

RECORD OF ORAL HEARING
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION, SAMSUNG ELECTRONICS CO., LTD.,
and SAMSUNG DISPLAY CO., LTD.,

Petitioner,

vs.

SURPASS TECH INNOVATION LLC,

Patent Owner.

Case IPR2015-00887
Patent 7,420,550
Technology Center 2600
Oral Hearing Held: Thursday, May 12, 2016

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

The above-entitled matter came on for hearing on Thursday,
May 12, 2016, at 2:00 p.m., Hearing Room B, taken at the U.S. Patent and
Trademark Office, 600 Dulany Street, Alexandria, Virginia.

REPORTED BY: RAYMOND G. BRYNTESON, RMR,
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P R O C E E D I N G S

(2:00 p.m.)

JUDGE MEDLEY: Good afternoon. This is the hearing for IPR2015-00887 between Petitioner, Sony Corporation and Samsung Electronics and Samsung Display Corporation, versus Patent Owner, Surpass Tech Innovation, involving claims 1 through 5 of U.S. Patent 7,420,550.

Per our April 27th order, each party will have 30 minutes of total time to present arguments. Petitioner, you will proceed first to present your case with respect to the challenged claims and grounds for which the Board instituted trial.

Thereafter, Patent Owner, you will respond to Petitioner's presentation. And, Petitioner, you may then reserve rebuttal time if you wish.

At this time we would like the parties to please introduce themselves, beginning with Petitioner.

MR. ALEXANDER: Your Honor, Jay Alexander on behalf of Petitioner.

JUDGE MEDLEY: And you have with you?

MR. ALEXANDER: I'm sorry?

JUDGE MEDLEY: And you have with you?

MR. ALEXANDER: Oh, I'm sorry. My colleague, Paul Wilson, who is not of record in the case.

JUDGE MEDLEY: Oh, okay. All right.

1 MR. ALEXANDER: And I will be conducting the
2 argument. Also, Mr. Walter Hanley is backup counsel for this
3 one.

4 JUDGE MEDLEY: All right. Thank you. And
5 then, Mr. Helge, just for the record if you will.

6 MR. HELGE: Absolutely, Your Honor. Wayne
7 Helge for the Patent Owner, Surpass Tech Innovation. With
8 me is my colleague, James Wilson.

9 JUDGE MEDLEY: Okay. Thank you. And,
10 Petitioner, you may begin. Would you like to reserve rebuttal
11 time?

12 MR. ALEXANDER: Yes, Your Honor. I would
13 like to reserve 10 minutes, please.

14 JUDGE MEDLEY: Okay. And we're going by this
15 clock back here, so you may begin.

16 MR. ALEXANDER: Okay. Thank you. Your
17 Honor, this case is reduced basically to a single issue, and that
18 is whether the Janssen '708 reference discloses an active
19 matrix LCD that uses Thin Film Transistors, TFTs.

20 The Patent Owner has not made any argument that
21 the prior art is lacking any claimed element or that there is a
22 failure of the motivation to combine separate and apart from
23 this single issue. So this is the issue that I'm going to address.

1 We believe that the evidence is one-sided, that the
2 Janssen '708, indeed, is an active matrix LCD that has TFTs,
3 and we believe this for a number of reasons.

4 First, Petitioner's expert, Dr. Liu, has offered an
5 opinion that that person of ordinary skill in the art would
6 interpret Janssen '708 to be an AMLCD with TFTs. The Patent
7 Owner has offered no contrary expert opinion or evidence for
8 that matter on the other side of that.

9 Third, you know, although there is no standard
10 symbol for a liquid crystal pixel element, there is evidence in
11 the record that they often represent LCD pixels as resistors
12 and capacitors in parallel, which is exactly what Janssen '708
13 represents.

14 Also, the Patent Owner's alternative explanations
15 for what Janssen '708 could be are simply implausible. Not
16 only are they based on attorney argument without any expert
17 support, they are simply implausible. And I will go ahead and
18 discuss that.

19 And, finally, we also have evidence that Patent
20 Examiners on both sides of the Atlantic when they examined
21 the counterpart to this application cited LCD art. So they
22 understood that Janssen '708 was directed to active matrix
23 LCD's.

24 So on the first point, you know, Dr. Liu who was
25 our expert, she put in the petition in support of -- a declaration

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