

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIVERSAL REMOTE CONTROL, INC.,
Petitioner,

v.

UNIVERSAL ELECTRONICS, INC.,¹
Patent Owner.

Case IPR2014-01109
Patent 7,831,930 B2

Before HOWARD B. BLANKENSHIP, SALLY C. MEDLEY, and
WILLIAM A. CAPP, *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

¹ Patent Owner represents that the owner of the patent and real party-in-interest is Universal Electronics, Inc. Paper 4. Office assignment records indicate, however, that U.S. Bank National Association is the owner of the patent. Patent Owner should update Office assignment records to be consistent with its representations made in Paper 4 of this proceeding.

I. BACKGROUND

Petitioner Universal Remote Control, Inc. filed a request for *inter partes* review of claim 1 of U.S. Patent No. 7,831,930 B2 (Ex. 1001, “the ’930 patent”) under 35 U.S.C. §§ 311–319. The Board instituted an *inter partes* review of the claim 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 16 and 39 (“PO Resp.”)), along with a Motion to Seal (Paper 18). Petitioner filed a Reply in both unredacted (confidential) and revised redacted forms (Papers 26 and 40; (“Pet. Reply”)), along with a Motion to Seal (Paper 24).

Patent Owner filed a Motion to Exclude (Paper 29; “PO Mot. to Exclude”). Petitioner filed an Opposition to the Motion to Exclude (Paper 34; “Pet. Exclude Opp.”), and Patent Owner filed a Reply (Paper 35; “PO Exclude Reply”). Petitioner filed a Motion to Exclude (Paper 30; “Pet. Mot. to Exclude”). Patent Owner filed an Opposition to the Motion to Exclude (Paper 33; “PO Exclude Opp.”), and Petitioner filed a Reply (Paper 36, “Pet. Exclude Reply”).

An oral hearing was held on August 19, 2015. A transcript of the hearing is included in the record (Paper 44; “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.

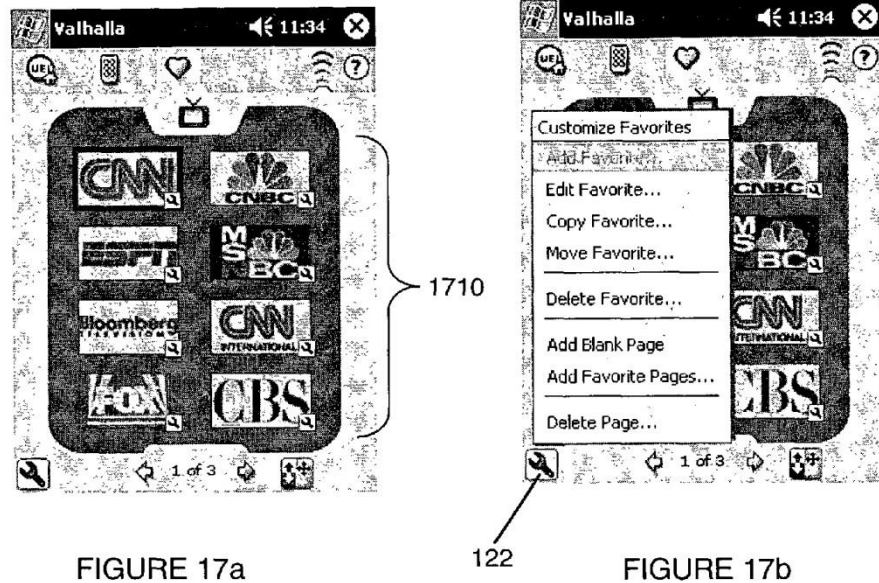
For the reasons that follow, we determine that Petitioner has *not* shown by a preponderance of the evidence that claim 1 of the '930 patent is unpatentable.

A. Related Proceedings

According to Petitioner, the '930 patent is involved in the following lawsuits: *Universal Electronics, Inc. v. Universal Remote Control, Inc.*, No. SACV 13-00984 AG (JPRx) (C.D. Cal.); and *Universal Electronics Inc. v. Peel Technologies, Inc.*, No. SACV 13-01484 AG (JPRx) (C.D. Cal.). Pet. 1–2.

B. The '930 Patent

The '930 patent relates to a user interface for a universal remote control application resident on a hand-held electronic device. Ex. 1001, col. 1, ll. 13–16. In one embodiment of the invention, the remote control application may provide one or more “favorites” pages containing button icons which the user may configure for direct access to favorite programming (e.g., to cause the transmissions of commands to cause a device to tune to a favorite channel). *Id.* at col. 19, ll. 26–30. Figures 17a and 17b are reproduced below.



Figures 17a and 17b illustrate exemplary steps to set up a remote control application favorite-channel soft key. *Id.* at col. 2, ll. 30–31. An exemplary “favorites” page is illustrated in Figure 17a, showing content providers by their logos. *Id.* at col. 19, ll. 32–36. To configure or add a “favorites” icon, one may tap customize icon 122 while a favorites page is displayed and select “Add Favorite” or “Edit Favorite,” or may tap one of the default icons that is displaying the wrench overlay, to indicate that it is not yet configured. In either case, a “favorites” setup wizard may be invoked to configure a “favorites” entry. *Id.* at col. 19, ll. 46–59. Once enabled or set up, the button icons (Fig. 17a) provide direct access to programming by causing the transmission of commands to tune a device to a favorite channel. *Id.* at col. 19, ll. 26–30.

C. The Claim

The challenged claim is reproduced below.

1. An electronically readable media having embedded instructions executable by a processing device of a hand held device for displaying information to a user of the hand held device, the instructions performing steps comprising:

allowing a plurality of lists of favorite channels to be defined for display in a display of the hand held device; and

accepting input into the hand held device that specifies to the hand held device that the hand held device is to be placed into a mode to control at least one of a plurality of home appliances and, in response, using the input to select at least one of the plurality of lists of favorite channels whereby the user may interact with the at least one of the plurality of lists when displayed in the display of the hand held device to cause the hand held device to transmit one or more command codes to the at least one of the plurality of home appliances associated with the specified mode for the purpose of tuning the at least one of the plurality of home appliances to a channel represented on the at least one of the plurality of lists of favorite channels.

D. Asserted Prior Art

Realistic	Realistic, Owner's Manual – Universal Remote Control Cat. No. 15–1903 (1989)	Exhibit 1003
Evans	US 4,825,200, Issued Apr. 25, 1989	Exhibit 1004

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