

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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DIGITAL EMPIRE LIMITED,  
Petitioner,

v.

HILLTOP TECHNOLOGY LLC,  
Patent Owner.

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Case IPR2014-00584  
Patent 7,864,503 B2

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Before MICHELLE R. OSINSKI, JAMES B. ARPIN, and  
BRIAN P. MURPHY, *Administrative Patent Judges*.

OSINSKI, *Administrative Patent Judge*.

DECISION  
Institution of *Inter Partes* Review  
*37 C.F.R. § 42.108*

## I. INTRODUCTION

### A. Background

Digital Empire Limited (“Petitioner”) filed a Petition (Paper 1, “Pet.”) requesting an *inter partes* review of claims 1–12 of U.S. Patent No. 7,864,503 B2 (Ex. 1001, “the ’503 patent”). Hilltop Technology LLC (“Patent Owner”) did not file a Preliminary Response to the Petition. We have jurisdiction under 35 U.S.C. § 314, which provides that *inter partes* review may not be instituted “unless . . . there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” 35 U.S.C. § 314(a).

Upon consideration of the Petition, we determine that there is a reasonable likelihood that Petitioner will prevail with respect to claims 1–12 of the ’503 patent. Accordingly, we institute an *inter partes* review of claims 1–12 of the ’503 patent.

### B. Related Proceedings

Petitioner represents that the ’503 patent has been the subject of Federal district court proceedings in the Eastern District of Texas. Pet. 1. Patent Owner represents that these proceedings include: (1) *Hilltop Technology LLC v. AU Optronics Corp.*, Case No. 2:13-cv-00767-JRG-RSP (E.D. Tex.); (2) *Hilltop Technology LLC v. Wintek Corp.*, Case No. 2-13-cv-00964-JRG-RSP (E.D. Tex.); (3) *Hilltop Technology LLC v. Apple Inc.*, Case No. 2:14-cv-00050-JRG-RSP (E.D. Tex.); and (4) *Hilltop Technology LLC v. TPK Holding Co., Ltd.*, Case No. 2:13-cv-00965-JRG-RSP (E.D. Tex.). Paper 5 at 2.

C. The '503 Patent (Ex. 1001)

The '503 patent relates to a capacitive-type touch panel designed to eliminate the difficulty in identifying the location touched by the user because of noise generated between bonding wires due to a gap formed therebetween. Ex. 1001, 1:12, 43–47. Figure 2 of the '503 patent is reproduced below.

