

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG ELECTRONICS, INC.,
Petitioner,

v.

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

Case IPR2015-01984
Patent 8,434,020 B2

Before JAMESON LEE, DAVID C. MCKONE, and
KEVIN W. CHERRY, *Administrative Patent Judges*.

CHERRY, *Administrative Patent Judge*.

FINAL WRITTEN DECISION
35 U.S.C. § 318(a) and 37 C.F.R. § 42.73

LG Electronics, Inc. (“Petitioner”) filed a Petition requesting *inter partes* review of claims 1, 2, 5–8, 10, 11, 13, and 16 of U.S. Patent No. 8,434,020 B2 (Ex. 1001, “the ’020 patent”). Paper 1 (“Petition” or “Pet.”). Pursuant to 35 U.S.C. § 314(a), we determined that the Petition showed a reasonable likelihood that Petitioner would prevail in establishing

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the unpatentability of claims 1, 2, 5–8, 10, 11, 13, and 16, and we instituted an *inter partes* review of these claims on certain asserted grounds of unpatentability. Paper 7 (“Inst. Dec.”). Patent Owner Core Wireless Licensing S.A.R.L. (“Patent Owner”) filed a Patent Owner Response. Paper 21 (“PO Resp.”). Petitioner filed a Reply to Patent Owner’s Response. Paper 23 (“Reply”). An oral hearing was held on December 14, 2016, pursuant to requests by both parties. Paper 39 (“Tr.”); *see* Papers 27, 28, 32.

We issue this Final Written Decision pursuant to 35 U.S.C. § 318(a) and 37 C.F.R. § 42.73. For the reasons that follow, we determine Petitioner has *not* proven by a preponderance of the evidence that claims 1, 2, 5–8, 10, 11, 13, and 16 of the ’020 patent are unpatentable. *See* 35 U.S.C. § 316(e).

I. BACKGROUND

A. RELATED PROCEEDINGS

According to Petitioner and Patent Owner, the ’020 patent is involved in, at least, the following lawsuits: *Core Wireless Licensing S.A.R.L. v. Apple, Inc.*, No. 6:14-cv-00751 (E.D. Tex.), *Core Wireless Licensing S.A.R.L. v. Apple, Inc.*, No. 6:14-cv-00752 (E.D. Tex.), and *Core Wireless Licensing S.A.R.L. v. LG Electronics, Inc.*, No. 2:14-cv-00911 (E.D. Tex.). Pet. 1; Paper 5, 2. Petitioner indicates that the cases involving Apple, Inc. are being transferred to the Northern District of California. Pet. 1. The ’020 patent is also the subject of IPR2015-01898. Paper 5, 2. A related patent, U.S. Patent No. 8,713,476, is at issue in IPR2015-01899 and IPR2015-01985. Patent Owner also indicates that pending U.S. Application No. 13/860,143 is a continuation of the application that issued as the ’020 patent. Paper 5, 1.

B. THE '020 PATENT

The '020 patent relates to a computing device with an improved user interface for applications. Ex. 1001, 1:14–15. The '020 patent describes a “snap-shot” view of an application that brings together, in one summary window, a limited list of common functions and commonly accessed stored data. *Id.* at 2:26–30. Preferably, where the summary window for a given application shows data or a function of interest, the user can select that data or function directly, which causes the application to open and the user to be presented with a screen in which the data or function of interest is prominent. *Id.* at 2:31–35. The '020 patent explains that this summary window functionality saves the user from navigating to the required application, opening it up, and then navigating within that application to enable the data of interest to be seen or a function of interest to be activated. *Id.* at 2:35–39. Figure 2 of the '020 patent is reproduced below.

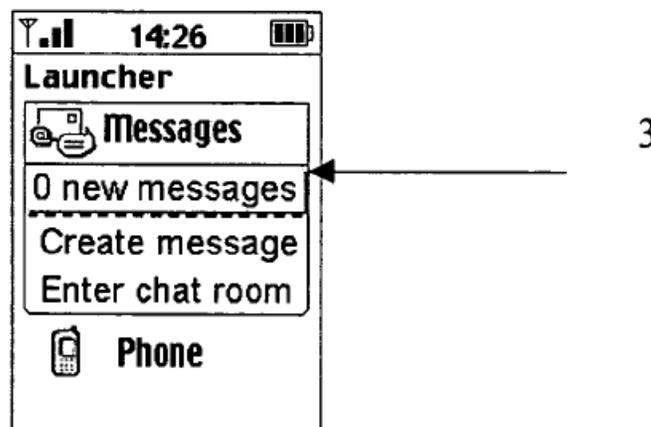


Figure 2

Figure 2 illustrates an implementation of the summary window (at 3) of the '020 patent. Ex. 1001, 3:31–32.

C. ILLUSTRATIVE CLAIM

Claim 1, a device claim, and claim 16, a computer program product claim, are the only independent claims of the '020 patent. The remaining challenged claims, claims 2, 5–8, 10, 11, and 13, all depend, directly or indirectly, from claim 1. Claim 1 is illustrative of the subject matter in this proceeding, and is reproduced below (formatting added).

1. A computing device comprising a display screen,
the computing device being configured to display on the screen a main menu listing at least a first application, and
additionally being configured to display on the screen an application summary window that can be reached directly from the main menu,
wherein the application summary window displays a limited list of at least one function offered within the first application,
each function in the list being selectable to launch the first application and initiate the selected function, and
wherein the application summary window is displayed while the application is in an unlaunched state.

Id. at 5:42–63.

D. INSTITUTED GROUND OF UNPATENTABILITY

We instituted an *inter partes* review of the '020 patent on the ground that claims 1, 2, 5–8, 10, 11, 13, and 16 are unpatentable under 35 U.S.C. § 103(a) as obvious over Blanchard (Ex. 1002, U.S. Patent No. 6,415,164 B1, issued July 2, 2002, filed March 17, 1999).

II. ANALYSIS

A. CLAIM CONSTRUCTION

We interpret claims in an unexpired patent using the “broadest reasonable construction in light of the specification of the patent in which [they] appear[.]” 37 C.F.R. § 42.100(b). Under this standard, we presume that a claim term carries its “ordinary and customary meaning,” which “is the meaning that the term would have to a person of ordinary skill in the art in question” at the time of the invention. *In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007). The presumption may be overcome by providing a definition of the term in the specification with reasonable clarity, deliberateness, and precision. *See In re Paulsen*, 30 F.3d 1475, 1480 (Fed. Cir. 1994). In the absence of such a definition, limitations are not to be read from the specification into the claims. *See In re Van Geuns*, 988 F.2d 1181, 1184 (Fed. Cir. 1993). Only those terms which are in controversy need be construed, and only to the extent necessary to resolve the controversy. *See Vivid Techs., Inc. v. Am. Sci. & Eng’g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999).

1. “limited list”

Neither party proposes a construction for this phrase. However, Patent Owner contends that this phrase “requires that any functions shown in the ‘limited list’ are fewer than all the functions available in an application.” PO Resp. 45. Patent Owner relies on the following testimony of Petitioner’s declarant, Dr. Vernon Thomas Rhyne, III, at his first deposition in this proceeding:

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