INNOLUX CORPORATION
Petitioner

v.

PATENT OF SEMICONDUCTOR ENERGY LABORATORY CO., LTD.
Patent Owner

CASE IPR2013-00066
PATENT 7,876,413

PATENT OWNER'S MOTION TO AMEND

Should the Board instead conclude that original claim 1 is unpatentable, the Patent Owner respectfully moves to cancel original claim 1 and substitute claim 30 in its place. Pursuant to 37 CFR § 42.121, a listing of the proposed substitute claim is provided below.

I. CLAIM LISTING

Claim 1 is replaced by proposed substitute claim 30.

1. (Replaced by proposed substitute)

30. (Proposed substitute for original claim 1)

A liquid crystal display device comprising:

a first wiring over a substrate;

a first insulating film over the first wiring:

a second wiring over the substrate and the first insulating film;

a second insulating film over the second wiring;

a transparent conductive layer over a first region of the second wiring and the second insulating film;

a flexible printed circuit over the first wiring and the first region of the second wiring; and

through an opening in the first insulating film;

wherein the second wiring and the flexible printed circuit are in electrical contact through the transparent conductive layer; [[and]]

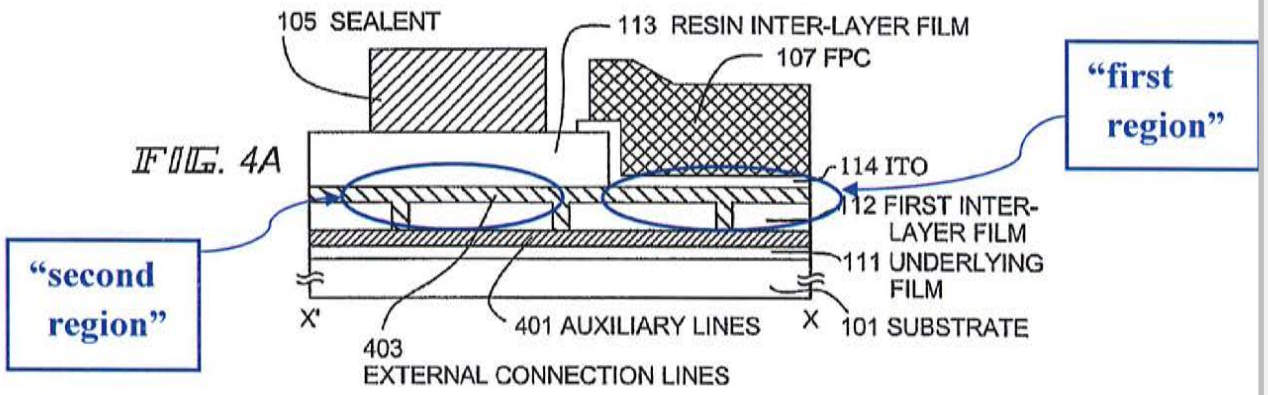
wherein the second wiring and the transparent conductive layer are in direct contact through an opening in the second insulating film; and

wherein the sealant does not overlap the transparent conductive layer.

II. THE PROPOSED AMENDMENTS ARE SUPPORTED IN THE ORIGINAL DISCLOSURE

Proposed substitute claim 30 is identical to original independent claim 1, except that the proposed substitute claim further clarifies the order of the disclosed layers and that the sealant does not overlap the transparent conductive layer.

These features are supported throughout the '413 patent specification and drawings. Because there was no change to the original disclosure when the '413 patent issued, cites are provided to the '413 patent, and not the original disclosure of the application. More specifically, for example, FIG. 4A in the '413 patent shows a transparent conductive layer (ITO) (114) over a first region of the second



The amended feature reciting a transparent conductive layer over a first region of the second wiring and the second insulating film is significant and useful with regard to the '413 invention as this amended feature confirms the order of the layers in the claimed display device. One skilled in the art would understand the order of these three layers from the other features recited in the original claim 1. Ex. 2012, Escuti Decl., at ¶¶ 70-77. More specifically, original claim element 1.5 requires that the second insulating film must be over the second wiring which means that "the second wiring has to exist before the second insulating film comes over it." Ex. 2011, Hatalis Dep., at p. 48, ll. 12-19. Original claim element 1.6 specifies that the transparent conductive layer is over (a first region of) the second

wiring must be the bottommost of these three layers.

The order of these three layers is further understood from the language of original claim element 1.13, which requires that the second wiring must directly contact the transparent conductive layer through an opening in the second insulating film. One skilled in the art would understand from this language that the second insulating film must be the middle one of the three layers and that an opening in the second insulating film permits the contact to occur. With the second insulating film as the middle layer, the top layer must be the transparent conductive layer since the second wiring cannot be the top layer, as explained above. Therefore, the transparent conductive layer *must* be the uppermost layer of the three, with the second insulating film beneath it, and the second wiring beneath the second insulating film. Ex. 2012, Escuti Decl., at ¶¶ 74-77.

The proposed amendment confirms this positional relationship of these three layers in FIG. 4A of the '413 patent by reciting a transparent conductive layer (114) over a first region of the second wiring (403) *and* the second insulating film

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