals that the inmate is prohibited from contacting, particularly those that the inmate may threaten or harass: “For example, a

convicted criminal would be blocked from ever calling his previous victims.” (*Id.*, 48:51-52.) A POSITA would understand from Hodge that protecting victims and other targeted individuals is an important goal and is one that can be achieved with additional protections. (Forys Decl., ¶157.) Although Hodge does not expressly disclose “*notifying said third party of said inmate’s arrest based on the contact information*” (claim 15) or “*notifying said third party of transfer of the inmate from one facility of the multiple facilities to another facility of the multiple facilities*” (claim 18), Nguyen teaches or suggests these limitations. (Forys Decl., ¶¶155-64.)

Nguyen is directed to “a system and method for the alerting of victims of the change of status of a defendant in the criminal justice system.” (Nguyen, 1:7-9.) Nguyen emphasizes the rights and protections of victims: “The rights of victims in the criminal justice system is receiving considerable attention today in the midst of a significant violent crime rate and early release of many offenders due to the over crowding of prisons.” (*Id.*, 1:10-13.)

Nguyen describes that many different status changes can trigger victim notification: “Many states have passed legislation enacting the right of victims to be alerted to the early release **or other changes in status of defendants.**” (*Id.*, 1:13-17 (emphasis added).) Arrest of an inmate would easily have been understood by a POSITA as constituting such “other changes in status” that would warrant notification to a victim. (Forys Decl., ¶161.) For example, the arrest of an inmate

would require notification to the victim for the same reason as the inmate being released – the inmate’s arrest has an appreciable impact on the safety and/or well-being of the victim. (Forys Decl., ¶¶161,164.)

Nguyen discloses that a “‘Registered Victim’ shall be any person who has provided the system with his or her unique identifying communication address such as a telephone number or electronic address and selected a personal identifying number, i.e., a ‘PIN’.” (Nguyen, 3:8-12.) It would have been obvious to a POSITA that other interested third parties (*e.g.*, family members), would be suitable candidates for receiving inmate status notifications. (Forys Decl., ¶¶161, 165.) Moreover, a POSITA would have recognized that, at least in some instances, a conventional “victim” could also be a friend of family member of the inmate, as is the case with domestic violence situations.

Nguyen further describes a “control station” that functions substantially similar to Hodge’s central site server, by maintaining data records of various inmates: “The system itself includes a central processor or control station for storing in a data base information pertaining to a plurality of prison inmates and a plurality of victims.” (Nguyen, 1:55-58.) Upon being informed of the inmate’s change in status, the control station “automatically calls and informs the victim of the change.” (*Id.*, 2:3-5.) Thus, Nguyen discloses “*notifying said third party of said inmate’s arrest based on the contact information*” (claim 15).

Nguyen also describes that victims have “the right...to be alerted to the early release **or other changes in status of defendants.**” (*Id.*, 1:13-17 (emphasis added).) A POSITA would have understood a transfer of an inmate as an “other change[] in status” that would warrant notification to a victim. (Forys Decl., ¶¶161, 164, 165.) For example, a transfer of the inmate to a facility within the vicinity of his victim would require notification to the victim for the same reason that such notification is required when the inmate is released – the inmate’s status has an appreciable impact on the safety and/or well-being of the victim. (Forys Decl., ¶¶161, 164.) Further, as discussed above, because Nguyen defines a “Registered Victim” to encompass anybody who provides their contact information (*see* Nguyen, 3:8-11), it would have been obvious to a POSITA that other interested third parties (*e.g.*, family members) would also be suitable candidates for receiving inmate status notifications. (Forys Decl., ¶¶161, 165.)

In addition, upon being informed of a change in status of a particular inmate, the control station in Nguyen “automatically calls and informs the victim of the change.” (*Id.*, 2:3-5.) Therefore, Nguyen discloses “*notifying said third party of transfer of the inmate from one facility of the multiple facilities to another facility of the multiple facilities*” (claim 18).

Furthermore, Hodge discloses “*establishing another inmate account associated with said third party responsive to transferring the inmate to the other*

facility” (claim 18). (Forys Decl., ¶166.) Hodge discloses that “[a] user must have a system account established in order to make telephone calls from a specific facility” (Hodge, 42:14-20), and further discloses that “[w]hen an inmate is transferred from one facility to another, **only** the inmate’s account information, COS, and telephone lists are transferred to that facility.” (*Id.* (emphasis added).) As discussed above in Section VII.A, in Hodge, an inmate’s family (third party) may “add funds” and “thereby control the call volume allowed to the inmate.” (*Id.*, 2:39-46.) The transferred account information would include information associated with the family (third party). Thus, in Hodge, when an inmate is transferred, a new account needs to be established at the new facility, presumably based on the transferred account information.

