

INTER PARTES REVIEW – FINAL HEARING

GOOGLE INC. ET AL. V. MICROGRAFX, LLC

CASE IPR2014-00532 (U.S. PATENT NO. 6,959,633)

**Before the Honorable Sally C. Medley, Richard E. Rice,
and Barbara A. Parvis, Administrative Patent Judges**

Counsel for Patent Owner Micrografx, LLC:

Heim, Payne & Chorush LLP

Douglas R. Wilson

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Patent Owner Micrografx, LLC

- Micrografx, Inc. was an operating graphics software company
- Corel Corp., another operating graphics software company, acquired Micrografx, Inc.
- An investor group led by Vector Capital acquired Corel Corp.
- The same investor group owns:
 - Corel Corp.
 - Micrografx, LLC
- Assignment histories simply show:
 - Assignment by inventors to Micrografx, Inc.
 - Assignments to effect Corel's acquisition of Micrografx, Inc.
 - Restructuring of Corel, including creation of Micrografx, LLC

Instituted Grounds

Patent	Claims	Statutory Basis	Reference
'633 Patent	1-4, 6, 8-11, 13, 15	§ 102	Walton
'633 Patent	1-4, 6, 8-11, 13, 15	§ 103	Eick + Kruglinski

Burden of Proof for Invalidity

The petitioners bear the burden of proving a proposition of unpatentability by a preponderance of the evidence.

- 35 U.S.C. § 316(e)

Legal Requirements for Anticipation

- “There must be **no difference** between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention.”
 - *Scripps Clinic & Research Found. v. Genentech, Inc.*, 927 F.2d 1565, 1576 (Fed. Cir. 1991) (emphasis added)
- The prior art reference “must not only disclose all elements of the claim within the four corners of the document, but **must also disclose those elements ‘arranged as in the claim.’**”
 - *Net MoneyIN, Inc. v. VeriSign, Inc.*, 545 F.3d 1359, 1369-70 (Fed. Cir. 2008) (internal citation omitted) (emphasis added)

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