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IPR2015-01984, Paper No. 39

IPR2015-01985, Paper No. 40

January 12, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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LG ELECTRONICS, INC.,  
Petitioner,

v.

CORE WIRELESS LICENSING S.A.R.L.,  
Patent Owner.

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Case IPR2015-01984 (Patent 8,434,020 B2)  
Case IPR2015-01985 (Patent 8,713,476 B2)

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Held: December 14, 2016

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BEFORE: JAMESON LEE, DAVID C. McKONE, and KEVIN  
W. CHERRY, Administrative Patent Judges.

The above-entitled matter came on for hearing on Wednesday,  
December 14, 2016, commencing at 3:32 p.m., at the U.S. Patent  
and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

Case IPR2015-01984 (Patent 8,434,020 B2)

Case IPR2015-01985 (Patent 8,713,476 B2)

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Case IPR2015-01984 (Patent 8,434,020 B2)

Case IPR2015-01985 (Patent 8,713,476 B2)

1 P R O C E E D I N G S

2 - - - - -

3 JUDGE CHERRY: Good afternoon. This is the  
4 consolidated hearing in IPRs 2015-1984 and 1985, LG  
5 Electronics Inc versus Core Wireless Licensing S.A.R.L.  
6 Counsel, will you please make your appearances.

7 MR. BROWN: Good afternoon, Your Honor. Nick  
8 Brown and with me is Herb Finn both from Greenberg Traurig on  
9 behalf of LG.

10 MR. HELGE: Good afternoon, Your Honor. Wayne  
11 Helge and Walter Davis here for the patent owner.

12 JUDGE CHERRY: Good afternoon, everyone. I'm  
13 Judge Cherry. And with me are Judges Lee and McKone. Judge  
14 McKone, as you know, is in our Midwest regional office in  
15 Detroit and is appearing remotely. So please speak into the  
16 microphone, as I am being reminded, so that he can hear us.

17 LG, you may begin.

18 MR. BROWN: Thank you, Your Honor. I have copies,  
19 hard copies of the demonstratives. Would you like me to bring  
20 them forward?

21 JUDGE CHERRY: Yes, please.

22 MR. BROWN: May it please the Board, the challenged  
23 patents in this case, the '020 and '476 patents, describe an  
24 improvement to a user interface. You can see that's on slide 2, an  
25 improved user interface is in the title of both of the patents. You  
26 can see on slide 3 the field of the invention explains that the

Case IPR2015-01984 (Patent 8,434,020 B2)

Case IPR2015-01985 (Patent 8,713,476 B2)

1 invention is about an improved user interface. You can see in the  
2 description of the prior art that the problem being addressed is a  
3 user interface problem, how to allow the use to navigate quickly  
4 and efficiently to access data and activate a desired function.  
5 And you can see on slide 5 in the abstract that the solution  
6 described is a user interface solution. The present invention  
7 offers a snapshot view which brings together in one summary  
8 window a limited list of common functions and commonly  
9 accessed stored data.

10           So we are talking here about a user interface patent.  
11 The patents are not about what is under the hood. They don't  
12 provide any specifics about how the user interface improvement  
13 that they describe should be implemented. They don't describe  
14 any improvement to software architecture. They don't describe  
15 any improvement to any hardware. To the contrary, what the  
16 patents say is that the claimed user interface improvement can be  
17 implemented in, quote, any computing environment.

18           If you look at slide 6, we have relied on the Blanchard  
19 reference. Figure 2 of the Blanchard reference is on the screen.  
20 You can see that the Blanchard reference describes the user  
21 interface for a phone with a small screen. And in particular, on  
22 the next slide, slide 7, Blanchard describes a specific menu  
23 structure to be used on a small screen device and it explains that it  
24 is describing this menu structure to provide flexibility and  
25 efficiency in navigating through the phone. Blanchard, like the  
26 '020 and '476 patents, is not about what is under the hood. It

Case IPR2015-01984 (Patent 8,434,020 B2)

Case IPR2015-01985 (Patent 8,713,476 B2)

1 specifically states that it makes no attempt to describe the  
2 software that is used to implement the user interface in a  
3 particular menu structure that is shown.

4           The user interface that Blanchard describes, I'm now on  
5 slide 8, is virtually identical to the user interface that's described  
6 in the '020 patents. In both Blanchard and the '020 patent, the  
7 user begins in a main menu of icons where the icons represent  
8 applications available on the phone. For example, in the '020  
9 patent, you have an envelope that represents the messages  
10 application. In Blanchard, you have a mailbox that represents the  
11 mailbox application.

12           In both Blanchard and the '020 patent, I'm now on the  
13 next slide, the next step from the main menu is to access a  
14 summary window that collects in one quickly accessible place  
15 commonly used functions and data from the application. You can  
16 see on the left, the '020 patent, this window drops down from the  
17 messages application icon. You can see on the right in Blanchard  
18 it's exactly the same thing. The window appears immediately  
19 beneath the mailbox icon when the mailbox icon is selected.

20           Now, patent owner's response to this overwhelming  
21 similarity between these two user interfaces is to go under the  
22 hood of the user interface and to argue about what the term  
23 "application" means. They have focused their attention on the  
24 single word, "application" and they are arguing that an  
25 application must first be something which is separate and distinct  
26 from an operating system and be implemented on top of an

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