

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIVERSAL REMOTE CONTROL, INC.,
Petitioner,

v.

UNIVERSAL ELECTRONICS, INC.,
Patent Owner.

Case IPR2014-01084
Patent 7,126,468 B2

Held: September 2, 2015

BEFORE: HOWARD B. BLANKENSHIP, SALLY C.
MEDLEY, and LYNNE E. PETTIGREW, Administrative Patent
Judges.

The above-entitled matter came on for hearing on Wednesday,
September 2, 2015, commencing at 10:00 a.m., at the U.S. Patent
and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

Case IPR2014-01084
Patent 7,126,468 B2

APPEARANCES:

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ON BEHALF OF PATENT OWNER:

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1 MR. KANG: Good morning, Your Honors. My name
2 is Peter Kang. In this IPR, the fundamental issue is whether the
3 claims should be construed so narrowly, as the Patent Owner
4 asserts, such that the claim meaning deviates from the plain
5 meaning of the terms and the specification. The term at issue or
6 phrase at issue is "updating the status of an appliance," and the --
7 in our view the claims should be construed properly, in which
8 case there is no dispute that the prior art reference, Cohen, does
9 disclose updating the status of -- the state of the appliance.

10 Cohen does disclose this by monitoring, capturing, and
11 logging transmitted commands for channel change or channel
12 selection from a remote control. Even under the Patent Owner's
13 narrow construction of "updating," the Cohen reference, in fact,
14 invalidates the claim as well.

15 So, if we can go to Exhibit 1057, page 2, just generally,
16 this patent at issue today, the '468 patent, deals with monitoring
17 command transmissions from a remote control to an
18 entertainment system. The specification teaches us -- and you
19 can see in the figure there, Figure 1 -- that there are commands
20 transmitted from the remote to the system, and the system in the
21 specification uses what's called a command receiver, which could
22 be a device separate and apart from the appliances themselves,
23 such as the TV, or it may be integrated into one or more of the
24 appliances, and that command receiver performs the functions of
25 monitoring and updating the state of the appliances.

1 If we could turn to page 3 of Exhibit 1057, the issue of
2 updating the state is in roughly two parts. So, the first issue is
3 updating. In the preliminary response, Patent Owner proposed a
4 definition of "updating" that was rejected by the Board in the -- in
5 this decision on institution.

6 And if we go to slide 4, so in the -- in the formal
7 response, Patent Owner has now taken the tack of arguing that
8 updating now requires, instead of where they were arguing before
9 that it requires rewriting, it now requires a specific device to do
10 the function of updating.

11 Now, Claim 27 is the method -- the independent method
12 claim that the parties have briefed, primarily as the representative
13 claim, and as you can see from the plain terms of the method
14 claim, there is no express limitation there of which device is
15 performing the function of updating, or the last method step of
16 updating, and, therefore, on the plain meaning, plain face of the
17 term -- of the claim itself, the term "updating" does not have a
18 specific limitation as to which device in the system should be
19 performing this step of the method, and, therefore, that -- on the
20 face of the claim alone, the Patent Owner's claim construction
21 should be rejected.

22 If we could turn to page 5 of the exhibit, 1057, looking
23 at the specification also, the specification does not support the
24 Patent Owner's position. The specification teaches that the way
25 one specific embodiment does this updating is by using state

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