

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

XILINX, INC.
Petitioner,

v.

INTELLECTUAL VENTURES I, LLC
Patent Owner.

Case No. IPR2013-00112
Patent 5,779,334

Held: January 28, 2014

Before SALLY C. MEDLEY, KARL D. EASTHOM, and JUSTIN T.
ARBES, *Administrative Patent Judges*.

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF THE PATENT OWNER:
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The above-entitled matter came on for hearing on Thursday, January 28, 2014, commencing at 2:01 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

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P R O C E E D I N G S

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JUDGE MEDLEY: Good afternoon. This is the trial hearing for IPR 2013-00112 between Petitioner Xilinx and Patent Owner Intellectual Ventures. At this time we'd like the parties to please introduce counsel starting with the Petitioner.

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MR. McCOMBS: Your Honor, I'm David McCombs here on behalf of the Petitioner Xilinx, and with me is Tom King and Tom will be presenting the argument today.

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JUDGE MEDLEY: Okay. Thank you. And for Patent Owner?

1 MR. QUILLIN: George Quillin, Your Honor, lead
2 counsel for the Patent Owner Intellectual Ventures. I have
3 with me at the table my partner and backup counsel, Paul
4 Hunter, who will be presenting the argument today, and
5 behind us Chris Kalafut, a colleague from Foley & Lardner,
6 and a representative from the client, Mr. Don Coulman.

7 JUDGE MEDLEY: Okay. Thank you very much.

8 Per the January 7th hearing order, each party will
9 have 60 minutes total time to present arguments. Petitioner,
10 you will begin with a presentation of your case with regard
11 to the challenged claims on which bases the Board instituted
12 trial.

13 Then, Patent Owner, you will have an opportunity
14 to respond to Petitioner's case and at that time you would
15 also present your own case with respect to your motion to
16 amend claims, and then, Petitioner, you may take the rest of
17 your time to respond to Patent Owner's presentation on all
18 issues. And then, lastly, Patent Owner, you may present
19 rebuttal, but only on those issues with respect to your
20 motion to amend.

21 So, Petitioner, you may begin, and how much time
22 would you like to reserve for rebuttal?

23 MR. KING: Your Honor, we'd like to reserve 20
24 minutes for rebuttal.

1 JUDGE MEDLEY: 20 minutes. Okay. Thank you.
2 You may begin.

3 MR. KING: Thank you and good afternoon. Your
4 Honor, we'd like to begin -- Your Honors, we'd like to begin
5 today with a technical summary of the '334 patent and of the
6 prior art at issue here, the Takanashi reference and the Lee
7 reference.

8 This is a relatively straightforward set of claims.
9 There are two independent claims and there is a number of
10 dependent claims that are being challenged. All of these
11 claims are invalid for the same reasons. The dependent
12 claims and the independent claims all rise and fall together
13 and there are -- the petition and the response and the reply
14 briefing have narrowed the issues down to three disputed
15 technical issues.

16 First, it's whether Takanashi discloses a
17 light-shutter matrix system. The second is whether
18 Takanashi discloses equivalent switching matrices and then,
19 finally, there are issues concerning the Lee video controller.
20 I'm going to address these three issues a little bit out of
21 order. I'm going to address the Takanashi light-shutter
22 matrix first and then the issues regarding the Lee video
23 controller second and, finally, we'll get to the equivalent
24 switching matrices.

1 So with that as a preface, I'd like to direct your
2 attention to the foam board. This is showing Claim 1 of the
3 '334 patent. Claim 1 is exemplary of the other claims. It's
4 exemplary of the other independent claim, at least with
5 respect to the issues that are being argued here today.

6 There are four main elements. There's a source
7 projecting parallel beams of light of different colors. That
8 element is marked in yellow. That element is -- there are no
9 disputes about that element today.

10 The next element is Element B, a light-shutter
11 matrix system comprising a number of equivalent switching
12 matrices. There are two disputes on that term. That term is
13 marked in purple. You can see roughly where that lives in
14 Figure 1 of the '334 patent and you can see the light from the
15 light sources shines through the light-shutter matrices.

16 The video controller is marked in green as Element
17 C. There's some disputes on that element. And the last
18 element, Element D, an optical combination system. That
19 takes those three light beams and recombines them into a
20 beam that's suitable for projection for humans.

21 There are no elements that are -- there are no
22 disputes about Element D. So, really, there are two disputes
23 on Element B and a third dispute on Element C, and those
24 are the only issues in the case today.

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