

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG DISPLAY CO., LTD.,
Petitioner,

v.

DELAWARE DISPLAY GROUP LLC,
Patent Owner.

Case IPR2014-01359
Patent No. 7,914,196

Before THOMAS L. GIANNETTI, NEIL T. POWELL, and
BEVERLY M. BUNTING, *Administrative Patent Judges*.

GIANNETTI, *Administrative Patent Judge*.

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

LG Display Co., Ltd. (“Petitioner”) filed a Petition pursuant to 35 U.S.C. §§ 311–319 to institute an *inter partes* review of claims 1–25 of U.S. Patent No. 7,914,196 (“the ’196 patent”). Paper 2 (“Pet.”). Delaware Display Group LLC (“Patent Owner”) filed a Preliminary Response. Paper 9 (“Prelim. Resp.”). Applying the standard set forth in 35 U.S.C. § 314(a), which requires demonstration of a reasonable likelihood that Petitioner would prevail with respect to at least one challenged claim, we deny the Petition as to all challenges.

I. BACKGROUND

A. *The ’196 patent (Ex. 1001)*

The ’196 patent is entitled “Light Redirecting Film Systems Having Pattern of Variable Optical Elements.” The Abstract describes the subject matter as follows:

Light redirecting film systems comprise a backlight having deformities that cause a majority of the light entering the input edge of the backlight to be emitted from a light output surface of the backlight. In close proximity to the light output surface is a light redirecting film that has a pattern of individual optical elements of well-defined shape to redistribute the light emitted by the light output surface *toward a direction normal to the film.*

Ex. 1001, Abstract (emphasis added).

The invention of the ’196 patent is further described in the Summary of Invention:

The present invention relates to light redirecting films and light redirecting film systems that redistribute more of the light emitted by a backlight or other light source *toward a direction more normal to the plane of the films*, and to light redirecting

films that produce a softer image without the brightness decrease associated with films that have a matte or diffuse finish on the light entrance surface of the films, for increased effectiveness.

Ex. 1001, col. 2, ll. 44–51 (emphasis added).

Figure 2 of the '196 patent follows:

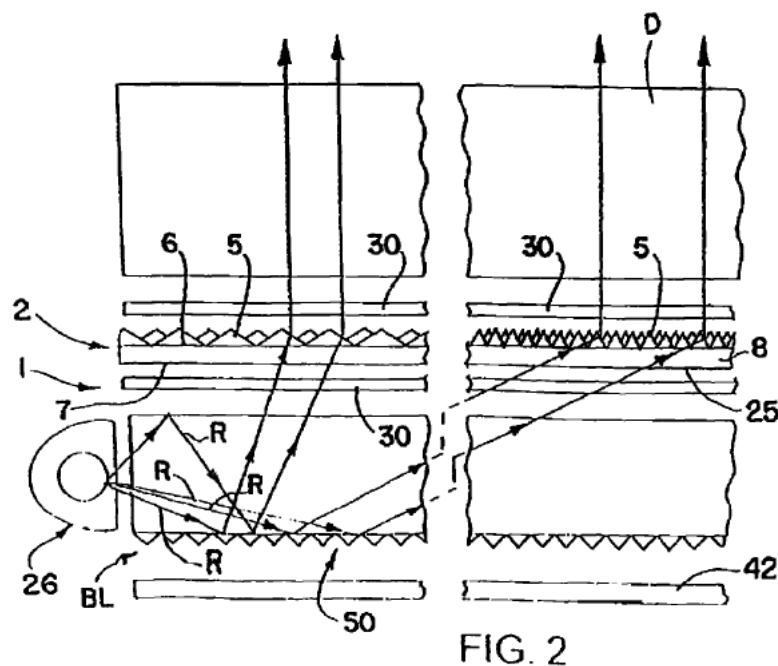


Figure 2 shows backlight BL, light redirecting film 2, and optical elements 5 on light redirecting surface 6 of the film. Ex. 1001, col. 5, ll. 20–35, 62–67. The Figure shows rays R being directed by deformities 50 to the surface of the backlight BL, where they are redirected by optical elements 5 to be normal to the film surface 6. As further described in the '196 patent, “the backlight BL itself may be designed to emit more of the light rays *at lower*

angles to increase the amount of light emitted by the backlight and rely on the light redirecting film to redistribute more of the emitted light within a desired viewing angle.” *Id.* col. 7, ll. 33–37 (emphasis added).

B. Illustrative Claim

Claim 1 is illustrative of the claims at issue:

1. A light redirecting film system comprising
a backlight including at least one input edge for receiving light from a light source, and at least one light output surface for emitting light,
the backlight having deformities that cause most of the light entering the input edge to be emitted from the light output surface at relatively low angles, and
a light redirecting film in close proximity to the light output surface for receiving light emitted from the light output surface,
the light redirecting film having a pattern of individual optical elements of well-defined shape that vary at different locations on the film to redistribute the light emitted from the light output surface toward a direction normal to the film.

C. Related Proceedings

Patent Owner states that it has asserted infringement by Petitioner of the '196 patent in the following proceeding: *Delaware Display Group LLC et al. v. LG Electronics, Inc. et al.*, No. 1:13-cv-02109 (D. Del., filed Dec. 31, 2013). Paper 6. Patent Owner identifies numerous other proceedings in which it has alleged infringement of the '196 patent. *See* Paper 6 for a listing.

In addition, there are three pending *inter partes* reviews for patents related to the '196 patent. Those are as follows:

1. IPR2014-01096 (U.S. Patent No. 7,537,370);
2. IPR2014-01097 (U.S. Patent No. 7,300,194); and
3. IPR2014-01357 (U.S. Patent No. 6,755,547).

D. Claim Construction

The Board interprets claims of 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); *see also* Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,766 (Aug. 14, 2012).

1. “*deformities*”

The only claim term for which Petitioner proposes a construction is the term “deformities,” appearing in all challenged claims. Pet. 7–8. Petitioner asserts that the ’196 patent “expressly defines” the term to mean “any change in the shape or geometry of the panel surface and/or coating or surface treatment that causes a portion of light to be emitted from the backlight.” *Id.* (citing ’196 patent, Ex. 1001, col. 9, ll. 44–48). Patent Owner opposes the inclusion of the term “from the backlight” at the end of the proposed construction as “unsupported in the intrinsic record.” Prelim. Resp. 3. We have considered Petitioner’s construction of “deformities” and agree that the term “from the backlight” should be included, as it appears in the specification at col. 9, lines 47–48.

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