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Paper 7
Date Entered: March 17, 2016

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*.

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

I. INTRODUCTION

Petitioner, LG Electronics, Inc., filed a Petition requesting an *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") under 35 U.S.C. §§ 311–319. Paper 1 ("Petition" or "Pet."). Patent Owner, Core Wireless Licensing S.A.R.L., filed a Preliminary Response. Paper 6 ("Prelim. Resp."). Under 35 U.S.C. § 314, 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 1, 2, 5–8, 10, 11, 13, and 16 of the '020 patent.

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 subject to IPR2015-01898. Paper 5, 2. 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.

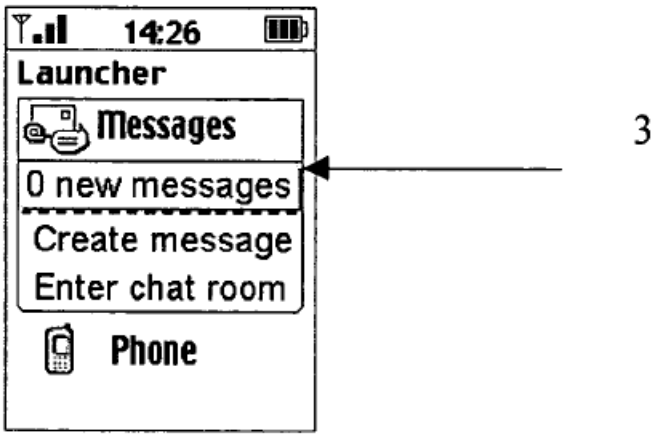

Figure 2

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 un-launched state.

Id. at 5:42–63.

D. Evidence Relied Upon

Petitioner relies upon the following prior art references.

Blanchard	US 6,415,164 B1	July 2, 2002[1]	Ex. 1002
Schnarel	US 7,225,409 B1	May 29, 2007[2]	Ex. 1003

[1] Blanchard was filed March 17, 1999.
[2] Schnarel was filed August 25, 1999.

Petitioner also relies upon the Declaration of Vernon Thomas Rhyne, III, dated September 26, 2015 ("Rhyne Declaration"). Ex. 1004.

E. Asserted Grounds of Unpatentability

Petitioner asserts the following grounds of unpatentability:

References	Basis	Challenged Claims
Blanchard	§ 103(a)	1, 2, 5–8, 10, 11, 13, and 16
Schnarel	§ 103(a)	1, 2, 5–8, 10, 11, 13, and 16

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 patent in which they appear. *See* 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. *See 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. *See In re Paulsen*, 30 F.3d 1475, 1480 (Fed. Cir. 1994). 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).

"application summary window"

Although neither party requests that we construe "application summary window," we determine that, based on Patent Owner's contentions, it would be useful also to construe this phrase. Patent Owner

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