

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MOBOTIX CORP.,
Petitioner,

v.

E-WATCH, INC.,
Patent Owner.

Case IPR2013-00499
Patent 7,228,429

Before JAMESON LEE, MICHAEL W. KIM, and
MATTHEW R. CLEMENTS, *Administrative Patent Judges*.

CLEMENTS, *Administrative Patent Judge*.

FINAL WRITTEN DECISION
35 U.S.C. § 318(a) and 37 C.F.R. § 42.73

I. INTRODUCTION

Mobotix Corp. (“Petitioner”) filed a Corrected Petition requesting *inter partes* review of claims 1–3, 15–21, 23–26, 29–32, 34, 36, 37, 39–50, 52–68, and 70–76 of U.S. Patent No. 7,228,429 (Ex. 1101, “the ’429 patent”).¹ Paper 4 (“Pet.”). e-Watch, Inc. (“Patent Owner”) did not file a Preliminary Response. On February 10, 2014, we instituted an *inter partes* review of claims 15–21, 23–26, 29–32, 34, 36, 37, 39, 41–50, 52–58, 60, 62–67, and 70–76 on certain grounds of unpatentability alleged in the Petition. Paper 13 (“Dec.”). After institution of trial, Patent Owner did not file a Patent Owner Response. An oral argument was not held.

The Board has jurisdiction under 35 U.S.C. § 6(c). In this Final Written Decision, issued pursuant to 35 U.S.C. § 318(a) and 37 C.F.R. § 42.73, we determine Petitioner has shown, by a preponderance of the evidence, that all claims for which trial is instituted, claims 15–21, 23–26, 29–32, 34, 36, 37, 39, 41–50, 52–58, 60, 62–67, and 70–76 are unpatentable.

A. *The ’429 Patent*

The subject matter of the ’429 patent relates to sensor, monitor, and control appliance devices generally utilized in monitoring and surveillance systems, and is specifically adapted to a network adaptation of such

¹ The Petition includes several inconsistent listings of claims for which review is sought. *Compare*, Pet. 1 (omitting claims 32, 34, 36, 37, 63, and 64), *with* Pet. 3, 60 (including claims 32, 34, and 36, but omitting claim 37). In addition, all three lists omit claims 1–3 despite the Petition including analysis of those claims, and include claim 68 despite the Petition providing no analysis with respect to that claim. Pet. 45–46, 54–60. We determine that these inconsistencies are clerical errors.

appliances. Ex. 1101, 1:8–11. Public facilities, such as schools, banks, airports, arenas, and the like, frequently employ monitoring and surveillance systems to enhance security. *Id.* at 1:13–23. Such systems generally have a centralized monitoring console, usually attended by a guard or dispatcher, and a variety of sensors located throughout the facility, such as smoke detectors, fire detectors, motion sensors, glass breakage detectors, badge readers, video cameras, microphones, and transducers utilized to lock and unlock doors. *Id.* at 1:24–30. However, in prior art systems, the signal generated by each type of device was used locally, or if part of a network, was sent over a dedicated connection to a remote collection point for that type of device. *Id.* at 1:40–44. Such prior art devices merely provided an ON/OFF indication to the centralized monitoring system and were generally hard-wired to the centralized monitoring system via a “current loop” or similar arrangement. *Id.* at 1:45–51.

To solve these and other problems, a network appliance is disclosed in the '429 patent that is designed to participate in a comprehensive multimedia security and building support system that may be deployed singularly, or in combination, to achieve the degree of monitoring and protection desired. *Id.* at 2:17–22. The single network appliance provides all of the functions previously supplied by a plurality of dedicated purpose, discrete appliances. *Id.* at 2:29–31. The network appliance may be connected to the multimedia surveillance and monitoring system via a wired or wireless network. *Id.* at 3:11–22. The network appliance may transmit event data, video and/or image monitoring information, audio signals, and other network appliance sensor and detector data over the network for automatic event recording, assessment, and response. *Id.* at 3:11–22. The '429 patent is specifically

directed to networked appliances, such as video and/or image appliances, access control devices, detectors, and sensors, as well as audio, condition, and/or event monitoring systems. *Id.* at 3:58–61.

The network appliance may include a video camera, digitizer, motion video buffer and compressor, and a still-frame video buffer and compressor. *Id.* at Fig. 8, 13:48–14:51. Figure 8 of the '429 patent is reproduced below:

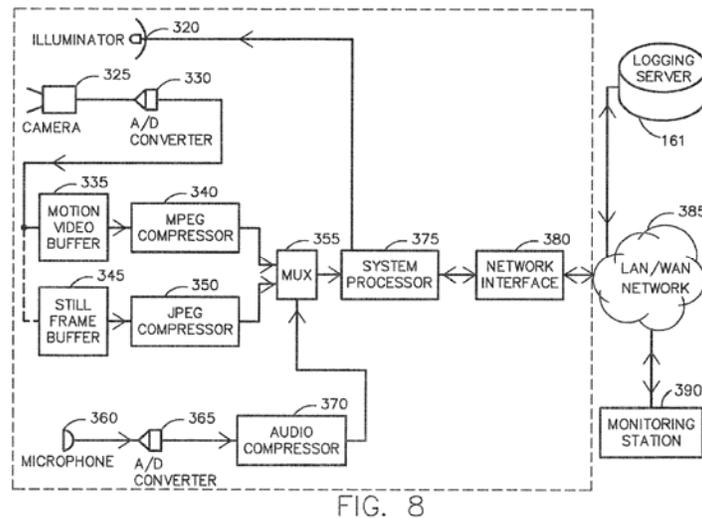


Figure 8 of the '429 patent illustrates one embodiment of network appliance 5. When activated, camera 325 captures local scenes, and transmits them to monitoring station(s) 390 via network 385 using suitable compression methods, such as MPEG or JPEG. *Id.* at 13:53–56. The local scenes are transmitted to network 385 via multiplexer 355, system processor 375, and network interface 380. *Id.* at 13:53–59. Simultaneously, microphone 360 may be included to receive local sounds, digitize them at A/D converter 365, compress them at audio compressor 370, and send them to network 385. *Id.* at 13:59–62.

B. Illustrative Claim

The '429 patent includes 76 claims, of which claim 1 is the only independent claim. Independent claim 1 is reproduced as follows:

1. An appliance for a network based security system, comprising:
 - a. a sensor component adapted for generating a signal in response to a condition present at the sensor component;
 - b. a processor for generating a digital output signal corresponding to the sensor component signal;
 - c. a network interface for transmitting the digital output signal via a digital network,wherein the sensor is a video sensor and the signal comprises a video signal, the appliance further comprising:
 - a. an analog-to-digital converter for converting the analog video signal to a digital signal;
 - b. a motion video buffer;
 - c. an mpeg compressor associated with the motion video compressor;
 - d. a still frame buffer;
 - e. a jpeg compressor associated with the still frame buffer;
 - f. a multiplexer for combining the outputs of the mpeg compressor and the jpeg compressor for generating a combined output signal to the processor for distribution via the network interface over the network,wherein there is further comprising:
 - a. an audio sensor component;
 - b. an analog-to-digital converter for converting the analog audio signal to a digital signal;
 - c. an audio compressor associated with the audio sensor component for introducing a signal to the multiplexer, whereby the multiplexer produces a combined digital signal comprising a video and an audio component for distribution via the network interface over the network.

