

Case IPR2014-01097

Patent 7,300,194

Filed on behalf of Innovative Display Technologies, LLC

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG DISPLAY CO., LTD.,

Petitioner,

v.

INNOVATIVE DISPLAY TECHNOLOGIES, LLC,

Patent Owner

Case IPR2014-01097

U.S. Patent No. 7,300,194

PATENT OWNER'S RESPONSE

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I. INTRODUCTION

Patent Owner Innovative Display Technologies, LLC, (“IDT” or “Patent Owner”) hereby files this response (“Response”) to the Petition (Paper 2) (the “Petition”) for *Inter Partes* Review of U.S. Patent No. 7,300,194 (the “’194 patent”) in IPR2014-01097 filed by LG Display Co., Ltd. (“LGD” or “Petitioner”).

The Petitioner’s challenge to the ’194 patent claims should be rejected because the prior art lacks several material claim limitations. Even if one of skill in the art would have combined the references as Petitioner suggests – the combination would not yield the claimed invention.

A. Instituted Grounds

The instant inter partes review was instituted on five grounds of alleged invalidity over four references:

1. Obviousness of claims 1, 4–6, and 28 over Pristash;
2. Anticipation of claims 1, 16, 22, 23, 27, and 31 by Funamoto;
3. Obviousness of claims 4, 5, and 6 over Funamoto;
4. Anticipation of claim 28 by Kobayashi; and
5. Anticipation of claims 1, 4–6, and 28 by Nishio.

Claims 1, 16, 28, and 31 are independent claims. For the first ground, the Examiner had considered Pristash during prosecution and found the claims patentable. For the following reasons discussed in more detail below, these grounds

do not demonstrate by a preponderance of the evidence that the instituted claims of the '194 patent are invalid.

B. The '194 Patent

The '194 patent relates generally, to “light emitting panel assemblies” including a transparent panel member for efficiently conducting light, and controlling the light conducted by the panel member to be emitted from one or more light output areas along its length. ('194 patent, Ex. 1001, 1:19-29.)

Although light emitting panel assemblies were known, the '194 patent relates to different light emitting panel assembly configurations that provide for better control of the light output from the panel assemblies and for more efficient utilization of light, which results in greater light output from the panel assemblies. (Id.; Werner Decl. at ¶ 29.)

In particular, the '194 patent relates to a light emitting assembly configurations that can provide very efficient panel assemblies that have increased uniformity and higher light output from the panel members with lower power requirements, allowing the panel members to be made thinner and/or longer, and/or of various shapes and sizes. ('194 patent at col. 2, ll. 1-6; Werner Decl. at ¶ 30.)

The Petition attempts to characterize the '194 patent as merely describing “several different light emitting panel assembly configurations which allegedly provide for better control of light output from the panel assembly and for more

‘efficient’ utilization of light, thereby resulting in greater light output from the panel assembly.” (Petition, Paper 2 at 6; Werner Decl. at ¶ 31.) The Petition alleges that various claimed light emitting panel assemblies would have been anticipated and/or obvious in view of Pristash, Funamoto, Kobayashi, or Nishio. (Petition at 10-11; Werner Decl. at ¶ 31.)

However, the Petition fails to demonstrate (1) that the combination of these references would have been obvious to a person of ordinary skill in the art at the time of invention and (2) that the modifications and combinations suggested would result in the light emitting panel assemblies disclosed by the ’194 patent as required to find obviousness by Pristash or Funamoto. (Werner Decl. at ¶ 32.)

Further, for the first ground initiated, the Petition relies on the Pristash reference that was both disclosed to the Examiner and that the Examiner expressly considered during the prosecution of the ’194 patent. (List of References Cited by Applicant and Considered by Examiner 04-2-2007, Ex. 1002 at LGD_000060.) After having considered each of these references, the Examiner chose to allow the claims of the ’194 patent.

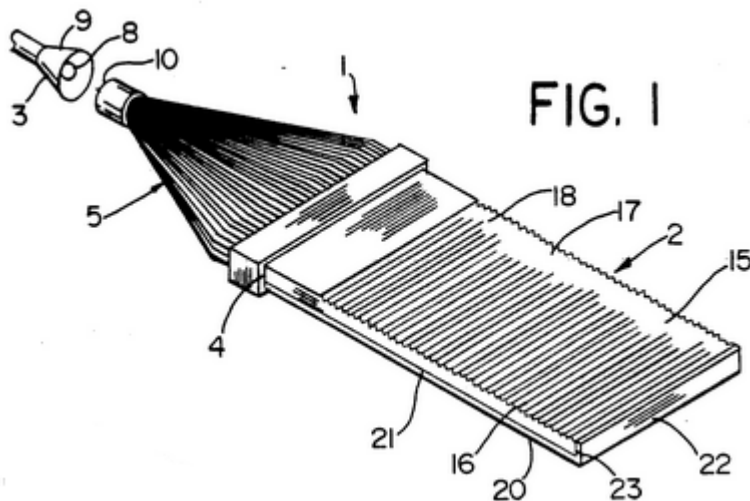
The petition also fails to show each and every element as required to find anticipation by Funamoto, Kobayashi, or Nishio. (Werner Decl. at ¶ 34.)

The ’194 patent issued from U.S. Application No. 11/245,408, which was filed on October 6, 2005 and claims a priority date of June 27, 1995.

C. The Prior Art in the Petition

1. *Pristash*

Pristash describes a thin panel illuminator that includes a solid transparent panel member having one or more deformed output regions. (Ex. 1006, Abstract.) The arrangement causes light entering the panel to be emitted along its length. (Id.)



Pristash Figure 1 above shows an exemplary panel. Petitioner analogized Pristash’s “transition device” (reference number 5) as the claimed “transition region.” (Petition at 13, 21).

2. *Kobayashi*

U.S. Patent No. 5,408,388 to Kobayashi (Exhibit 1011) (“Kobayashi”) Titled “Planar illuminating device” describes a planar illuminating device that uses “two sources of light each arranged adjacent to one of the side edges of the plate, a reflector arranged behind the plate rear face and reflecting rays of light from the plate to the front face of the plate, a light diffuser arranged in front of the plate and

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