

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHARP CORPORATION, SHARP ELECTRONICS CORPORATION, and
SHARP ELECTRONICS MANUFACTURING
COMPANY OF AMERICA,
Petitioner,

v.

SURPASS TECH INNOVATION LLC,
Patent Owner.

Case IPR2015-00021
Patent 7,202,843 B2

Before SALLY C. MEDLEY, BRYAN F. MOORE, and
BETH Z. SHAW, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

DECISION
Institution of *Inter Partes* Review
37 C.F.R. § 42.108

I. INTRODUCTION

Petitioner, Sharp Corporation, Sharp Electronics Corporation, and
Sharp Electronics Manufacturing Company of America, filed a Petition

requesting an *inter partes* review of claims 1, 4, 8, and 9 of U.S. Patent No. 7,202,843 B2 (Ex. 1001, “the ’843 patent”) under 35 U.S.C. §§ 311–319. Paper 1 (“Petition” or “Pet.”). Patent Owner, Surpass Tech Innovation LLC, filed a Preliminary Response. Paper 9 (“Prelim. Resp.”). We have jurisdiction under 35 U.S.C. § 314. Section 314 provides that an *inter partes* review may not be instituted “unless . . . the information presented in the petition . . . shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.”

For the reasons that follow, we institute an *inter partes* review of claims 4, 8, and 9 of the ’843 patent. We do not institute an *inter partes* review of claim 1 of the ’843 patent.

A. Related Proceedings

According to Petitioner, the ’843 patent is involved in the following lawsuit: *Surpass Tech Innovation LLC v. Sharp Corporation et al.*, No. 1:14-cv-00338-LPS (D. Del.). Pet. 8.

B. The ’843 Patent

The ’843 patent relates to a method and system for driving an LCD panel. The panel includes a plurality of scan lines, a plurality of data lines, and a plurality of pixels. Each pixel is connected to a corresponding scan line and a corresponding data line, and each pixel includes a liquid crystal device and a switching device connected to the corresponding scan line, data line and liquid crystal device. Ex. 1001, 2:19–26; Fig. 4. The system includes a driving circuit for applying over two data impulses to a pixel electrode within one frame period to avoid blurring. *Id.* at 1:8–12, 4:34–40.

C. Illustrative Claim

Claims 1 and 4 are independent claims. Claims 1 and 4 are reproduced below.

1. A driving circuit for driving an LCD panel, the LCD panel comprising:
a plurality of scan lines;
a plurality of data lines; and
a plurality of pixels, each pixel being connected to a corresponding scan line and a corresponding data line, and each pixel comprising a liquid crystal device and a switching device connected to the corresponding scan line, the corresponding data line, and the liquid crystal device,
the driving circuit comprising:
a blur clear converter for receiving frame data every frame period, each frame data comprising a plurality of pixel data and each pixel data corresponding to a pixel, the blur clear converter delaying current frame data to generate delayed frame data and generating a plurality of overdriven pixel data within every frame period for each pixel;
a source driver for generating a plurality of data impulses to each pixel according to the plurality of overdriven pixel data generated by the blur clear converter and applying the data impulses to the liquid crystal device of the pixel via the scan line connected to the pixel within one frame period in order to control transmission rate of the liquid crystal device; and
a gate driver for applying a scan line voltage to the switch device of the pixel so that the data impulses can be applied to the liquid crystal device of the pixel.

4. A method for driving a liquid crystal display (LCD) panel, the LCD panel comprising:
a plurality of scan lines;
a plurality of data lines; and
a plurality of pixels, each pixel being connected to a corresponding scan line and a corresponding data line, and each pixel comprising a liquid crystal device and a switching device

connected to the corresponding scan line, the corresponding data line, and the liquid crystal device, and
the method comprising:
receiving continuously a plurality of frame data;
generating a plurality of data impulses for each pixel within every frame period according to the frame data; and
applying the data impulses to the liquid crystal device of one of the pixels within one frame period via the data line connected to the pixel in order to control a transmission rate of the liquid crystal device of the pixel.

D. Asserted Grounds of Unpatentability

Petitioner asserts that claims 1, 4, 8, and 9 are unpatentable based on the following grounds:

Reference(s)	Basis	Challenged Claims
Jinda ¹	§ 102(b)	1, 4, 8, and 9
Jinda in view of Miyai ²	§ 103(a)	1, 4, 8, and 9
Adachi ³	§ 102(b)	1, 4, 8, and 9
Ham ⁴	§ 102(e)	4, 8, and 9

II. ANALYSIS

A. Claim Interpretation

In an *inter partes* review, claim terms in an unexpired patent are given their broadest reasonable construction in light of the specification of the

¹ U.S. Patent Application Publication 2002/0044115, published Apr. 18, 2002 (Ex. 1002) (“Jinda”).

² Japanese Laid-Open Publication HEI 6-62355, published Mar. 4, 1994 (Ex. 1003) (“Miyai”).

³ U.S. Patent Application Publication 2001/0038369, published Nov. 8, 2001 (Ex. 1004) (“Adachi”).

⁴ U.S. Patent Application Publication 2004/0196229, published Oct. 7, 2004 (Ex. 1005) (“Ham”).

patent in which they appear. 37 C.F.R. § 42.100(b). Under the broadest reasonable construction standard, claim terms are given their ordinary and customary meaning, as would be understood by one of ordinary skill in the art in the context of the entire disclosure. *In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007). Any special definition for a claim term must be set forth with reasonable clarity, deliberateness, and precision. *In re Paulsen*, 30 F.3d 1475, 1480 (Fed. Cir. 1994).

Petitioner does not contend any specific claim terms need construction, and submits that the challenged claims should be given their plain and ordinary meaning. Pet. 18. Petitioner argues, however, that there is a typographical error in claim 1. *Id.* Claim 1 recites “applying the data impulses to the liquid crystal device of the pixel via the scan line.” Petitioner argues that the ’843 patent discloses that data impulses are applied via the data line, not the scan line, implying that the claim contains a mistake. Pet. 18–19. For purposes of applying prior art to the claims, Petitioner interprets claim 1 not as written, but rather as requiring applying data impulses via the data line. *See, e.g.*, Pet. 29–30, 35, 43. Patent Owner provides no construction for the term.

Petitioner has not shown sufficiently that claim 1, an originally filed claim, contains an error. For example, Petitioner does not direct attention to evidence in support of the argument that the claim contains a mistake. Accordingly, we do not construe claim 1 as suggested by Petitioner, but rather construe the claim as written.

For purposes of this decision, we need not construe any other limitations of the challenged claims.

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.