C. Prior Art Supporting the Instituted Challenges

The following prior art references were asserted in the instituted grounds:

Seeley	US 6,069,655	May 30, 2000	Ex. 1105
MOBOTIX, INTERNET-VISION-SYSTEMS 1 (2000). (hereinafter “the Mobotix Brochure”)			Ex. 1106
Fernandez	US 6,697,103 B1	Feb. 24, 2004	Ex. 1107
Maram	US 5,019,803	May 28, 1991	Ex. 1109
Body	WO 00/48155	Aug. 17, 2000	Ex. 1119 ²

D. Grounds of Unpatentability Instituted for Trial

The following table summarizes the challenges to patentability that were instituted for *inter partes* review:

Reference(s)	Basis	Claims Challenged
Seeley	§ 103(a)	15–18, 23–25, 39, 43–50, 55, 60, 62–65, 71, 73, and 74
Seeley and Fernandez	§ 103(a)	18–21, 23, 24, 26, 29, 37, 41, 42, 70, and 75
Seeley and Maram	§ 103(a)	26, 29–31, 37, 42, 52, 54, 55, 58, 72, and 75
Seeley and Body	§ 103(a)	32, 34, 36, 42, 43, 50, 53, 55–57, 60, 65, 67, 75, and 76
Mobotix Brochure	§ 103(a)	15–18, 20, 23–25, 43–50, 65, 66, and 71

² Petitioner incorrectly identifies Body as Ex. 1121. Pet. 9.

II. ANALYSIS

A. Claim Construction

In an *inter partes* review, claim terms in an unexpired patent are interpreted according to their broadest reasonable construction in light of the specification of the patent in which they appear. 37 C.F.R. § 42.100(b); Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,766 (Aug. 14, 2012). Claim terms are given their ordinary and customary meaning as would be understood by one of ordinary skill in the art in the context of the entire disclosure. *In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007). If an inventor acts as his or her own lexicographer, the definition must be set forth in the specification with reasonable clarity, deliberateness, and precision. *Renishaw PLC v. Marposs Societa' per Azioni*, 158 F.3d 1243, 1249 (Fed. Cir. 1998).

1. “multiplexer”

Independent claim 1 recites a “multiplexer.” Petitioner proposes that “multiplexer” be construed as “a device for combining two or more input signals into at least one output signal.” Pet. 4. For support, Petitioner cites a definition of “multiplexer” from *McGraw-Hill Dictionary of Scientific and Technical Terms*, as well as several portions of the '429 patent. *Id.* (citing Ex. 1118). Claim 1 of the '429 patent specifies that the recited multiplexer is “for combining of the outputs of the mpeg compressor and the jpeg compressor for generating a combined output signal” and that it “produces a combined digital signal comprising a video and an audio component.” Apart from the claims, the '429 patent uses the term “multiplexer” only once. Ex. 1101, 13:56–57 (“the network comprising the multiplexer **355**”). Based on the above, we agree that Petitioner’s construction constitutes the broadest

reasonable interpretation in light of the Specification. Accordingly, we adopt it as the proper construction of multiplexer.

2. *“the sensor”*

Independent claim 1 recites “wherein the sensor is a video sensor and the signal comprises a video signal.” Claim 1 does not recite “a sensor.” Thus, there is no antecedent basis for “the sensor.” However, claim 1 does recite “a sensor component adapted for generating a signal.” Petitioner identifies factors in favor of construing “the sensor” as referring to the “sensor component” and factors in favor of construing “the sensor” as indicating “a sensor.” Pet. 4–5. On balance, we are not persuaded that the patentee intended the term “the sensor” to add a second structural limitation—“a sensor”—in addition to the “sensor component” recited earlier in the claim. The “wherein” clause requires that “the signal comprises a video signal.” The antecedent basis for “the signal” is the “signal” that the “sensor component” is adapted for generating. Because the “sensor component” is adapted for generating a “video signal,” a person of ordinary skill in the art would understand it to be a “video sensor.” Accordingly, we construe “the sensor,” as recited in claims 1 and 69–76, to refer to the “sensor component” recited in claim 1.

3. *“is”*

Independent claim 1 recites the term “is” in the phrase “wherein the sensor is a video sensor.” Petitioner proposes that “is” be construed as open-ended because claim 1 specifies that “the sensor is a video sensor” whereas numerous dependent claims specify that the “sensor” recited in claim 1 “is” a type of sensor other than a video sensor. Pet. 5. For example, claim 70 specifies that “the sensor is a fingerprint reader.” On this record, we are not

persuaded that the patentee intended to give “is” a special (i.e., open-ended) meaning. To the extent that claim 70 and other dependent claims further limit the “sensor” recited in claim 1, those limitations are in addition to the limitations of claim 1. We decline to construe “is” such that claim 70 could be satisfied by a sensor that is a video sensor but not a fingerprint reader, or by a sensor that is a fingerprint reader but not a video sensor. Therefore, we decline to construe “is” as open-ended, and instead construe it to have its plain and ordinary meaning.

4. “*workstation*”

As explained below with respect to claim 61, Petitioner contends that “workstation-to-workstation Intercom” is taught by Body. Pet. 36–37. The term “workstation” is not defined in the Specification. A person of ordinary skill in the art would have understood the plain and ordinary meaning of “workstation” as requiring input and output that can be used by an individual. *See* MICROSOFT COMPUTER DICTIONARY 722 (5th ed. 2002) (“**workstation n. 1.** A combination of input, output, and computing hardware that can be used for work by an individual.”). Accordingly, we construe workstation as “a combination of input, output, and computing hardware that can be used for work by an individual.”

*B. Claims 15–18, 23–25, 39, 43–50, 55, 60, 62–65, 71, 73, and 74 –
Obvious over Seeley*

Petitioner contends that claims 15–18, 23–25, 39, 43–50, 55, 60, 62–65, 71, 73, and 74 are unpatentable under 35 U.S.C. § 103(a) as obvious over Seeley. Pet. 9–23. All of the claims depend from independent claim 1, but *inter partes* review was not instituted for claim 1.

Seeley (Exhibit 1105)

Seeley discloses a video security system having components located physically at a premises being protected, and components located at a central station from which a number of premises can be monitored simultaneously. Ex. 1105, 1:25–28. Figure 7, shown below, illustrates one embodiment of such a system:

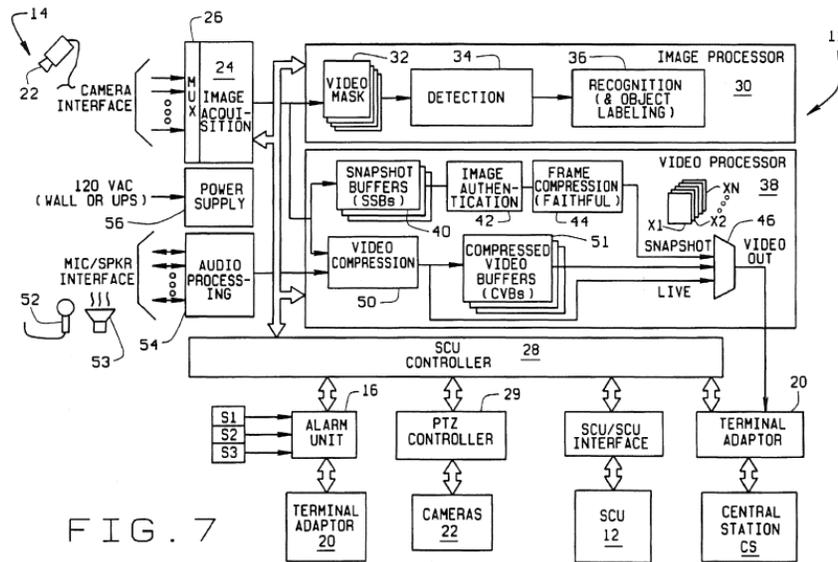


FIG. 7

Fig. 7 is a block diagram of a site control unit (“SCU”) installed on a premises. *Id.* at 7:42–43. Figure 7 shows SCU 12, including cameras 22. *Id.* at 10:43–46. A function of SCU 12 is to look intelligently at video acquired from each of cameras 22 to determine if an intruder is present within any scenes viewed by cameras 22. *Id.* at 9:24–27. SCU 12 includes image acquisition section 24, which receives video signals from each of cameras 22, these signals representing images of scenes observed by the respective cameras 22. *Id.* at 10:43–46.

