

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

SAMSUNG ELECTRONICS CO., LTD; SAMSUNG ELECTRONICS  
AMERICA, INC.; SAMSUNG TELECOMMUNICATIONS  
AMERICA, LLC  
Petitioners

v.

AFFINITY LABS OF TEXAS, LLC  
Patent Owner

---

Case IPR2014-01181  
Patent 8,532,641

**CORRECTED PETITION FOR INTER PARTES REVIEW OF  
UNITED STATES PATENT NO. 8,532,641\***

---

\* As directed by the Board in Paper No. 3, Petitioners hereby resubmit the Petition to address formality issues identified therein.

## TABLE OF CONTENTS

LIST OF EXHIBITS.....	v
I. INTRODUCTION.....	1
II. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8 .....	4
III. PETITIONERS HAVE STANDING.....	5
IV. SUMMARY OF THE ‘641 PATENT .....	7
A. Overview of the ‘641 Patent .....	7
B. ‘641 Patent Prosecution History.....	9
V. THERE IS A REASONABLE LIKELIHOOD THAT PETITIONERS WILL PREVAIL WITH RESPECT TO AT LEAST ONE CLAIM OF THE ‘641 PATENT.....	10
A. Claim Construction Under 37 C.F.R. § 42.104(b)(3) .....	10
B. Level of Ordinary Skill in the Art & State of the Art.....	12
C. <u>Ground 1</u> : Obvious over Ito in view of Haartsen (Claims 1, 2, 5, 6, 8, 9, 11, 13, 14); <u>Ground 2</u> : Obvious over Ito in view of Haartsen & Nokia (Claims 1-3, 5, 8-11, 13, 14); <u>Ground 3</u> : Obvious over Ito in view of Haartsen & Rydbeck (Claims 1, 2, 5, 8, 9, 11, 13, 14); <u>Ground 4</u> : Obvious over Ito in view of Haartsen, Nokia, & Rydbeck (Claims 1-3, 5, 8-11, 13, 14); <u>Ground 5</u> : Obvious over Ito in view of Haartsen & Galensky (Claims 7, 12); <u>Ground 6</u> : Obvious over Ito in view of Haartsen, Nokia, & Galensky (Claims 6, 7, 12); <u>Ground 7</u> : Obvious over Ito in view of Haartsen, Rydbeck, & Galensky (Claims 7, 12); <u>Ground 8</u> : Obvious over Ito in view of Haartsen, Nokia Rydbeck, & Galensky (Claims 6, 7, 12) .....	12
1. Overview of U.S. Pat. No. 6,990,334 (“Ito”).....	12
2. Overview of Nokia 9000/9000i Owner’s Manual (“Nokia”) .....	13
3. Overview of U.S. Pat. No. 6,973,067 (“Haartsen”).....	13
4. Overview of U.S. Pat. No. 7,123,936 (“Rydbeck”).....	14
5. Overview of U.S. Pat. No. 6,845,398 (“Galensky”).....	14
6. Motivation to Combine Ito with Haartsen, Nokia, Rydbeck, & Galensky.....	15
7. Claims 1-3 & 5-14 Are Obvious Over Grounds 1-8.....	18

D.	<u>Ground 9</u> : Obvious over Lee in view of Nokia, Lau, & Haartsen (Claims 1-3, 5, 9, 10, 13, 14); <u>Ground 10</u> : Obvious over Lee in view of Nokia, Lau, Haartsen, & Rydbeck (Claims 1-3, 5); <u>Ground 11</u> : Obvious over Lee in view of Nokia, Lau, Haartsen & Galensky (Claims 6, 7, 12); <u>Ground 12</u> : Obvious over Lee in view of Nokia, Lau, Haartsen, Rydbeck, & Galensky (Claims 6, 7); <u>Ground 13</u> : Obvious over Lee in view of Lau & Haartsen (Claims 8, 9, 11, 13, 14); <u>Ground 14</u> : Obvious over Lee in view of Lau, Haartsen, & Galensky (Claim 12); <u>Ground 15</u> : Obvious over Lee in view of Lau, Haartsen & Rydbeck (Claims 1, 2); <u>Ground 16</u> : Obvious over Lee in view of Lau, Haartsen, Rydbeck & Galensky (Claim 7) .....	36
1.	Overview of U.S. Pat. No. 6,728,531 (“Lee”) .....	36
2.	Overview of U.S. Pat. No. 6,772,212 (“Lau”) .....	37
3.	Motivation to Combine Lee with Haartsen, Lau, Nokia, Rydbeck, & Galensky .....	37
4.	Claims 1-3 & 5-14 Are Obvious Over Grounds 9-16.....	40
VI.	CONCLUSION.....	59

**TABLE OF AUTHORITIES**

	<b>Page(s)</b>
<b>CASES</b>	
<i>In re Affinity Labs of Texas, LLC</i> , 550 Fed. Appx. 884 (Fed. Cir. Jan. 9, 2014) .....	2, 47
<i>In re Am. Acad. of Sci. Tech Ctr.</i> , 367 F.3d 1359 (Fed. Cir. 2004) .....	11
<i>KSR Int’l Co. v. Teleflex Inc.</i> , 550 U.S. 398 (2007) .....	12
<b>STATUTES</b>	
35 U.S.C.	
§ 102.....	passim
§ 103.....	passim
§ 112.....	1
§§ 311-319.....	1
§ 314.....	10
<b>OTHER AUTHORITIES</b>	
37 C.F.R	
§ 1.33.....	60
§ 42.....	1
§ 42.8.....	4
§ 42.15 .....	60
§ 42.22 .....	5
§ 42.100 .....	10, 11, 60
§ 42.104.....	5, 10

§ 42.105 .....60

§ 325.....5

**MANUAL OF PATENT EXAMINING PROCEDURE**

§ 2111 .....11

# 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.