

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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DELAWARE DISPLAY GROUP LLC )  
and INNOVATIVE DISPLAY )  
TECHNOLOGIES LLC, )

Plaintiffs, )

v. )

LENOVO HOLDING CO. INC., and )  
LENOVO (UNITED STATES) INC., )

Defendants. )

C.A. No. 13-2108-RGA

**JURY TRIAL DEMANDED**

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DELAWARE DISPLAY GROUP LLC )  
and INNOVATIVE DISPLAY )  
TECHNOLOGIES LLC, )

Plaintiffs, )

v. )

LG ELECTRONICS, INC., )  
LG ELECTRONICS U.S.A., INC., )  
LG DISPLAY CO., LTD., and )  
LG DISPLAY AMERICA, INC., )

Defendants. )

C.A. No. 13-2109-RGA

**JURY TRIAL DEMANDED**

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DELAWARE DISPLAY GROUP LLC )  
AND INNOVATIVE DISPLAY )  
TECHNOLOGIES LLC, )

Plaintiffs, )

v. )

VIZIO, INC., et al. )

Defendant. )

C.A. No. 13-2112-RGA

**JURY TRIAL DEMANDED**

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## JOINT STATUS REPORT ON IPR PETITIONS

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As required by the Court's Oral Order of May 12, 2015,<sup>1</sup> the parties submit the following report on the status of petitions for *inter partes* review that were identified in Defendants' Joint Opening Brief in Support of Motion to Stay Pending *Inter Partes* Review (Dkt. 45). In addition, the parties attach a summary chart as Exhibit A.

### A. Defendants' Summary:

On April 3, 2015 the Defendants jointly moved for a stay pending the outcome of *inter partes* review of all Asserted Patents pursuant to requests by LG Display Co., Ltd. ("LGD"), Sony Corp. ("Sony"), and other parties. After Defendants moved to stay the case, Plaintiffs dropped the '547 and '194 patents from the case, both patents of which were subject to IPR. Subsequently, Plaintiffs requested adverse judgment in the Patent Office with respect to those two IPRs. Also after Defendants moved to stay the case, two additional IPRs were instituted for the '660 and '973 patents. Thus, of the seven remaining patents in the case, all except the '196 patent are currently subject to either instituted IPRs or pending requests for IPRs (as outlined in detail below in Defendants' Section). Final decisions for the four currently instituted IPRs (the '177, '660, '370, and '973 patents) will be rendered on March 2, 2016, July 16, 2016, January 13, 2016, and July 6, 2016, respectively. Moreover, institution decisions on the remaining patents will be rendered by March 11, 2016.

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<sup>1</sup> Dkt. 54 in Case No. 13-cv-2108. All docket numbers referenced in this submission will refer to Case No. 13.cv-2108.

**B. Plaintiffs' Summary:**

Of the 46 requests for Inter Partes Review, 8 of the petitions were denied institution on all claims, and 2 were granted only on claims *not in suit*. Another 25 of the IPR petitions were terminated prior to any institution decision because the parties who filed them all obtained licenses to the patents-in-suit. There were 2 other IPRs related only to patents no longer asserted in the case, and the related IPRs were terminated and are not pertinent to the motion. Only 4 petitions, covering 3 patents-in-suit, have been instituted on any claims in suit. The earliest that decisions will issue on any claims actually in this case is March, mid-June and July 2016. Recently, LGE and a supplier to LGD filed 5 new petitions, but none of those IPRs have been instituted, and the earliest that a final written decision would issue in any of those IPRs (if instituted) would not be until approximately March of **2017**. There is no pending IPR relating to the '196 patent.

The parties each set forth additional details regarding the procedural history and present status below.

**C. Defendants' Detailed Position:**

**1. U.S. Patent No. 6,755,547: IPR Instituted, But Patent Dismissed from Litigation**

LG Display Co., Ltd. ("LGD") filed a petition to institute an *inter partes* review of claims 1-4, 16, and 26 of U.S. Patent No. 6,755,547 ("the '547 patent") on August 21, 2014. The Patent Trial and Appeal Board ("the Board") granted the petition and instituted an *inter partes* review of all challenged claims on February 26, 2015. The patent owner moved for adverse judgment and the Board granted its request on June 10, 2015 in the *inter partes* review. Plaintiffs dismissed the '547 patent from the litigation on April 28, 2015.

