

PTAB Finds Patent For Monitoring Prison Gangs Is Obvious

By **Kevin Penton**

Law360, New York (February 19, 2016, 8:10 PM ET) -- The Patent Trial and Appeal Board on Thursday invalidated all the claims of a patent that covers methods for monitoring the activity of prison detainees based on gang affiliation, finding them to be unpatentable because of obviousness.

The PTAB agreed with the arguments by petitioner Global Tel*Link Corp. in the inter partes review that a combination of a previous publication and several prior patent applications should invalidate all 17 claims of Securus Technologies Inc.'s U.S. Patent Number 7,805,457 B1, according to its final written decision.

The board disagreed with Securus' arguments that the combinations cited by Global Tel*Link would not have been obvious, noting that in reference to two of the applications, which describe the use of the systems in correctional facilities, someone experienced in the art would not have needed much motivation to combine them, according to the decision.

"We are persuaded that the similarities of the disclosures and aims of the cited references would have made the combinations obvious to one of ordinary skill in the art," the decision reads.

In December 2014, Securus filed a complaint in the Northern District of Texas alleging the infringement of several of its patents by Global Tel*Link, a company that provides communications and technology services to correctional facilities in the U.S. That case has been stayed pending the resolution of the inter partes reviews that Global Tel*Link sought for the patents, according to a January joint status report.

The '457 patent describes a system of creating databases for information such as call or visitation records or the funding of commissary accounts, which are then meant to assist investigators as they attempt to identify other gang members who could be tapped to provide information, according to the decision. The patent also covers a system of alerting investigators when detainees speak certain phrases or words during monitored phone calls, according to the filing.

Michael B. Ray of Sterne Kessler Goldstein & Fox PLLC, an attorney representing Global Tel*Link, told Law360 on Friday that thanks to the inter partes review process that was brought on by the America Invents Act, a patent that deserved to be invalidated was acted on within months instead of years, at a fraction of what it otherwise would have cost.

"The process worked here exactly as it should have," Ray said.

Counsel for Securus could not immediately be reached for comment on Friday.

The patent-at-issue is U.S. Patent Number 7,805,457 B1.

Global Tel*Link is represented by Michael D. Specht, Michael B. Ray, Lauren C. Schleh and Jonathan Tuminaro of Sterne Kessler Goldstein & Fox PLLC.

Securus is represented by Justin B. Kimble of Bragalone Conroy PC.

The case is Global Tel*Link Corp. v. Securus Technologies Inc., case number IPR2014-01283, before the Patent Trial and Appeal Board.

--Editing by Stephen Berg.

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