When motion is detected, cameras 22 take full frame images of the scene. *Id.* at 12:66–13:4. Motion may be detected by sensors S1–S3 via alarm unit 16. *Id.* at 12:23–24. The full frame images then are sent to and

compressed at frame compression module 44, before being supplied to central station CS via video output 46 of SCU 12 and terminal adaptor 20. *Id.* at 13:27–30. Images from cameras 22 also are supplied to video compression module 50. *Id.* at 18:26–28. From video compression module 50, compressed images may be sent directly (i.e., live) through video output 46 to central station CS via terminal adaptor 20. *Id.* at 18:34–36, Fig. 7. An example of terminal adaptor 20 is shown below in Figure 12.

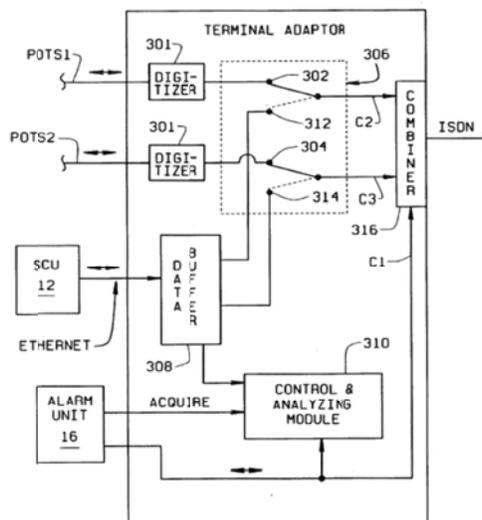


Figure 12 is a block diagram of a terminal adaptor. *Id.* at 7:57–58. Figure 12 shows that video signals transmitted from SCU 12 flow through data buffer 308 and switch 306 to communication lines C2, C3. *Id.* at 14:19–22. Communication lines C2, C3 are combined with communication line C1 at combiner module 316 to form an ISDN communication path. *Id.* at 14:31–33.

Analysis

Petitioner contends that claims 15–18, 23–25, 39, 43–50, 55, 60, 62–65, 71, 73, and 74 are unpatentable under 35 U.S.C. § 103(a) as obvious over Seeley. Pet. 9–23. In support of this asserted ground of

unpatentability, Petitioner provides detailed explanations as to how the claimed subject matter of each claim is met by Seeley, and relies on a Declaration of Dr. Stephen B. Wicker (“Dr. Wicker”). *Id.* (citing Ex. 1103 ¶¶ 19, 36, 38–43, 93, 94). As claims 15–18, 23–25, 39, 43–50, 55, 60, 62–66, 71, 73, and 74 each depend, directly or indirectly, from claim 1, Petitioner’s detailed explanations as to how each limitation of those claims is disclosed or suggested by Seeley also address the limitations set forth in independent claim 1. *Id.* at 9–17.

Upon review of Petitioner’s analysis and supporting evidence, we determine that Petitioner has demonstrated, by a preponderance of the evidence, that claims 15–18, 23–25, 39, 43–50, 55, 60, 62–65, 71, 73, and 74 would have been obvious over Seeley.

For example, we are persuaded that the following limitations of independent claim 1 are met by the following disclosure of Seeley:

<i>Independent Claim 1</i>	<i>Seeley</i>
a sensor component	cameras 22
a processor	site control unit (“SCU”) 12
a network interface	terminal adapter
a motion video buffer	compressed video buffer 51
a still frame buffer	snapshot buffer 40
a multiplexer	video output 46
an audio sensor component	microphones 52
an analog-to-digital converter	audio processing module 54
an audio compressor	audio processing module 54

Pet. 9–17.

Independent claim 1 also recites “an mpeg compressor” and “a jpeg compressor.” Seeley discloses video compression module 50 and frame compression unit 44. Ex. 1105, Fig. 7, 13:27–30, 18:26–38. Petitioner acknowledges that Seeley does not disclose expressly that video compression module 50 implements an “MPEG” standard, or that frame compression unit 44 implements a “JPEG” standard, as recited in independent claim 1. Pet. 15. However, Petitioner explains as follows:

Although Seeley does not explicitly reference an MPEG compressor, MPEG was a well-known video compression standard at the time of the invention. It would have been obvious to a person having ordinary skill in the art at the time of the invention that the video compression module 50 could use the MPEG compression standard, as MPEG was one of a limited number of well[-]known, commonly used video compression standards at that time. The video compression module 50 using [the] MPEG compression technique would be part of the overall motion video compressor and would thus be “associated with the motion video compressor.” Wicker Decl. [Declaration of Professor Stephen Wicker, Ex. 1103], ¶ 38.

....

Although Seeley does not explicitly identify a JPEG compressor, JPEG was a well-known image compression standard at the time of the invention. It would have been obvious to a person having ordinary skill in the art at the time of the invention that the frame compression unit 44 could use the JPEG compression standard, as JPEG was one of a limited number of well[-]known, commonly used still image compression standards at that time. Wicker Decl., ¶ 39.

Pet. 15. We are persuaded by Petitioner’s reasoning.

Petitioner further acknowledges that Seeley does not disclose expressly “an analog-to-digital converter for converting the analog video signal to a digital signal,” as recited in independent claim 1. Pet. 14.

Petitioner then explains as follows:

However, Seeley discloses that the cameras 22 can be analog or digital cameras and “[a] SCU can accommodate a plurality of cameras which can be . . . analog or digital cameras.” Seeley, 10:60-62, and 20:48-50. . . . Seeley further discloses that the video signal is output from the SCU (Site Control Unit) to be transmitted over ISDN (a digital network). *See e.g.*, Seeley, 14:7-9. Because the SCU is described as performing pixel by pixel operations and having an input from an analog camera and the processed video signal is transmitted over a digital network, Seeley discloses an analog-to-digital converter for converting the analog video signal to a digital signal in order to transmit the video signal over the digital network. Declaration of Professor Stephen Wicker, MOB1103, (hereinafter “Wicker Decl.”), ¶ 36.

Pet. 14. We are persuaded by Petitioner’s reasoning.

With respect to the “conventional LAN data link” recited in claim 15, Petitioner cites Seeley as disclosing a conventional LAN data link:

Figure[] 12 of Seeley shows a Terminal Adaptor (20) with a conventional LAN data link including an Ethernet connection to SCU 12 and an ISDN connection. See below for obviousness discussion.

.....

As to claims 15–17, the ’429 Patent’s Specification describes the Figures showing the structure of these claims (FIG. 10 and FIG. 11) as depicting nothing more than “a standardized method and apparatus for monitoring, controlling and powering a variety of network-based appliances.” ’429 Patent, 14:28-31 9 (emphasis added). In fact, the preamble of claim 15 identifies the structure as a “conventional” LAN data link. Thus, Figures[] 10 and 11 of the ’429 Patent constitute admitted prior art, and the addition of the admitted prior art structure to the system disclosed by Seeley would have been obvious to a POSITA at the time of the invention. Wicker Decl. ¶¶ 93-94. As to claim 15, Figures 10 and 11 of the ’429 Patent show a hub physical-layer interface (800), two twisted-pairs wires (815/820), a first transformer (805/810) connecting the two twisted wires to hub, a network device physical-layer

interface (835) connected to the twisted pairs (815/820), and a second transformer (825/830) connected to a peripheral device.

