

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SKYHAWKE TECHNOLOGIES, LLC,
Petitioner,

v.

L&H CONCEPTS, LLC,
Patent Owner.

Cases IPR2014-00437 and IPR2014-00438
Patent 5,779,566

Held: April 27, 2015

BEFORE: JAMES T. MOORE, PATRICK R. SCANLON and
MITCHELL G. WEATHERLY, Administrative Patent Judges.

The above-entitled matter came on for hearing on Monday, April 27,
2015, commencing at 1:02 a.m., at the U.S. Patent and Trademark
Office, 600 Dulany Street, Alexandria, Virginia.

Cases IPR2014-00437 and IPR2014-00438
Patent 5,779,566

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF PATENT OWNER:

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1 MR. HOFFMAN: There wasn't a trial order that we saw.
2 Do you know how long which I will have so we can plan accordingly?

3 JUDGE MOORE: Well, we have reserved on the calendar
4 here two hours. I don't think we'll need that much, but I -- you know,
5 I would accord to each side an hour, but I fully expect we will take
6 less that than.

7 MR. HOFFMAN: Yes, sir.

8 MR. FISHER: Your Honor, we expect to take 20 minutes or
9 so for opening and reserve the rest.

10 JUDGE MOORE: That's where I thought we might be.

11 MR. FISHER: The '566 patent describes a handheld
12 recording device for golf. As with all such devices, it includes a
13 microprocessor, a memory and an LCD display. Figure 4, which is
14 displayed over here, illustrates the keypad that is included to interact
15 with the device.

16 The keypad is a simplified keypad rather than a full
17 alphanumeric keypad. It includes an entry key, which allows the user
18 to navigate between the screens, and left and right and up and down
19 keys. The left and right arrows allow you to tab between fields to find
20 a selected field and the up and down keys allow you to scroll through
21 the acceptable values for that field.

22 This type of interface is what is referred to in the '566 patent
23 and by the parties and their experts as a screen-dependent input
24 mechanism. The screen-dependent input mechanisms were
25 well-known when the '566 patent was filed and were used in a wide

1 variety of devices, like pagers, personal computers, handheld games,
2 like the Game Boy, T.V.s, VCRs, watches, handheld GPS devices and
3 a host of others.

4 Finally, as a person skilled in the art would expect, the '566
5 patent describes the organization of the screens, of the interface in the
6 temporal and logical fashion, another well-known and obvious
7 concept.

8 It does so by referring to the screens of the interface as
9 pre-game screens where you can enter information that will be used
10 during the game. In other words, a pre-game screen is a well-known
11 game setup screen where you enter or modify data that will be used or
12 referred to during the game.

13 The '566 patent also describes game interactive screens that
14 would be used during the game to enter data as you play. Finally, the
15 '566 patent refers to post-game screens where you can review your
16 performance after the game.

17 These are the basic features of the device that are described
18 in the '566 patent and in the challenged claims. The claims of the '566
19 patent only require two main and simple features.

20 The first is that the device is able to set up a game, collect
21 data during the game and then review that data after the game. The
22 second is that the user can navigate through the screens using a
23 screen-dependent input mechanism, such as the four or five-key
24 interface shown here.

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