X. The proposed grounds are not redundant

Petitioner’s grounds against the ’260 patent are not redundant to the Spadaro and Hodge grounds presented in IPR2014-00824. As discussed above, the Board found, based on Patent Owner’s misrepresentations, that Spadaro was disqualified as a reference under 35 U.S.C. § 103(c). Bellcore, the base reference in the present proceeding, was not commonly owned by Patent Owner at the alleged time of invention of the challenged claims. Therefore, the Bellcore grounds are not subject to the § 103(c) exception and are distinct from, and not redundant to, the Spadaro grounds.

Petitioner's grounds against the '260 patent are not redundant to the grounds presented in CBM2017-00044. Each of the grounds relies upon the Hodge patent which is prior art under 35 U.S.C. § 102(e). Section 102(e) references do not qualify as prior art on which a covered business method review may be based. *See* AIA § 18(a)(1)(C); *Liberty Mut. Ins. Co. v. Progressive Cas. Inc. Col*, CBM2012-00010, Paper 16 at 28 (PTAB Feb. 25, 2013) (recognizing that § 102(e) references do not quality as prior art under AIA § 18(a)(1)(C).) Therefore, Petitioner was precluded from raising the Bellcore/Hodge grounds in CBM2017-00044.

XI. Mandatory notices.

REAL PARTY-IN-INTEREST: The real party-in-interest of Petitioner is Global Tel*Link Corporation ("GTL").

RELATED MATTERS:

The '260 patent is the subject of the following action: *Securus Technologies, Inc. v. Global Tel*Link Corporation*, No. 3-16-cv-01338 (N.D. Tex.).

The '260 patent claims the benefit of U.S. Patent No. 7,899,167 ("the '167 patent"), filed August 15, 2003; and U.S. Patent No. 7,529,357 ("the '357 patent"), filed July 12, 2007.

The '260 patent was the subject of *inter partes* review proceeding IPR2014-00824, filed May 27, 2014. The '357 patent was the subject of *inter partes* review proceeding IPR2014-00825, filed May 27, 2014. The '167 Patent was the subject

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of *inter partes* review proceeding IPR2014-00493, filed March 10, 2014.

The '260 patent is also the subject of covered business method review proceeding CBM2017-00044, filed March 17, 2017. The '357 patent is the subject of covered business method review proceeding CBM2017-00043, filed March 17, 2017.

Petitioner is concurrently filing a petition for *inter partes* review of the '357 patent.

LEAD AND BACKUP COUNSEL: Pursuant to 37 C.F.R. § 42.8(b)(3) and 42.10(a), Petitioner appoints **Lori A. Gordon** (Reg. No. 50,633) as its lead counsel and **Michael B. Ray** (Reg. No. 33,997) and **Ryan C. Richardson** (Reg. No. 67,254) as its back-up counsel, all at the address: STERNE, KESSLER, GOLDSTEIN & FOX, 1100 New York Avenue, N.W., Washington, D.C., 20005, phone number (202) 371-2600 and facsimile (202) 371-2540.

SERVICE INFORMATION: Petitioner consents to electronic service by email at the email addresses: **lgordon-PTAB@skgf.com**; **mray-PTAB@skgf.com**; **rrichardson-PTAB@skgf.com**; and **PTAB@skgf.com**.

XII. Conclusion.

For the reasons set forth above, Petitioner requests that the Board institute *inter partes* review of claims 2, 5, 8, 9, 11, 12, and 14-18 of the '260 patent on the ground that they are obvious under 35 U.S.C. § 103.

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CERTIFICATION OF SERVICE (37 C.F.R. § 42.6(e))

The undersigned hereby certifies that the above-captioned **PETITION FOR INTER PARTES REVIEW OF CLAIMS 2, 5, 8, 9, 11, 12, AND 14-18 OF U.S. PATENT NO. 8,340,260**, the accompanying Power of Attorney, and all associated exhibits, were served in their entireties on May 15, 2017, upon the following parties via FEDEX[®]:

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**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME
LIMITATION, TYPEFACE REQUIREMENTS, AND TYPE STYLE
REQUIREMENTS**

1. This Petition complies with the type-volume limitation of 14,000 words, comprising 12,017 words, excluding the parts exempted by 37 C.F.R. § 42.24(a).

2. This Petition complies with the general format requirements of 37 C.F.R. § 42.6(a) and has been prepared using Microsoft® Word 2010 in 14 point Times New Roman.

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