Pet. 18, 21–22. Paragraphs 93 and 94 of Dr. Wicker’s Declaration state:

93. It was well-known to a POSITA at the time of the invention of the ’429 patent that a “conventional” LAN data link could include a hub at one end of the link and a peripheral device at the other, and that the link between the ends could be accomplished with one or more pairs of twisted-pair wires. It was also well-known to a POSITA that a transformer could be used between the hub and the link, and between the peripheral device and the link, to provide electrical isolation between the end points, e.g., to remedy a ground offset that can occur when the hub and the peripheral device are powered from different sources. Additionally, and as an example, the Ethernet 10BASE-T specification (IEEE 802.3) requires the use of transformers at the ends of twisted pair cables. See, for example Annex D.6 of the IEEE Std. 802.3, 1998 Edition (excerpt below, where XFMR denotes a transformer), in which 10BASE-T uses cabling systems with a nominal differential characteristic impedance of 150 Ω .

D.6 10BASE-T use of cabling systems with a nominal differential characteristic impedance of 150 Ω

This subclause outlines the philosophy and methodology for allowing 10BASE-T stations to support transmission on 150 Ω balanced STP cabling, installed in accordance with ANSI/TIA/EIA-568-A-1995 [B16], Clause 4, and ISO/IEC 11801: 1995, Clause 8, with the use of impedance matching transformers.

The 10BASE-T specification was designed to support Manchester signaling over a link segment consisting of 100 Ω cabling system. The MAU link interface specifications were designed to ensure that jitter due to impedance discontinuities were minimized as specified in 14.4.2.3. In theory and in practice, a 150 Ω cabling system may be used to provide the link segment function provided the proper impedance match (100 Ω) with the MAU over the frequency range of interest as specified in 14.4, and the resultant transmission characteristics of the cabling system used to provide the link segment function meet or exceed those specified in 14.4. Therefore, to ensure the jitter specification of 14.4.2.3 and the jitter budget of B.4.1 are met, the following approach is recommended when using 150 Ω balanced STP cabling (as specified in ISO/IEC 11801: 1995):

- a) The 150 Ω section included in the link segment shown in Figure D.1 meets the specifications of ISO/IEC 11801: 1995, 7.2, and ANSI/TIA/EIA-568-A-1995 [B16].
- b) The link segment, including impedance matching transformers as shown in Figure D.2, meets all applicable specifications of 14.4.

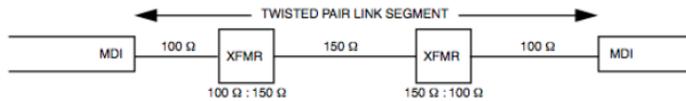


Figure D.1—Link segment incorporating 150 Ω cable section

- c) A link test point is shown in Figure D.2. The transformers shown are the same as the ones shown in Figure D.1. The attaching cables between the MAU and the link test point should be the minimum required to attach the components. As tested in this configuration, the MAU transmitter requirements meet all applicable requirements for the MAU as specified in Clause 14, except for signal levels which may be up to 1.0 dB lower than that specified there.

NOTE—This 1.0 dB (0.5 dB per transformer) effectively requires the attenuation of the 150 Ω cable section of the twisted-pair link segment (see Figure D.1) to be less than or equal to 10.5 dB in order to meet the requirements of 14.4.2.

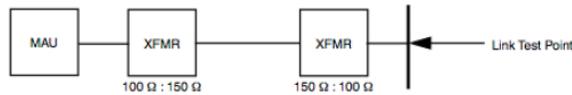


Figure D.2—Link test point for 150 Ω cabling

94. As discussed above, the transformers at each end of the LAN data link can electrically isolate the hub and the peripheral device from ground offsets. It would be well-known to a POSITA that with the end points isolated from offset voltages present on the link, the link itself could be intentionally biased with an external voltage and used to transmit power. For example, U.S. Patent 5,148,144 (to Sutterlin, et al.) describes how the twisted pair wires of a transformer-isolated LAN data link can be used to conduct power between a power supply and a regulator, in which the power supply is connected to the twisted pair side of a transformer at one end of the twisted pair

wires, and the DC/DC regulator is connected to the twisted pair side of another transformer at the other end of the LAN data link.

Ex. 1103 ¶¶ 93–94 (highlighting in original). We are persuaded by the reasoning in the above-quoted analysis of Dr. Wicker.

With respect to “wherein the sensor component is a heat sensor,” recited in claim 24, Petitioner cites Seeley for disclosing that “security companies also use passive infrared (“P.I.R.”) sensors which sense heat differences caused by animate objects such as humans or animals.” Pet. 18 (citing Ex. 1105, 1:48–49). We are persuaded by Petitioner’s reasoning.

Claim 39 depends from claim 2. With respect to “wherein the network is a hardwired network and the network interface is a connector,” recited in claim 2, from which claim 39 depends, Petitioner cites Seeley as disclosing a terminal adaptor. *Id.* at 17–18 (citing Ex. 1105, Fig. 1). With respect to “wherein the network interface includes both an RJ-45 jack and an RJ-11 jack,” recited in claim 39, Petitioner cites Seeley as disclosing an Ethernet connection and two plain old telephone service (“POTS”) lines:

Fig. 12 of Seeley shows a Terminal Adaptor as part of the appliance that is a network interface having a conventional LAN data link including an Ethernet connection and two POTS lines “available for whatever usage the operator of the premise[sic] wishes to put them.” *See, e.g.*, Seeley, 13:59–14:5. See below for obviousness discussion.

....

As to claim 39, it was well known to a POSITA at that time of the invention that an Ethernet connection would have a RJ-45 connection and a POTS line would have a RJ-11 connection such that the Terminal Adaptor of Seeley would include both a RJ-45 jack and a RJ-11 jack. Wicker Decl. ¶¶ 19, 41-42.

Id. at 19, 22. Paragraphs 41 and 42 of Dr. Wicker’s Declaration state:

41. Seeley further teaches a customer premise connected through a terminal adapter 20 to an Integrated Services Data Digital Network (ISDN), which is further connected to the central station. E.g., FIG. 1. A POSITA would understand that terminal adapter 20 (*i.e.*, network interface) has an associated processor designed to format data (here, image/video/audio data) such that it is suited for transmission as a signal across a network. The signal used to transmit the data would include attributes such as IP address information and appliance type information to allow for routing and delivery across the network.

42. ISDN, as addressed above, is a circuit-switched telephone network system, designed to allow digital transmission of voice and data over ordinary telephone copper wires. An ISDN network provides capability for simultaneous voice, video, and text transmission between individual nodes across separate networks and enables, for instance, video conferencing. *It was well known to a POSITA at the time of the invention of the '429 patent that an ISDN network is a hardwired network. A POSITA would understand that an Ethernet network, as disclosed by Seeley, is also a hardwired network and that connection to Ethernet or ISDN networks could be accomplished with a RJ-45 jack. See further discussions re support in ¶ 19 above.*

Ex. 1103 ¶¶ 41–42 (emphasis added). We are persuaded by the reasoning in the above-quoted analysis of Dr. Wicker.

With respect to claims 43–50, Petitioner contends that they “do not disclose additional structure, as they merely recite an intended use for the claimed device.” Pet. 23. Claim 43 recites “[t]he appliance of claim 1, further including a time display over the IP network.” However, claim 43 does not identify any component of claim 1 that generates the time display or communicates it over the IP network, or otherwise indicate whether the time display is even generated or communicated by the appliance of claim 1.

