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 IPR2014-01109
Patent 7,831,930 B2

_____

Held: September 2, 2015

_____

BEFORE: HOWARD B. BLANKENSHIP, SALLY C. MEDLEY, and WILLIAM A. CAPP, *Administrative Patent Judges.*

The above-entitled matter came on for hearing on Wednesday, September 2, 2015, commencing at 1:00 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

APPEARANCES:

ON BEHALF OF THE PETITIONER:

      PETER H. KANG, ESQ.
      FERENC PAZMANDI, ESQ.
      Sidley Austin LLP
      1001 Page Mill Road, Building 1
      Palo Alto, California 94304

      KEITH J. BARKAUS, ESQ.
      Ostrolenk Faber LLP
      1180 Avenue of the Americas
      New York, New York 10036

ON BEHALF OF PATENT OWNER:

      JAMES J. LUKAS, JR., ESQ.
      ERIC J. MAIERS, ESQ.
      MATTHEW J. LEVINSTEIN, ESQ.
      Greenberg Traurig LLP
      77 West Wacker Drive, Suite 3100
      Chicago, Illinois 60601

1

1   P R O C E E D I N G S

2   -   -   -   -   -

3   JUDGE MEDLEY: Please be seated.

4   Good afternoon. This is the hearing for

5   IPR2014-01109, between Petitioner, Universal Remote Control,

6   and Patent Owner, Universal Electronics. Per our August 4th

7   order, each party will have 30 minutes of total time to present

8   arguments.

9   Petitioner, you'll proceed first to present your case with

10   respect to the challenged claims and grounds for which we

11   instituted trial; and then, Patent Owner, you can respond, take

12   your full 30 minutes. Then, Petitioner, you can reserve rebuttal

13   time.

14   So, we would like the parties to introduce themselves

15   since we have a different panel now. So, Petitioner, if you could

16   introduce yourself.

17   MR. KANG: Thank you, Your Honor. Good

18   afternoon, Your Honors. My name is Peter Kang of the Sidley

19   Austin law firm. We represent Petitioner, Universal Remote

20   Control. With me is Dr. Ferenc Pazmandi, also of my law firm,

21   and also Keith Barkaus, co-counsel at the Ostrolenk Faber law

22   firm.

23   JUDGE MEDLEY: Thank you.

24   For Patent Owner?

3

1   MR. LUKAS: Good afternoon, Your Honors. My

2   name is James Lukas with the law firm of Greenberg Traurig.

3   We represent the Patent Owner, Universal Electronics,

4   Incorporated, and with me is Eric Maiers of Greenberg Traurig

5   and Matt Levinstein.

6   JUDGE MEDLEY: Okay, thank you.

7   So, go ahead, Petitioner.

8   MR. KANG: Your Honors, the fundamental issues in

9   this IPR are whether the Patent Owner should be allowed to

10 rewrite the claims via claim constructions which essentially

11 rewrite the plain meaning of the terms in the claims and add

12 temporal limitations and other limitations that are not required by

13 the plain meaning of the words in the claims or the specification.

14   One of the primary claim construction disputes is the

15 phrase "interact with," and the Patent Owner has rewritten that

16 claim via claim construction to mean "select a channel from," and

17 as we've discussed, we believe that's an improper claim

18 construction.

19   Secondarily, the Evans and Realistic prior art references

20 do disclose the disputed features of the '930 patent claims, even

21 under the Patent Owner's improper claim constructions.

22   So, generally -- if we can go to Exhibit 1057 at page 2,

23 the '930 patent at issue here discloses using multiple favorite

24 channel lists for remote controls, where you see on Figure 1 of

25 the slide, if you have got a remote control that has multiple target

1   devices, and the claims at issue here relate to having different

2   favorite channel lists for different modes or different devices in

3   the system.

4   As the specification teaches, the user can specify a list

5   of favorite channels for a number of categories, and those

6   categories and channels on the list can be ones they want to cycle

7   through, as the specification says, and so there may be favorite

8   news channels to cycle through or favorite movie channels.

9   Figure 17A shows an exemplary screen-shot in the

10   specification, and obviously this -- the -- well, the logos of the

11   networks and the channels in the screen-shot are shown in the

12   example. The claims at issue here are not directed to any

13   specifics of the graphical user interface or using particular

14   channel logos or any layout thereof. In fact, using commercial

15   broadcasting and logos on a screen like that was known in the art

16   prior to this patent. For example, the Pronto reference, which is

17   of record, discloses that. And so the claims at issue here really

18   deal with cycling through favorite channel lists and multiple

19   favorite channel lists in a multi-device system.

20   So, let's look specifically on page 3 of the slides. Claim

21   1 is one of the primary claims that the parties have been briefing

22   heavily and using as a representative claim. The phrase, as I said,

23   "interact with" appears in the third paragraph in the claim, and it

24   says that the user "may interact with the at least one of the

25   plurality of lists," the lists being the favorite channel lists.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts

Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research

With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips

Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS
Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS
Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS
Sync your system to PACER to automate legal marketing.