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Paper No. 41
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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 IPR2015-01985
Patent 8,713,476 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, 4–6, 8, 9, 20, 26, 27, and 29 of U.S. Patent No. 8,713,476 B2 (Ex. 1001, "the '476 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

the unpatentability of claims 1, 4–6, 8, 9, 20, 26, 27, and 29, 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 22 ("PO Resp."). Petitioner filed a Reply to Patent Owner's Response. Paper 24 ("Reply"). An oral hearing was held on December 14, 2016, pursuant to requests by both parties. Paper 40 ("Tr."); *see* Papers 28, 32, 33.

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, 4–6, 8, 9, 20, 26, 27, and 29 of the '476 patent are unpatentable. *See* 35 U.S.C. § 316(e).

I. BACKGROUND

A. RELATED PROCEEDINGS

According to Petitioner and Patent Owner, the '476 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 IPR2015-01899. Paper 5, 1. A related patent, U.S. Patent No. 8,434,020, is at issue in IPR2015-01898 and IPR2015-01984. Patent Owner also indicates that pending U.S. Application

No. 10/343,333 is a continuation of the application that issued as the '476 patent. Paper 5, 2.

B. THE '476 PATENT

The '476 patent relates to a computing device with an improved user interface for applications. Ex. 1001, 1:23–24. The '476 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 2:37–41. 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 2:42–46. The '476 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 2:46–50. Figure 2 of the '476 patent is reproduced below.

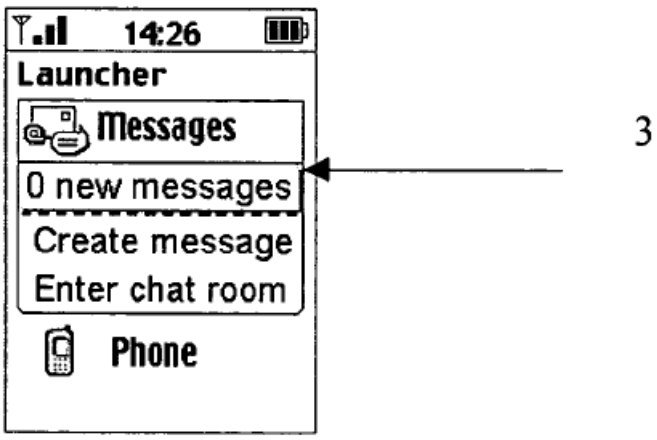

Figure 2

Figure 2 illustrates an implementation of the summary window of the '476 patent. Ex. 1001, 3:42–43.

C. Illustrative Claim

Claim 1, a device claim, and claim 20, a method claim, are the only independent claims of the '476 patent that are challenged here. Claims 4–6, 8, and 9 depend directly from claim 1. Claims 26, 27, and 29 depend directly from claim 20. 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 menu listing one or more applications, and
>
> additionally being configured to display on the screen an application summary that can be reached directly from the menu,
>
> wherein the application summary displays a limited list of data offered within the one or more applications,
>
> each of the data in the list being selectable to launch the respective application and enable the selected data to be seen within the respective application, and
>
> wherein the application summary is displayed while the one or more applications are in an unlaunched state.

Id. at 5:59–6:3.

D. Instituted Ground of Unpatentability

We instituted an *inter partes* review of the '476 patent on the ground that claims 1, 4–6, 8, 9, 20, 26, 27, and 29 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 the phrase "limited list" recited in claims 1, 8, and 20. However, Patent Owner contends that this phrase "requires that fewer than all possible items are shown in the 'limited

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