As a result, “further including a time display over the IP network” lacks a functional relationship to the components recited in claim 1. The same analysis applies to claims 44–50. We, therefore, construe these limitations to be non-functional descriptive material. *See In re Ngai*, 367 F.3d 1336, 1339 (Fed. Cir. 2004); *see also Ex parte Nehls*, 88 USPQ2d 1883, 1887–89 (BPAI 2008) (precedential) (discussing cases pertaining to non-functional descriptive material). As a result, we are persuaded that these claims do not distinguish over Seeley.

With respect to claim 65, Petitioner likewise contends that it “do[es] not disclose additional structure, as [it] merely recite[s] an intended use for the claimed device.” Pet. 23. However, unlike claims 43–50, claim 65 recites “the appliance further configure[d] to.” Thus, claim 65 requires that the recited “access control” is “provide[d]” structurally by the appliance of claim 1. As a result, we are not persuaded that claim 65 recites non-functional descriptive material. Petitioner cites Seeley as providing access control. Pet. 20 (citing Ex. 1105, 9:61–67 (“[C]ontrol panel P, including a keypad K, may be conveniently located on the premise[sic] such that . . . the person can enter an appropriate code into the keypad at panel P to signify that the entry [is] unauthorized or reportable.”)). We are persuaded by Petitioner’s reasoning.

Petitioner has also shown, by a preponderance of the evidence, that Seeley discloses or suggests every limitation of claims 16–18, 23, 25, 55, 60, 62–64, 71, 73, and 74.

Conclusion

For the foregoing reasons, we determine that Petitioner has demonstrated, by a preponderance of the evidence, that claims 15–18, 23–

25, 39, 43–50, 55, 60, 62–65, 71, 73, and 74 are unpatentable under 35 U.S.C. § 103(a) as obvious over Seeley.

*C. Claims 18–21, 23, 24, 26, 29, 37, 41, 42, 70, and 75 –
Obvious over Seeley and Fernandez*

Petitioner contends that claims 18–21, 23, 24, 26, 29, 37, 41, 42, 70, and 75 are unpatentable under 35 U.S.C. § 103(a) as obvious over Seeley and Fernandez. Pet. 23–27.

Fernandez (Exhibit 1107)

Fernandez discloses an integrated fixed and/or wireless network and associated database, and software functionality for monitoring and processing remote and/or local moveable objects. Ex. 1107, 1:33–36. According to Fernandez, a preferred integrated network monitoring system includes network communications infrastructure 8. *Id.* at 2:22–26. Network 8 may be a functional aggregate of multiple sub-networks, including conventional or proprietary networking equipment, for enabling access to and/or through the World Wide Web (WWW), or other functionally equivalent local and/or wide area network (LAN/WAN) interconnectivity. *Id.* at 2:26–31. Network 8 provides a digital connection to, or from, any allocated web node address or equivalently accessible network resource, such as a Uniform Resource Locator (URL), associated hypertext file, and other proper domain name and file location, according to a Transmission Control Protocol/internet Protocol (TCP/IP) addressing scheme. *Id.* at 2:32–37. Network 8 further couples to one or more conventional internet, intranet, or other LAN/WAN network connection or server, and sensor or detector. *Id.* at 3:17–22. According to Fernandez, such arrangements preferably use a conventional TCP/IP protocol Internet website addressing

scheme. *Id.* at 3:48–50. Fernandez discloses that an overall integrated system preferably includes a geographically or relatively fixed network of multiple detectors uniquely accessible through an Internet browsing interface, overlaid with a mobile set of targets closely associated with, or attached to, certain objects for remote monitoring. *Id.* at 5:46–52.

Analysis

Petitioner contends that claims 18–21, 23, 24, 26, 29, 37, 41, 42, 70, and 75 are unpatentable under 35 U.S.C. § 103(a) as obvious over Seeley and Fernandez. Pet. 23–27. In support of this asserted ground of unpatentability, Petitioner provides detailed explanations as to how the subject matter of each claim is met by the combined teachings of Seeley and Fernandez, and relies on the Declaration of Dr. Wicker. *Id.* (citing Ex. 1103 ¶¶ 48–52). Specifically, claims 18–21, 23, 24, 26, 29, 37, 41, 42, 70, and 75 each depend, directly or indirectly from claim 1. Petitioner cites Seeley as teaching every limitation of independent claim 1, and cites to portions of Fernandez as teaching the additional limitations in claims 18–21, 23, 24, 26, 29, 37, 41, 42, 70, and 75.

Upon review of Petitioner’s analysis and supporting evidence, we are persuaded that Petitioner has demonstrated by a preponderance of the evidence that claims 18–21, 23, 24, 26, 29, 37, 41, 42, 70, and 75 would have been obvious over Seeley and Fernandez.

For example, with respect to “wherein the sensor component is a motion detector,” recited in claim 18, Petitioner cites Fernandez for disclosing a motion detector:

Fernandez discloses that an appliance (detector 3) can be implemented using a variety of imaging and non-imaging

sensors. For example, the sensor can be a “motion detector”.
See, e.g., Fernandez, 4:43-50.

Pet. 26. The cited portion of Fernandez teaches that “detectors 3 may be implemented to sense state and other measurement signals from [a] motion detector.” Ex. 1107, 4:43–45. We are persuaded by Petitioner’s reasoning.

Petitioner contends that a person of ordinary skill in the art would have been motivated to combine Seeley and Fernandez, and, as support, relies on the Declaration of Dr. Wicker. Pet. 25 (citing Ex. 1103 ¶¶ 48–52).

Dr. Wicker states:

Because both Seeley and Fernandez are directed toward disclosures of surveillance and monitoring appliances, a POSITA at the time of invention of the ’429 patent would have been motivated to add to or modify the camera units taught by Seeley with any of the detectors and triggering devices commonly incorporated with monitoring systems. Fernandez teaches the use of examples of these types of non-imaging detectors and triggering devices that might be added to the camera units of Seeley. Thus, the combination of the teachings of Seeley and Fernandez would have yielded known, predictable results, based on the knowledge of a POSITA.

Ex. 1103 ¶ 52. We are persuaded by the reasoning in the above-quoted analysis of Dr. Wicker.

Petitioner has also shown by a preponderance of the evidence that a combination of Seeley and Fernandez discloses or suggests every limitation of claims 19–21, 23, 24, 26, 29, 37, 41, 42, 70, and 75.

Conclusion

For the foregoing reasons, we determine that Petitioner has demonstrated, by a preponderance of the evidence, that claims 18–21, 23,

24, 26, 29, 37, 41, 42, 70, and 75 of the '429 patent are unpatentable over Seeley and Fernandez.

*D. Claims 26, 29–31, 37, 42, 52, 54, 55, 58, 72, and 75 –
Obvious over Seeley and Maram*

Petitioner contends that claims 26, 29–31, 37, 42, 52, 54, 55, 58, 72, and 75 are unpatentable under 35 U.S.C. § 103(a) as obvious over Seeley and Maram. Pet. 28–33.

