

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HUAWEI DEVICE CO., LTD, LG ELECTRONICS, INC., AND
ZTE (USA) INC.,
Petitioner,

v.

PAPST LICENSING GMBH & CO. KG,
Patent Owner.

Case IPR2017-00448
Patent 6,895,449 B2

Before JONI Y. CHANG, JENNIFER S. BISK, and MIRIAM L. QUINN,
Administrative Patent Judges.

BISK, *Administrative Patent Judge.*

DECISION

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

I. INTRODUCTION

Petitioner, listed above, filed a Petition requesting an *inter partes* review of claims 1–10, 12, 13, and 15–18 (“the challenged claims”) of U.S. Patent No. 6,895,449 B2 (Ex. 1101, “the ’449 patent”). Paper 1 (“Pet.”). Patent Owner, Papst Licensing GmbH & Co., KG, filed a Preliminary Response. Paper 6 (“Prelim. Resp.”).

For the reasons that follow, we decline to institute an *inter partes* review.

A. Related Matters

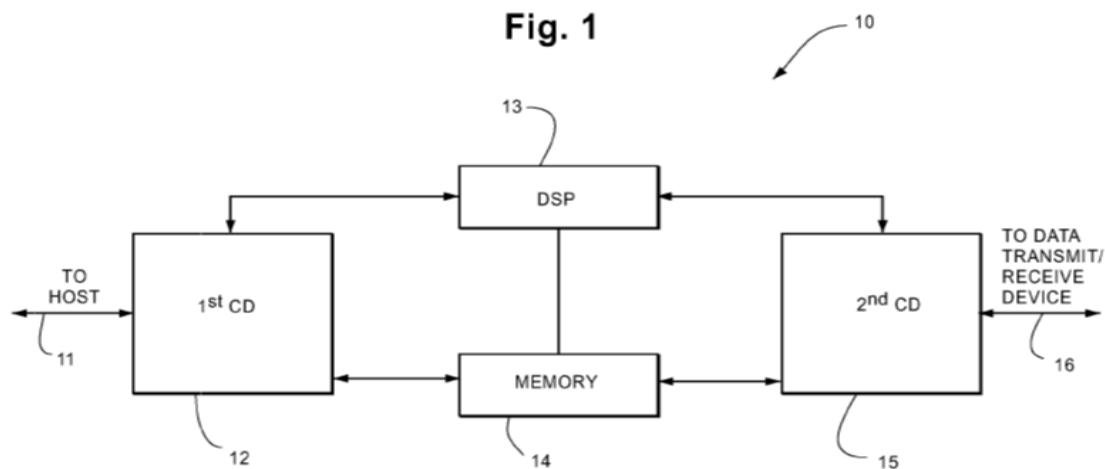
The parties indicate that the ’449 patent is involved in cases taking place in several district courts. Pet. 2–3; Paper 4, 4–5. This patent has also been challenged in several other petitions for *inter partes* review. Pet. 4; Paper 4, 4–5.

B. The ’449 Patent

The ’449 patent describes interface devices for communication between a computer host device and a data transmit/receive device (e.g., a multi-meter, transmitting measured data to a computer). Ex. 1101, 1:13–17, 1:49–55. According to the ’449 patent, using a specific driver to match very closely to an individual host system would achieve high data transfer rates across the interface, but the specific driver cannot be used with other host systems. *Id.* at 1:66–2:11. Several solutions to this problem were known in the art. *Id.* at 2:15–3:20. For example, IOtech introduced an interface device for laptops, using a plug-in card for converting the personal computer

memory card association (PCMCIA) interface into a known standard interface (IEEE 1284). *Id.* at 2:18–23. The plug-in card provided a printer interface for enhancing data transfer rates. *Id.* at 2:23–27. In another example, a floppy disk drive interface was used for connecting a host device to a peripheral device. *Id.* at 3:4–8. The interface appeared as floppy disk drive to the host, allowing a floppy disk drive and another peripheral device to be connected to the host device. *Id.* at 3:11–13.

The '449 patent indicates that the “invention is based on the finding that both a high data transfer rate and host device-independent use can be achieved if a driver for an input/output device customary in a host device” is utilized. *Id.* at 3:27–31. Figure 1 of the '449 patent, reproduced below, illustrates a block diagram of an interface device.



As shown in Figure 1 above, interface device 10 connects to a host device via host line 11, and to a data transmit/receive device via output line 16. *Id.* at 4:46–62. Interface device 10 includes first connecting device 12, second connecting device 15, digital signal processor 13, and memory

means 14. *Id.* In a preferred embodiment, the interface device is attached to a host device via a multi-purpose interface—e.g., a small computer system interface (SCSI) interface—which includes both an interface card and specific driver software for the interface card. *Id.* at 3:44–50, 8:30–34. According to the '746 patent, SCSI interfaces were known to be present on most host devices or laptops. *Id.* at 8:30–34. By using a standard interface of a host device and by simulating an input/output device to the host device, the interface device “is automatically supported by all known host systems without any additional sophisticated driver software.” *Id.* at 11:28–32.

C. Illustrative Claim

Of the challenged claims, claims 1, 17, and 18 are independent. Claims 2–10, 12, 13, 15, and 16 depend directly or indirectly from claim 1. Claim 1 is illustrative:

1. An interface device for communication between a host device, which comprises drivers for input/output devices customary in a host device and a multi-purpose interface, and a data transmit/receive device comprising the following features:

a processor;

a memory;

a first connecting device for interfacing the host device with the interface device via the multi-purpose interface of the host device; and

a second connecting device for interfacing the interface device with the data transmit/receive device,

wherein the interface device is configured by the processor and the memory in such a way that the interface device, when receiving an inquiry from the host device as to the type of a

device attached to the multi-purpose interface of the host device, sends a signal, regardless of the type of the data transmit/receive device attached to the second connecting device of the interface device, to the host device which signals to the host device that it is a storage device customary in a host device, whereupon the host device communicates with the interface device by means of the driver for the storage device customary in a host device, and wherein the interface device is arranged for simulating a virtual file system to the host, the virtual file system including a directory structure.

Ex. 1101, 11:46–12:6.

D. Prior Art Relied Upon

Petitioner relies upon the prior art references listed below (Pet. 6–7).

Reference		Exhibit
Murata	US 5,508,821, issued April 16, 1996	1105
Ard	US 5,915,106, issued June 22, 1999	1106
Beretta	US 5,850,484, issued Dec. 15, 1998	1107
MS-DOS Encyclopedia	THE MS-DOS ENCYCLOPEDIA, (Ray Duncan ed., Microsoft Press, 1988)	1110

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