

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 IPR2014-01106
Patent 5,255,313

Before HOWARD B. BLANKENSHIP, SALLY C. MEDLEY, and
LYNNE E. PETTIGREW, *Administrative Patent Judges*.

BLANKENSHIP, *Administrative Patent Judge*.

FINAL WRITTEN DECISION
Inter Partes Review
35 U.S.C. § 318(a) and 37 C.F.R. § 42.73

I. BACKGROUND

Petitioner, Universal Remote Control, Inc., filed a request for *inter partes* review of claims 1, 2, and 20 of U.S. Patent No. 5,255,313 (Ex. 1001, “the ’313 patent”) under 35 U.S.C. §§ 311–319. Paper 1 (“Petition” or

“Pet.”). The Board instituted an *inter partes* review of claims 1, 2, and 20 on an asserted ground of unpatentability for obviousness. Paper 9 (“Dec. on Inst.”).

Subsequent to institution, Patent Owner, Universal Electronics Inc., filed a Patent Owner Response in both unredacted (confidential) and revised redacted forms (Papers 14 and 45 (“PO Resp.”)), along with a Motion to Seal (Paper 15). Petitioner filed a Reply in both unredacted (confidential) and revised redacted forms (Papers 20 and 46; (“Pet. Reply”)), along with a Motion to Seal (Paper 22).

Patent Owner filed a Motion to Exclude (Paper 29; “PO Mot. to Exclude”). Petitioner filed an Opposition to the Motion to Exclude (Paper 33; “Pet. Exclude Opp.”), and Patent Owner filed a Reply (Paper 36; “PO Exclude Reply”). Petitioner filed a Motion to Exclude (Paper 28; “Pet. Mot. to Exclude”). Patent Owner filed an Opposition to the Motion to Exclude (Paper 35; “PO Exclude Opp.”), and Petitioner filed a Reply (Paper 37, “Pet. Exclude Reply”).

Patent Owner filed a Motion for Observations on Cross-Examination (Paper 30) and Petitioner filed a Response to the Observations (Paper 34).

An oral hearing was held on August 19, 2015. A transcript of the hearing is included in the record (Paper 48; “Tr.”).

The Board has jurisdiction under 35 U.S.C. § 6(c). This final written decision is issued pursuant to 35 U.S.C. § 318(a) and 37 C.F.R. § 42.73.

For the reasons that follow, we determine that Petitioner has shown by a preponderance of the evidence that claims 1, 2, and 20 of the ’313 patent are unpatentable.

A. Related Proceedings

According to Petitioner, the '313 patent is involved in the following lawsuit: *Universal Electronics, Inc. v. Universal Remote Control, Inc.*, No. SACV 13-00984 AG (JPRx) (C.D. Cal.). Pet. 1.

B. The '313 Patent

The '313 patent relates to a remote control that includes input circuitry with a set of keys or pushbuttons for inputting commands to the remote control, infrared signal output circuitry for supplying an infrared signal to a controlled device, and a central processing unit (CPU) coupled to the input circuitry. Ex. 1001, Abstract, Fig. 8 (operating circuitry), Fig. 9B (keyboard circuit). Memory is coupled to the CPU, which stores code data for generating infrared light to control an apparatus. Ex. 1001, Abstract. Memory may be updated from outside the remote control through data coupling circuitry and structure coupled to the CPU. *Id.*

Figure 20 of the '313 patent is reproduced below.

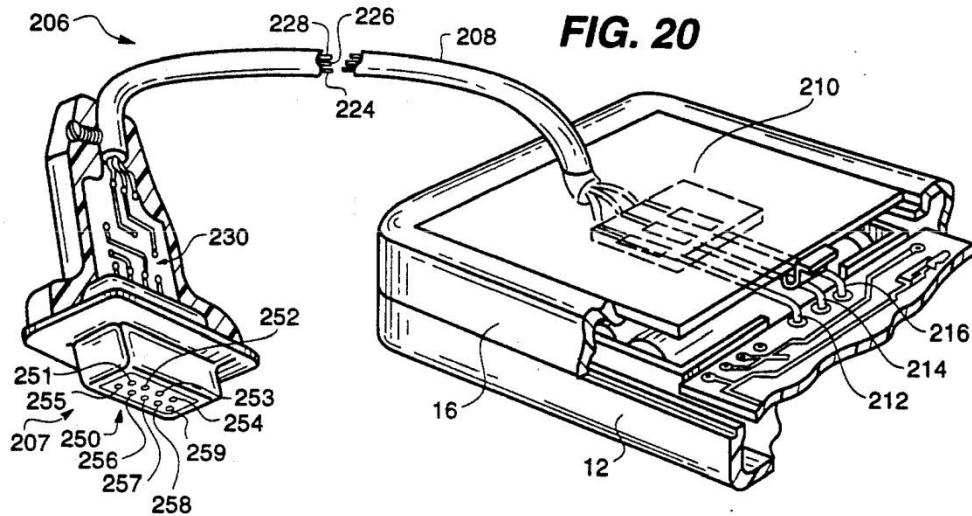


Figure 20 is a fragmentary perspective view of a connector having conversion circuitry and a battery case cover by which data can be input into the RAM of the operating circuitry of a remote control device. Ex. 1001, col. 4, ll. 22–27. Signal coupling and converting assembly 206 includes connector assembly 207, cable 208, and cover plate 210 for battery compartment 45 (Fig. 7). Cover plate 210 has three pins 212, 214, and 216 on its underside, which are positioned to connect with three serial ports 1, 2, and 3 (Fig. 7) of the control device. *Id.* at col. 19, ll. 39–45. Pins 212, 214, and 216 are connected by three wire conductors 224, 226, and 228 in cable 208 to connector assembly 207, which contains conversion circuitry 230. Conversion circuitry 230 (Figs. 21, 22) enables using some of the nine sockets 250 of connector assembly 207 for communication with serial ports 1, 2, and 3 via pins 212, 214, and 216. *Id.* at col. 19, ll. 45–55.

C. Illustrative Claim

Each of claims 1, 2, and 20 is independent. Claim 1, reproduced below, is illustrative.

1. A universal remote control system including a computer having a memory, code data for creating appropriate infrared (IR) lamp driver instructions for causing an infrared signal generator to emit infrared signals which will cause specific functions to occur in a specific controlled device, for operating a variety of devices to be controlled, stored in said memory of said computer, a universal remote control comprising input means including a set of keys or pushbuttons for inputting commands into the remote control, infrared signal output means including IR lamp driver circuitry for supplying an infrared signal to a controlled device, a central processing unit (CPU) coupled to said input means and to said signal output means, memory means coupled to said CPU, and data coupling means for periodically coupling said computer to said remote control for receiving from said computer memory said code data for creating appropriate IR lamp driver instructions for causing said infrared signals which will cause specific functions to occur in a specific controlled device, for operating a variety of devices to be controlled into said memory means of said remote control to enable said remote control to control various devices to be controlled upon the inputting of commands to the keys of the input means and a data transmission system including said data coupling means for coupling said remote control to said computer, directly, through a telephone line, through a modem and a telephone line, or through decoding means and a television set to receive a television signal picked up by the television set.

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