Maram (Exhibit 1109)

Maram discloses a detector unit for use in detecting unauthorized intrusions into homes, offices, factories, and other buildings. Ex. 1109, Abstract. The detector unit comprises a detector such as a passive infrared detector, a radio frequency transmitter that is connected to the detector and that transmits a detector signal when the detector is actuated, and a battery. *Id.*

Figure 1 is reproduced below:

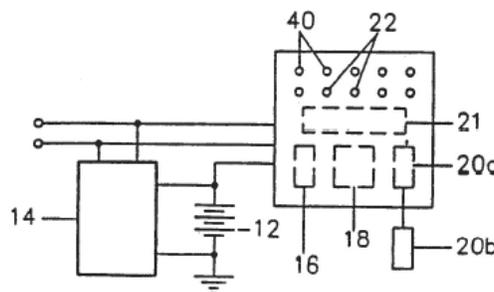


FIGURE 1

As depicted in Figure 1, the alarm system comprises main control unit (“MCU”) 10 connected to a source of main electrical power and to emergency battery 12, which comes into operation should the main electrical power be interrupted. *Id.* at 3:57–61. MCU 10 includes receiver 16 to receive any one of a number of encoded signals, actuator 18, internal siren

20a, external audible alarm emitter 20b, and a display device including an alphanumeric readout display board 21 and a series of identified LEDs 22. *Id.* at 3:63–68. Actuator 18 is operable by receiver 16 when it receives a detector signal to actuate one or both of sirens 20 or to send a signal to a remote emergency monitoring service such as a police station. *Id.* at 3:68–4:4. LEDs 22 indicate that a particular signal has been received and further details are obtained from the display. *Id.* at 4:4–7. The alarm system comprises a number of detector units 24.

Figure 1A is reproduced below:

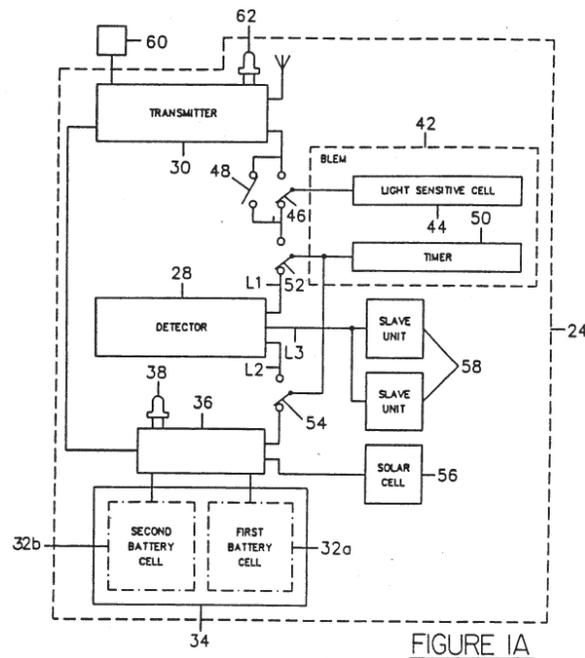


Figure 1A depicts a block diagram of detector unit 24 of Maram including detector 28. *Id.* at 3:35–36, 3:56–57. Detector 28 may be, for example, a passive infrared detector, a sonic detector, a micro-switch, a vibrator window switch, a smoke detector, a door switch, a tamper switch, a pressure pad switch, a remote key switch, a monitoring device to monitor, e.g., temperature, humidity, pressure, radiation, or when a particular item is in its proximity. *Id.* at 2:38–50. Detector 28 also may be a panic button. *Id.* at

7:7–9. Detector unit 24 may be contained within a housing into which an emergency button is formed. *Id.* at 2:56–57. On depression of the emergency button, transmitter 30 sends a signal detectable by MCU 10. *Id.* at 2:59–61.

Analysis

Petitioner contends that claims 26, 29–31, 37, 42, 52, 54, 55, 58, 72, and 75 are unpatentable under 35 U.S.C. § 103(a) as obvious over Seeley and Maram. Pet. 28–33. In support of this asserted ground of unpatentability, Petitioner provides detailed explanations as to how the subject matter of each claim is met by the combined teachings of Seeley and Maram, and relies on the Declaration of Dr. Wicker. *Id.* (citing Ex. 1103 ¶¶ 53–59). Specifically, claims 26, 29–31, 37, 42, 52, 54, 55, 58, 72, and 75 each depend, directly or indirectly from claim 1. Petitioner cites Seeley as teaching every limitation of independent claim 1, and cites to portions of Maram as teaching the additional limitations in claims 26, 29–31, 37, 42, 52, 54, 55, 58, 72, and 75.

Upon review of Petitioner’s analysis and supporting evidence, we are persuaded that Petitioner has demonstrated by a preponderance of the evidence that claims 26, 29–31, 37, 42, 52, 54, 55, 58, 72, and 75 would have been obvious over Seeley and Maram.

For example, with respect to “wherein the sensor component is a humidistat,” recited in claim 30, Petitioner cites Maram for disclosing a humidistat:

Maram discloses that “[t]he detector may also be a monitoring device to monitor . . . humidity . . .” *See, e.g.,* Maram, 2:46-47.

Pet. 31. We are persuaded by Petitioner’s reasoning.

With respect to “wherein the sensor is a pull handle fire alarm,” recited in claim 72, Petitioner cites Maram for disclosing a fire detector and an emergency button:

Maram discloses the detector units comprise “fire detectors.” Maram further discloses that on depression (activation) of the emergency button the transmitter gives off a signal (initiate specific actions). *See, e.g.*, Maram, 2:59-61. [sic] 1:13-16, 2:43-46. See discussion immediately following this claim chart.

....

As to claim 72, a POSITA at the time of the invention would have been motivated to include a pull handle fire alarm, a well-known, commonly used fire alarm, as an emergency button as taught by Maram to give off a fire alarm signal when fire is detected by the fire detector taught by Maram. Wicker, Decl. ¶ 59.

Pet. 32–33. Paragraph 59 of Dr. Wicker’s Declaration states:

Maram discloses “fire detectors” and “an emergency button,” that when depressed (activated) gives off an alarm signal. *See, e.g.*, Maram, 2:59-61. [sic] 1:13-16, 2:43-46. A POSITA at the time of the invention would have been motivated to include a pull-handle fire alarm in addition to or in lieu of the emergency button to send a fire alarm signal when fire is detected by the fire detector taught by Maram. The pull handle fire alarm was a well-known, commonly used fire alarm at the time of the invention.

Ex. 1103 ¶ 59. We are persuaded by the reasoning in the above-quoted analysis of Dr. Wicker.

Petitioner contends that a person of ordinary skill in the art would have been motivated to combine Seeley and Maram, and, as support, relies on the Declaration of Dr. Wicker. Pet. 29–30 (citing Ex. 1103 ¶¶ 53–59). Dr. Wicker states:

Because both Seeley and Maram are directed toward disclosures of surveillance and monitoring appliances, a POSITA at the time of invention of the '429 patent would have been motivated to add to or modify the camera units taught by Seeley with any of the detectors, the emergency button, and/or warning indicator devices commonly incorporated with a detector unit in monitoring systems as taught by Maram. Thus, the combination of the teachings of Seeley and Maram would have yielded known, predictable results, based on the knowledge of a POSITA.

Ex. 1103 ¶ 58. We are persuaded by the reasoning in the above-quoted analysis of Dr. Wicker.

Petitioner has also shown by a preponderance of the evidence that a combination of Seeley and Maram discloses or suggests every limitation of claims 26, 29, 31, 37, 42, 52, 54, 55, 58, and 75.

Conclusion

For the foregoing reasons, we determine that Petitioner has demonstrated, by a preponderance of the evidence, that claims 26, 29–31, 37, 42, 52, 54, 55, 58, 72, and 75 of the '429 patent are unpatentable over Seeley and Maram.

*E. Claims 32, 34, 36, 42, 43, 50, 53, 55–57, 60, 65, 67, 75, and 76 –
Obvious over Seeley and Body*

Petitioner contends that claims 32, 34, 36, 42, 43, 50, 53, 55–57, 60, 65, 67, 75, and 76 are unpatentable under 35 U.S.C. § 103(a) as obvious over Seeley and Body. Pet. 33–37.