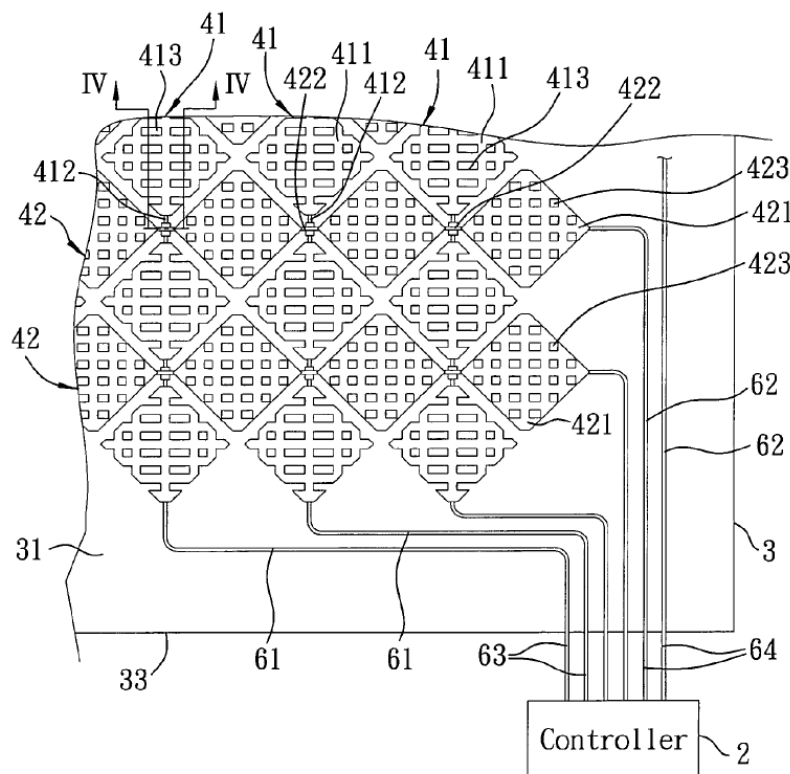


Figure 2 depicts a schematic top view of the capacitive-type touch panel, including transparent substrate 3 having opposed surfaces 31, 32 and an array of first conductors 41 and an array of second conductors 42 formed on top surface 31. *Id.* at 2:13-15, 28–34. First conductors 41 are arranged into parallel columns, and second conductors 42 are arranged into parallel rows. *Id.* at 3:26–30. First and second conductors 41, 42 are formed with a plurality of holes 413, 423, and each of holes 413, 423 is preferably a

through-hole. *Id.* at 2:58–61. Sensitivity in detecting the coordinates of a touched location can be adjusted by changing the number and/or diameter of holes 413, 423. *Id.* at 2:62–65. Figure 5 of the '503 patent is reproduced below.

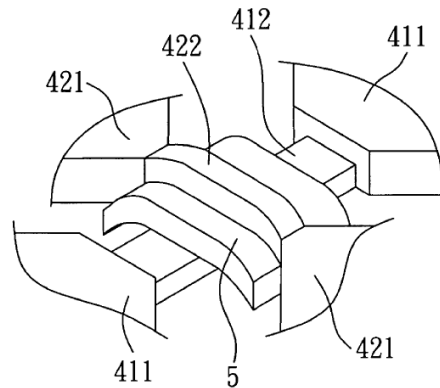


Figure 5 depicts a fragmentary perspective view of spaced apart conductive bridging lines 412, 422 of the capacitive-type touch panel. *Id.* at 2:20–22. First bridging lines 412 interconnect two adjacent first conductors 41, and second bridging lines 422 interconnect two adjacent second conductors 42. *Id.* at 2:34–39. A plurality of spaced apart insulators 5 are disposed at intersections of first and second bridging lines 412, 422, so as to separate them. *Id.* at 2:40–48. The capacitive-type touch panel further includes a plurality of conductive first and second connecting lines 61, 62 and a plurality of first and second bonding wires 63, 64, each connected to one of first and second connecting lines 61, 62, respectively, and extending outwardly therefrom through side edge 33 of transparent substrate 3. *Id.* at 3:23–25, 38–46. Controller 2 is connected to first and second bonding wires 63, 64 for detecting the location where a change in the electric field among first and second conductors 41, 42 occurs during use of the capacitive-type touch panel. *Id.* at 3:47–51.

*D. Illustrative Claim*

Claim 1 is illustrative and is reproduced below.

1. A capacitive type touch panel comprising:
  - a transparent substrate having opposite top and bottom surfaces;
  - an array of first conductors formed on said top surface of said transparent substrate;
  - an array of second conductors formed on said top surface of said transparent substrate and disposed alternately with said first conductors;
  - a plurality of spaced apart conductive first bridging lines, each of which interconnects two adjacent ones of said first conductors;
  - a plurality of spaced apart conductive second bridging lines, each of which interconnects two adjacent ones of said second conductors and each of which intersects insulatively a respective one of said first bridging lines; and
  - a plurality of spaced apart insulators, each of which is disposed at an intersection of a respective one of said first bridging lines and a respective one of said second bridging lines so as to separate the respective one of said first bridging lines from the respective one of said second bridging lines.

*E. Prior Art Relied Upon in the Petition*

Petitioner relies on the references listed below:

Exhibit	Reference
1003	US 6,137,427 (“Binstead”)
1004	US 2005/0030048 A1 (“Bolender”)
1005	JP 60-075927A (citations are to English language translation, Ex. 1006) (“Fujitsu”)
1007	WO 2006/029517 A1 (“Fong”)
1008	US 7,259,106 B2 (“Jain”)

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