

Paper No. \_\_\_\_\_

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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XILINX, INC.  
Petitioner

v.

INTELLECTUAL VENTURES MANAGEMENT, LLC,  
Patent Owner.

*Inter Partes* Review No. IPR2013-00112  
Patent No. 5,779,334

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PETITIONER XILINX'S RESPONSE TO PATENT OWNER INTELLECTUAL  
VENTURES' OBSERVATIONS ON TESTIMONY OF  
DR. BRUCE BUCKMAN

Petitioner Xilinx, Inc. ("Xilinx") hereby responds to Patent Owner Intellectual Ventures' ("IV") observations on the testimony of Dr. Bruce Buckman as follows:

**Response To Observation No. 1: IV-2019 at 46:6-17**

Xilinx agrees with Dr. Buckman's testimony that Lee elements 20 and 21 are video controllers that control Lee element 11, and that Lee element 11 is a light-shutter matrix system. Xilinx also agrees that Dr. Buckman corrected his testimony regarding the Lee video controller and that Lee elements 20 and 21 do not control Lee elements 14R, 14G, and 14B. Given that Xilinx and Dr. Buckman freely admit that there was a mistake in Dr. Buckman's original declaration that he corrected in his deposition, it is unclear why IV insists on bringing this issue to the Board's attention.

**Response To Observation No. 2: IV-2019 at 39:19-24**

Xilinx agrees that Takanashi does not have a physical matrix of transmissivity (i.e., a light shutter matrix) when the write light is turned off. Xilinx notes that the observed line of questioning concerns Dr. Buckman's testimony in XLNX-1012, ¶ 26, which explains that the Takanashi physical matrix of elements exists when the write light is turned on, which is why Takanashi helps to invalidate the challenged claims of the '334 patent.

**Response To Observation No. 3: IV-2019 at 36:11-19**

Xilinx does not believe that the characteristics of a “Kodachrome slide” are directly relevant to any issue of significance in this matter, particularly since this proceeding relates to video projectors. Nevertheless, responding to IV’s statement that the observed testimony is inconsistent with Dr. Buckman’s discussion on pages 10-11 of his report (XLNX-1012 ¶ 24), Xilinx notes that those pages discuss the physical limits of a CRT-based system. In the example given, the CRT-based system created a matrix of 1800 rows by 1024 columns at 30 frames per second. *Id.* As Dr. Buckman notes, there are physical limits on the pixel size that a CRT-based system can provide. The fact that non-matrix “Kodachrome slides are subject to similar types of physical limits is irrelevant because such slides are not typically organized into a matrix of rows and columns . Xilinx also notes that IV has not raised lack of inherency as one of its arguments in this matter.

**Response To Observation No. 4: IV-2019 at 79-22-25**

Observation No. 4 relates to an issue in the '545 proceeding and is not relevant to any issue here. To the extent the Board considers this testimony, it should also consider IV-2019 pp. 84-93, where Dr. Buckman explains the observed testimony in additional detail.

**Response To Observation No. 5: IV-2019 at 15:7-25**

Dr. Buckman’s testimony correctly describes that a typical video controller,

in a typical system, functions (directly or indirectly) in accordance with a typical video signal. This does not mean that functioning in accordance with a video signal is a *necessary* claim requirement, however, particularly since the claim drafter did not include "video signal" in the claim language.

**Response To Observation No. 6: IV-2019 at 74:23-75:8**

Observation No. 6 also relates to an issue in the '545 proceeding that is not relevant to any issue here. To the extent the Board considers this testimony, Xilinx notes that IV simply accusing Xilinx of using different terminology between the two matters. Xilinx does not believe this improper in any way, let alone some kind of "moving target" strategy that unfairly prejudices IV.

**Response To Observation No. 7: IV-2019 at 78:24-79:7**

Observation No. 7 addresses the same issue in the '545 proceeding as Observation No. 4 and is not relevant here. To the extent the Board considers the testimony in this proceeding, the Board should also consider IV-2019 pp. 84-93, in which Dr. Buckman provides additional details regarding the cited testimony. The Board should also note that at this point in the deposition, Dr. Buckman did not realize that IV's line of questioning was based on the incorrect assumption that it was a mistake for his '545 and '334 substitute claim declarations to have differences on this point. In reality, the '545 and '334 declarations are different because the proposed substitute claims use different slightly different claim

language. That Dr. Buckman forgot this fact at his deposition is not surprising, since his deposition was supposed to cover only the '334 patent, not the '334 and the '545 patents. Thus, IV is not left to "guess" what Dr. Buckman's opinion is, since it knows full well that the cited testimony came as a result of a misleading question.

Respectfully submitted,

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