Body (Exhibit 1119)

Body discloses a controller for use in a monitoring system with an existing communications network. Ex. 1119, Abstract. The controller includes inputs capable of receiving data from a number of differing

peripheral devices, processing means to process the data into a format suitable for the existing communications network, and a data output capable of connection to the communications network. *Id.* Figure 1 is reproduced below:

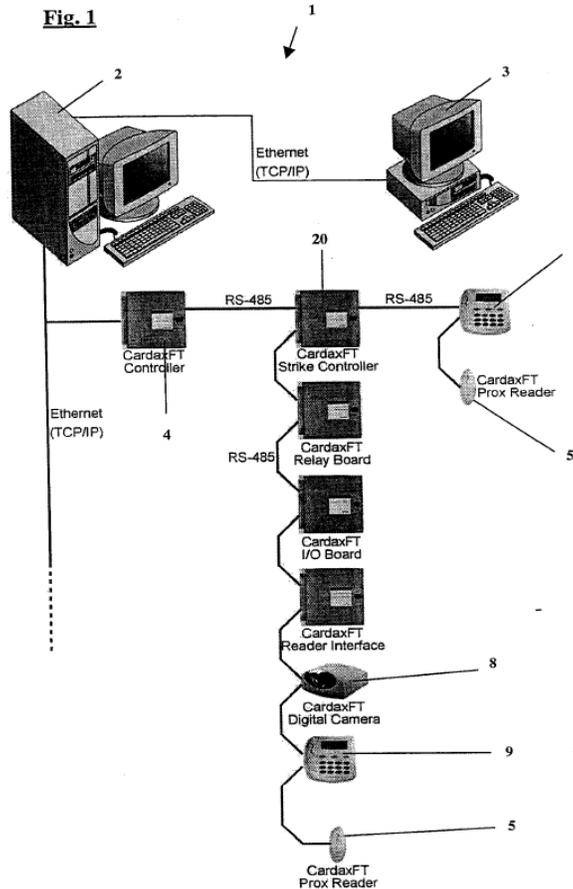


Figure 1 “is a schematic of a security system incorporating a controller in accordance with one embodiment of the present invention.” *Id.* at 12:9–10. As shown in Figure 1, the monitoring system includes server 2 connected via a local area network to a number of workstations or terminals 3. *Id.* at 12:15–16. The system also includes a number of controllers 4. *Id.* at 12:19.

Controller 4 is preferably an intelligent, microprocessor-based controller capable of communicating with up to sixteen field devices. *Id.* at 13:1–2. These devices may include contactless smart card and proximity

card readers 5 and 6, input and output panels 7, digital video cameras 8, and digital intercoms 9. *Id.* at 13:2–4. In a preferred embodiment, the system includes “plus” card readers 6, which include a keypad with numeric keys and function keys and a 128x32 pixel LCD display. *Id.* at 13:20–23.

Controller 4 performs alarm and event monitoring and is capable of programmable logic control type functions. *Id.* at 13:8–9. Controller 4 will buffer and route image intercom information to an appropriate server or workstation PC along with data received from other peripheral devices. *Id.* at 13:9–11. An operator can view images from any camera 8 in the system by using an operator workstation, and can configure the system to store several images from a given camera when a certain alarm occurs. *Id.* at 15:4–6.

The occurrence of certain pre-selected events can trigger transmission of stored images to a server such that the server will have recorded a number of images from before, during, and after an event. *Id.* at 15:7–9. The details of which event triggered the image recording is included as data with the sequence of images, when the sequence of images is sent to the server for recording to a hard disk. *Id.* at 15:12–14. This allows the operator to navigate directly to the sequence of images and play the images back. *Id.* at 15:16–18. For example, when acknowledging an alarm, an operator can request to view any images associated with that alarm and immediately play back several seconds worth of images that were recorded around the time of the alarm. *Id.* at 15:19–22. In addition, a person at one of digital intercoms 9 may press appropriate keys to generate an event that is reported to the operator at the workstation. *Id.* at 16:10–11. The operator may then accept the call by switching on digital intercom 9. *Id.* at 16:11–12.

Analysis

Petitioner contends that claims 32, 34, 36, 42, 43, 50, 53, 55–57, 60, 65, 67, 75, and 76 are unpatentable under 35 U.S.C. § 103(a) as obvious over Seeley and Body. Pet. 33–37. In support of this asserted ground of unpatentability, Petitioner provides detailed explanations as to how the subject matter of each claim is met by the combined teachings of Seeley and Body, and relies on the Declaration of Dr. Wicker. *Id.* (citing Ex. 1103 ¶¶ 60–63). Specifically, claims 32, 34, 36, 42, 43, 50, 53, 55–57, 60, 65, 67, 75, and 76 each depend, directly or indirectly from claim 1. Petitioner cites Seeley as teaching every limitation of independent claim 1, and cites to portions of Body as teaching the additional limitations in claims 32, 34, 36, 42, 43, 50, 53, 55–57, 60, 65, 67, 75, and 76.

Upon review of Petitioner’s analysis and supporting evidence, we are persuaded that Petitioner has demonstrated by a preponderance of the evidence that claims 32, 34, 36, 42, 43, 50, 53, 55–57, 60, 65, 67, 75, and 76 would have been obvious over Seeley and Body.

For example, with respect to “wherein the sensor component comprises a programmable module for sending a control signal to a remote device,” recited in claim 32, Petitioner cites Body for disclosing a controller:

Body discloses that “a controller may have part of its processing capability, information to allow it to determine whether an event is an alarm based on the following criteria...whether the source and type of event is a group of alarm points;”(programmable module) and “the controller may only communicate selected data [control signal] to an operator on the communications network” (e.g., “the operator work station 3” (a remote device)). *See, e.g.,* Body, 9:7-15, 10:11-12, 16:10-11.

Pet. 34–35. We are persuaded by Petitioner’s reasoning.

Petitioner contends that a person of ordinary skill in the art would have been motivated to combine Seeley and Body, and, as support, relies on the Declaration of Dr. Wicker. *Id.* at 34 (citing Ex. 1103 ¶¶ 60–63).

Dr. Wicker states:

Because both Seeley and Body are directed toward disclosures of security/surveillance/monitoring appliances, a POSITA at the time of invention of the '429 patent would have been motivated to combine the camera units as taught by Seeley with the controller and its associated peripheral devices as taught by Body, because both references teach using known components (cameras, other forms of sensors, detectors, and access controller) in the same way for use in surveillance/security systems. Thus, the combination of the teachings of Seeley and Body would have yielded known, predictable results, based on the knowledge of a POSITA.

Ex. 1103 ¶ 62. We are persuaded by the reasoning in the above-quoted analysis of Dr. Wicker.

Claim 67, which depends from claim 65, recites “the access control including an automatic camera switching based on an access attempt.”

Petitioner cites Body for disclosing automatic camera switching:

Body discloses the access controller 4 is connected to cameras 8. Body further discloses that any event or alarm (access control attempt) “may trigger recording of sound from an intercom” (automatically switches on audio). *See, e.g.*, Body, 12:21-13:4, 16:21-22. See further discussion immediately following this claim chart.

....

As to claim 67, it would have been obvious to POSITA to include automatic camera switching to automatically switch on video in the area of a triggered sensor in view of the disclosure in Body to automatically switch on audio when an alarm occurs, [sic] Wicker, Decl. ¶ 63.

