

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.*

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, 4–6, 8, 9, 20, 26, 27, and 29 of U.S. Patent No. 8,713,476 B2 (Ex. 1001, “the ’476 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, 4–6, 8, 9, 20, 26, 27, and 29 of the ’476 patent.

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 ’476 patent is also subject to IPR2015-01899. Paper 5, 1. 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.

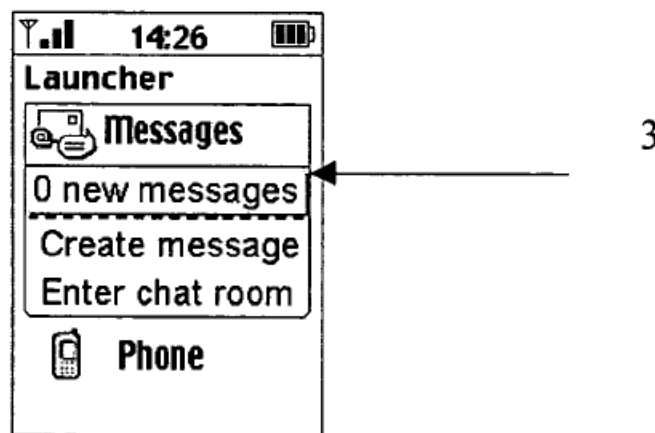


Figure 2

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 un-launched state.

Id. at 5:59–6:3.

D. Evidence Relied Upon

Petitioner relies upon the following prior art references.

Blanchard	US 6,415,164 B1	July 2, 2002 ¹	Ex. 1002
-----------	-----------------	---------------------------	----------

¹ Blanchard was filed March 17, 1999.

Schnarel US 7,225,409 B1 May 29, 2007² Ex. 1003

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, 4–6, 8, 9, 20, 26, 27, and 29
Schnarel	§ 103(a)	1, 4–6, 8, 9, 20, 26, 27, and 29

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).

² Schnarel was filed August 25, 1999.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.