

UNITED STATES PATENT AND TRADEMARK OFFICE

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

LG ELECTRONICS, INC.,  
LG ELECTRONICS U.S.A., INC., and  
LG ELECTRONICS MOBILECOMM U.S.A., INC.,  
Petitioner

v.

CYPRESS SEMICONDUCTOR CORPORATION  
Patent Owner

---

Case IPR2014-01302  
Patent 8,059,015

---

**PATENT OWNER CYPRESS SEMICONDUCTOR CORP.  
RESPONSE**

TABLE OF CONTENTS

I. INTRODUCTION ..... 1

II. OVERVIEW OF U.S. PATENT NO. 8,059,015 ..... 2

    A. Background of the Dispute..... 2

    B. Capacitive Touch Technology ..... 3

    C. Prosecution History ..... 9

III. STATEMENT OF RELIEF REQUESTED ..... 12

    A. Person Of Ordinary Skill In The Art..... 12

IV. CLAIM CONSTRUCTION ..... 12

V. CLAIMS 1, 2, 4–7, 13, 17–19, 21, AND 22 OF THE '015 PATENT  
ARE NOT OBVIOUS OVER BOIE AND ANDRE ..... 13

    A. Overview of Boie ..... 13

    B. Overview of Andre..... 19

        1. Andre’s Virtual Keys Do Not Have A Pre-Defined Area ..... 24

    C. Independent Claims 1 And 7 Are Not Rendered Obvious By  
    The Combination Of Boie And Andre ..... 29

        1. Andre And Boie Are Completely Different – “Apples  
        And Oranges” According To Petitioner’s Expert..... 30

        2. Andre’s Virtual Keys Are Not “Pre-Defined Areas” As  
        Recited In Claims 1 and 7 ..... 35

        3. There Is No Reason To Use Andre’s Virtual Keys With  
        Boie ..... 36

        4. Dr. Wright And Petitioner Fail To Provide A Sufficient  
        Motivation To Combine Andre With Boie ..... 38

        5. Petitioner And Dr. Wright Assert That A PHOSITA  
        Would Have Been Motivated To Combine Boie And

Andre In A Way That Is Different Than The Manner In  
Which They Actually Combined The References .....41

6. Dr. Wright’s Inconsistent Obviousness Positions  
Demonstrates That Boie And Andre Cannot Be  
Combined .....42

7. Petitioner’s Argument that Boie And Andre  
“Complimentary” To Each Other Fails To Demonstrate  
Obviousness .....44

D. Claims 2, 4–6, 13, 17–19, 21, And 22 Are Patentable Over The  
Combination Of Boie And Andre For the Same Reasons As  
Claims 1 and 7 .....45

VI. CLAIM 15 OF THE `015 PATENT IS NOT OBVIOUS OVER  
BOIE, ANDRE AND HRISTOV .....45

VII. CONCLUSION.....46

TABLE OF AUTHORITIES

Cases

*ActiveVideo Networks, Inc. v. Verizon Commc'ns, Inc.*, 694 F.3d 1312 (Fed. Cir. 2012); .....39

*BAE Sys. Info. & Elec. Sys. Integration, Inc. v. Cheetah Omni, LLC*, Case No. IPR2013-00175, (Paper 45, June 19, 2014), 2014 Pat. App. LEXIS 4134, at \*5, \*6 .....13

*In re Kahn*, 441 F.3d 977 (Fed. Cir. 2006) ..... 36, 39

*In re Ratti*, 270 F.2d 810 (C.C.P.A., 1959).....37

*Kinetic Tech., Inc. v. Skyworks Solutions, Inc.* IPR2014-00529 (Paper 8, Sept. 23, 2014).....39

*KSR Int'l Co., v. Teleflex Inc.*, 550 US 398 (2007) .....36

*LinkedIn Corp. v. AvMarkets Inc.*, Case No. CBM2013-00025, (Paper 30, November 10, 2014), 2014 Pat. App. LEXIS 7747, at \*10 .....13

*Phillips v. AWH Corp.*, 415 F.3d 1303 (Fed. Cir. 2005) (*en banc*).....13

*Plas-Pak Indust., Inc. v. Sulzer Mixpac, AG*, 2015 WL 328222 (Fed. Cir. Jan. 27, 2015) (Unpublished) .....37

*Thorner v. Sony Computer Entm't Am. LLC*, 669 F.3d 1362 (Fed. Cir. 2012) .....13

Statutes

35 U.S.C. § 103(a) ..... 1

35 U.S.C. § 316(a)(3).....2

35 U.S.C. § 316(e) .....42

Rules

37 C.F.R. § 42.100(b) .....13

37 C.F.R. § 42.120 ..... 1

37 C.F.R. § 42.204(b)(4).....43

Fed. R. Evid. 611(c).....34

# 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.