Pet. 37. Paragraph 63 of Dr. Wicker’s Declaration states:

Body discloses that the access controller 4 is connected to cameras 8 and any event or alarm “may trigger recording of sound from an intercom.” *See e.g.*, Body, 12:21-13:4, 16:21-22. The event or alarm can be based on an access control attempt and can automatically switch on audio recordings. A POSITA at the time of the invention of the ‘429 patent would have been motivated to include automatic camera switching between cameras to automatically switch on video for the camera(s) that view the area around a sensor that senses access at a control point, in view Body’s teaching of automatically switching on audio if there is an attempted access.

Ex. 1103 ¶ 63. We are persuaded by the reasoning in the above-quoted analysis of Dr. Wicker.

Petitioner has also shown by a preponderance of the evidence that a combination of Seeley and Body discloses or suggests every limitation of claims 34, 36, 42, 43, 50, 53, 55–57, 60, 65, 75, and 76.

Conclusion

For the foregoing reasons, we determine that Petitioner has demonstrated, by a preponderance of the evidence, that claims 32, 34, 36, 42, 43, 50, 53, 55–57, 60, 65, 67, 75, and 76 of the ‘429 patent are unpatentable over Seeley and Body.

F. Claims 15–18, 20, 23–25, 43–50, 65, 66, and 71 – Obvious over the Mobotix Brochure

Petitioner contends that claim 15–18, 20, 23–25, 43–50, 65, 66, and 71 are unpatentable under 35 U.S.C. § 103(a) as obvious over the Mobotix Brochure. Pet. 38–47.

Mobotix Brochure (Exhibit 1106)

The Mobotix Brochure discloses a weatherproof camera with ISDN and Ethernet connections, an integrated computer, Linux, and sensors.

Ex. 1106, 1. The camera is suited for use in video surveillance and as an alarm system. *Id.* at 1. The connection of the camera to the viewer can be setup via an integrated Ethernet interface, an ISDN modem, an external analog modem and mobile telephone, or an optional integrated Global System for Mobile communications (“GSM”) module. *Id.* The camera includes a built-in webserver. *Id.* at 2. The camera uses all digital CMOS image sensors with 640x480 pixels and 24-bit color depth. *Id.* at 1, 4. The camera includes an image processor. *Id.* at 2. The image processor supports multiple data formats including grayscale fax, RAW, JPEG, TIFF, and H.320 ISDN. *Id.* at 5.

Image transfer can be carried out via fax, e-mail, FTP, or HTTP. *Id.* Image sequences can be stored and accessed later. *Id.* It is also possible to transfer live video via ISDN in a small image format, and to call up a detailed larger image when required. *Id.* The camera can send recorded images according to a fixed time schedule or externally triggered events or in response to specific inquiries by dialing in via a browser. *Id.* The camera may be fitted with external sensors such as an external switch, a microphone, a sensor for detecting changes in light level, a sensor for detecting temperature fluctuations, a telephone/fax, and a laser light barrier. *Id.* at 6. In addition, the camera features a 24V/100 mA output that provides remote control of lights, alarms, or even household appliances using an external relay that can be activated via the internet, as well as locally by camera events. *Id.* An optional internal accumulator (i.e., battery) can provide hours of back-up and thereby save images in an event of a power failure. *Id.* at 1.

Analysis

Petitioner contends that claims 15–18, 20, 23–25, 43–50, 65, 66, and 71 are unpatentable under 35 U.S.C. § 103(a) as obvious over the Mobotix Brochure. Pet. 38–47. In support of this asserted ground of unpatentability, Petitioner provides detailed explanations as to how the claimed subject matter of each claim is met by the Mobotix Brochure, and relies on a Declaration of Dr. Wicker. *Id.* (citing Ex. 1103 ¶¶ 65–67, 93, 94). As claims 15–18, 20, 23–25, 43–50, 65, 66, and 71 each depend, directly or indirectly, from claim 1, Petitioner’s detailed explanations as to how each limitation of those claims is disclosed or suggested by the Mobotix Brochure also address the limitations set forth in claim 1. *Id.* at 38–43.

Upon review of Petitioner’s analysis and supporting evidence, we are persuaded that Petitioner has demonstrated by a preponderance of the evidence that claims 15–18, 20, 23–25, 43–50, 65, 66, and 71 would have been obvious over the Mobotix Brochure.

Petitioner acknowledges that the Mobotix Brochure does not disclose expressly a “multiplexer,” as recited in independent claim 1, because the Mobotix Brochure merely discloses that “it is also possible to transfer a live video via ISDN in a small image format and call up the detailed large image when required.” Pet. 42 (quoting Ex. 1106, 5). Petitioner then cites the Declaration of Dr. Wicker (*Id.*) for the following:

One feature of the camera described by the Mobotix Brochure is that the camera is able to transmit both live video and detailed large images, when those images are required. Mobotix Brochure at pg. 5. Thus, the camera is able to transmit both live video and detailed images at the same time. A POSITA [Person of Ordinary Skill In The Art] at the time of invention of the ’429 patent would understand from a technical

perspective that a multiplexer could be used to combine the live video signal with the detailed image signal, in compressed or uncompressed forms, to transmit a single combined signal containing video and image information.

Ex. 1103 ¶ 65. We are persuaded by the reasoning in the above-quoted analysis of Dr. Wicker.

With respect to the “motion detector” recited in claim 18, Petitioner cites the Mobotix Brochure as disclosing an “IR motion detector.” Pet. 44 (citing Ex. 1106, 8). We are persuaded by Petitioner’s reasoning.

With respect to “the appliance further configure [sic] to provide access control,” recited in claim 65, Petitioner cites the Mobotix Brochure as disclosing that the camera appliance is configured to “provide ‘access authorisation [sic] to the network as well as authorisation [sic] to access the camera.’” Pet. 45 (citing Ex. 1106, 3). We are persuaded by Petitioner’s reasoning.

Petitioner has also shown by a preponderance of the evidence that the Mobotix Brochure discloses or suggests every limitation of claims 15–18, 20, 23–25, 43–50, 66, and 71.

Conclusion

For the foregoing reasons, we determine that Petitioner has demonstrated, by a preponderance of the evidence, that claims 15–18, 20, 23–25, 43–50, 65, 66, and 71 of the ’429 patent are unpatentable over the Mobotix Brochure.

III. CONCLUSION

We conclude Petitioner has shown by a preponderance of the evidence that:

1. Claims 15–18, 23–25, 39, 43–50, 55, 60, 62–65, 71, 73, and 74 are unpatentable under 35 U.S.C. § 103(a) as obvious over Seeley;
2. Claims 18–21, 23, 24, 26, 29, 37, 41, 42, 70, and 75 are unpatentable under 35 U.S.C. § 103(a) as obvious over Seeley and Fernandez;
3. Claims 26, 29–31, 37, 42, 52, 54, 55, 58, 72, and 75 are unpatentable under 35 U.S.C. § 103(a) as obvious over Seeley and Maram;
4. Claims 32, 34, 36, 42, 43, 50, 53, 55–57, 60, 65, 67, 75, and 76 are unpatentable under 35 U.S.C. § 103(a) as obvious over Seeley and Body; and
5. Claims 15–18, 20, 23–25, 43–50, 65, 66, and 71 are unpatentable under 35 U.S.C. § 103(a) as obvious over the Mobotix Brochure.

IV. ORDER

Accordingly, it is

ORDERED that claims 15–21, 23–26, 29–32, 34, 36, 37, 39, 41–50, 52–58, 60, 62–67, and 70–76 of the '429 patent are held unpatentable; and

FURTHER ORDERED that because this is a final written decision, parties to the proceeding seeking judicial review of the decision must comply with the notice and service requirements of 37 C.F.R. § 90.2.

IPR2013-00499
Patent 7,228,429

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