**2. U.S. Patent No. 7,300,194: IPR Instituted, But Patent Dismissed from Litigation; Other Petitions Terminated by Settlement**

LGD filed a petition to institute an *inter partes* review of claims 1-4, 16, 22, 23, 27, 28, and 31 of U.S. Patent No. 7,300,194 (“the ’194 patent”) on July 1, 2014. The Board granted the petition and instituted an *inter partes* review of all challenged claims on January 13, 2015. The patent owner moved for adverse judgment and the Board granted its request on September 15, 2015 in the *inter partes* review. Plaintiffs dismissed the ’194 patent from this litigation on April 28, 2015.

Separately, on December 4, 2014, Mercedes Benz USA, LLC and Mercedes-Benz U.S. International, Inc. (collectively “Mercedes-Benz”) filed a petition requesting an *inter partes* review of claims 1, 4-6, 16, 22, 23, 27, 28, and 31 of the ’194 patent and filed a motion for joinder seeking to join that proceeding with the *inter partes* review filed by LGD. On May 22, 2015, the Board instituted an *inter partes* review of all the challenged claims and granted the motion for joinder. On July 2, 2015, this *inter partes* review was terminated as a result of a settlement agreement reached between the patent owner and Mercedes-Benz.

**3. U.S. Patent No. 7,384,177: Two Petitions Instituted; Five Petitions Terminated by Settlement**

LGD filed a petition to institute an *inter partes* review of claims 1-3, 5-7, 9, 10, 13-15, 19, 21 and 23-27 of U.S. Patent No. 7,384,177 (“the ’177 patent”) on August 22, 2014. The Board instituted an *inter partes* review of all challenged claims on March 2, 2015.

Separately, on December 29, 2014, LG Electronics, Inc. (“LGE”) filed a petition requesting an *inter partes* review of claims 1-3, 5-7, 9, 10, 13-15, 19, 21 and 23-27 of the ’177 patent and filed a motion for joinder seeking to join that proceeding with the *inter partes* review filed by LGD. On July 13, 2015, the Board instituted an *inter partes* review of all the challenged claims and granted the motion for joinder.

Oral argument for the LGD and LGE *inter partes* reviews is scheduled for November 20, 2015. A final written decision is expected by March 2, 2016.

Mercedes-Benz filed a petition to institute an *inter partes* review of claims 1-3, 5-7, 9-10, 13-15, 19, 21 and 23-27 of the '177 patent on December 4, 2014. On April 13, 2015, Mercedes-Benz filed another petition to institute an *inter partes* review of claims 1, 6-7, 9-10, 13-15, 19, and 22 of the '177 patent. On July 2, 2015, both of these *inter partes* reviews were terminated as a result of a settlement agreement reached between the patent owner and Mercedes-Benz.

On March 5, 2015, Toyota Motor Corporation ("Toyota") filed a petition to institute an *inter partes* review of claims 1, 6-7, 9-10, 13-15, 19, and 22 of the '177 patent. On March 9, 2015, Toyota filed an additional petition to institute an *inter partes* review of claims 1, 6-7, 9-10, 13-15, 19, and 22 of the '177 patent. On May 29, 2015, both of these *inter partes* reviews were terminated as a result of a settlement agreement reached between the patent owner and Toyota.

On February 18, 2015, Sony filed a petition to institute an *inter partes* review of claims 1-3, 5-7, 9-10, 13-15, 19, 21 and 23-27 of the '177 patent. On August 12, 2015, this *inter partes* review was terminated as a result of a settlement agreement reached between the patent owner and the Sony defendants in this litigation.

**4. U.S. Patent No. 7,404,660: One Petition Instituted; One Petition Currently Pending; Two Petitions Denied; Five Petitions Terminated by Settlement**

LGD filed a petition to institute an *inter partes* review of claims 1, 3, 5, 10, 13, 16, 17, 25-29, and 33-35 on December 23, 2014. The Board instituted review of claims 1, 3, 5, 10, 13, 16, 17, 25-29, and 33-35 of the '660 patent on July 16, 2015. Oral argument for the *inter partes* review is scheduled for March 16, 2016 and a final decision is expected by July 16, 2016.

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