

Filed on behalf of: Samsung Electronics Company, Ltd.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NVIDIA CORPORATION
Petitioner

v.

SAMSUNG ELECTRONICS COMPANY, LTD.
Patent Owner

Case IPR2016-00134
Patent No. 8,252,675

**Patent Owner's Preliminary Response
to Petition for *Inter Partes* Review
of U.S. Patent No. 8,252,675**

TABLE OF CONTENTS

I. Introduction.....1

II. The Petition Should Be Denied Under 35 U.S.C. § 325(d), Consistent with Board Precedent and Policy.....2

 A. Petitioner Was Aware of the *Hsu* Reference at the Time of Filing its First Petition.....4

 B. Allowing Petitioner to File a Second Petition After It Had the Benefit of Patent Owner’s Preliminary Response for the First Petition Would Be Unjust6

 C. The Instant Petition Should Be Denied Because It Advances the Same or Substantially the Same Prior Art and Arguments As the First Petition, Which the Board Denied10

III. The Petition Fails to Show a Reasonable Likelihood that the Petitioner Will Prevail With Respect to the Challenged Claims13

 A. Petitioner Has Not Shown that *Hsu* Discloses “Said Second and Third Metal Gate Electrode Layers Comprise[] Different Materials,” as Recited in Claims 6-8 and 10-1514

 B. Petitioner Has Not Shown that *Hsu* Anticipates Claims 12-1418

IV. Conclusion20

TABLE OF AUTHORITIES

	Page(s)
Federal Cases	
<i>In re Arkley</i> , 455 F.2d 586 (CCPA 1972)	16
<i>Butamax Advanced Biofuels LLC v. Gevo, Inc.</i> , IPR2014-00581, Paper No. 8 (Oct. 14, 2014)	7, 8
<i>Conopco, Inc. dba Unilever v. The Proctor & Gamble Co.</i> , IPR2014-00506, Paper No. 25 (Dec. 10, 2014).....	3, 5, 7
<i>Conopco, Inc. dba Unilever v. Proctor & Gamble Co.</i> , IPR2014-00628, Paper No. 21 (Oct. 20, 2014)	6, 7, 10, 12
<i>Google Inc. v. SimpleAir, Inc.</i> , CBM2014-00170, Paper No. 13 (Jan. 22, 2015)	6
<i>Kennametal, Inc. v. Ingersoll Cutting Tool Co.</i> , 780 F.3d 1376 (Fed. Cir. 2015)	17, 18
<i>Net MoneyIN, Inc. v. VeriSign, Inc.</i> , 545 F.3d 1359 (Fed. Cir. 2008)	16
<i>NetApp Inc. v. Crossroads Systems, Inc.</i> , IPR2015-00772, Paper No. 12 (Sep. 3, 2015)	3, 7
<i>nVidia Corp. v. Samsung Elecs. Co., Ltd.</i> , IPR2015-01318, Paper No. 8 (Dec. 2015).....	1, 9, 16
<i>Roche Molecular Systems Inc., v. Illumina, Inc.</i> , IPR2015-01091, Paper No. 18 (Oct. 30, 2015)	10
<i>Samsung Elec. Co. v. Rembrandt Wireless Techs., LP</i> , IPR2015-00114, Paper No. 14 (Jan. 28, 2015).....	8
<i>Samsung Elecs. Co. Ltd. v. Rembrandt Wireless Techs., LP</i> , IPR2015-00118, Paper No. 14 (Jan. 28, 2015).....	2, 3, 7, 10

Toyota Motor Corp. v. Cellport Systems, Inc.,
 IPR2015-01423, Paper No. 7 (Oct. 28, 2015)*passim*

Travelocity.com L.P. v. Cronos Techs., LLC,
 CBM2015-00047, Paper No. 7 (June 15, 2015)7

Unilever, Inc. dba Unilever v. The Procter and Gamble Co.,
 IPR2014-00506, Paper No. 17 (July 7, 2014)3, 5, 7

US Endodontics, LLC, v. Gold Standard Instruments, LLC,
 IPR2015-01476, Paper No. 13 (Oct. 26, 2015)7

ZTE Corp. v. ContentGuard Holdings Inc.,
 IPR2013-00454, Paper No. 12 (Sept. 25, 2013)6

Statutes

35 U.S.C. § 10213

35 U.S.C. § 103(a)13

35 U.S.C. § 3131

35 U.S.C. § 314(a)13

35 U.S.C. § 325(d)1, 2, 9, 13

Leahy-Smith America Invents Act.8

Regulations

37 C.F.R. § 42.1071

Other Authorities

H.R. Rep. No. 112-98, pt.1, (2011).....8

I. Introduction

Patent Owner Samsung Electronics Company, Ltd. (“Patent Owner” or “Samsung”) respectfully submits this preliminary response in accordance with 35 U.S.C. § 313 and 37 C.F.R. § 42.107, responding to the Petition for *Inter Partes* Review (the “Petition”) filed by nVidia Corporation (“Petitioner” or “nVidia”) against Samsung’s U.S. Patent No. 8,252,675 (“the ’675 patent”). This is Petitioner’s second attempt at challenging the ’675 patent. Petitioner previously filed a petition in IPR2015-01318 (“first petition”) on June 1, 2015. The Board denied the first petition based on reasons articulated in Patent Owner’s preliminary response. IPR2015-01318, Paper No. 8 (Dec. 7, 2015). Petitioner filed the instant petition after Patent Owner’s preliminary response highlighted the deficiencies in Petitioner’s first petition. The Board should not institute *inter partes* review for at least two reasons.

First, the Petition should be denied under 35 U.S.C. § 325(d), consistent with Board precedent and policy. The instant Petition impermissibly uses the Patent Owner’s preliminary response to the first petition in IPR2015-01318 as a roadmap to remedy the errors Petitioner made in its first petition and advances the same or substantially the same prior art or arguments that Petitioner advanced in IPR2015-01318. Moreover, contrary to Petitioner’s allegations, Petitioner’s new prior art, U.S. Patent No. 8,563,669 to *Hsu* (“*Hsu*”), was known to Petitioner at the

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