UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NVIDIA CORPORATION,
Petitioner,

v.

POLARIS INNOVATIONS LIMITED,
Patent Owner.

_____

Case IPR2017-00382
Patent 7,124,325 B2

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Before SALLY C. MEDLEY, BARBARA A. PARVIS, and
WILLIAM M. FINK, *Administrative Patent Judges*.

PARVIS, *Administrative Patent Judge*.

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

I. INTRODUCTION

NVIDIA Corporation ("Petitioner") filed a Petition for *inter partes* review of claims 1–20 ("the challenged claims") of U.S. Patent No. 7,124,325 B2 (Ex. 1001, "the '325 Patent"). Paper 2 ("Pet."). Polaris Innovations Limited ("Patent Owner") filed a Preliminary Response. Paper 7 ("Prelim. Resp.").

We apply the standard set forth in 35 U.S.C. § 314(a), which requires demonstration of "a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition." Upon consideration of the Petition and Preliminary Response, we conclude the information presented does not show there is a reasonable likelihood that Petitioner would prevail in establishing the unpatentability of the challenged claims of the '325 Patent. Accordingly, we do not institute an *inter partes* review.

A.   *Related Matters*

The parties state that the '325 Patent is the subject of a pending lawsuit that includes assertions against Petitioner. Pet. 93; Paper 4 ("Patent Owner's Initial Mandatory Notices"), 2–3. Patent Owner identifies a lawsuit pending in the Northern District of California, i.e., *Polaris Innovations Ltd. v. Dell Inc.*, Case No. 4:16–cv-07005 (N.D. Cal.).[1] Patent Owner's Initial Mandatory Notices, 2–3.

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[1] This lawsuit is referred to herein as the "companion district court lawsuit." The companion district court lawsuit was transferred from the United States District Court for the Western District of Texas on December 5, 2016. *Id.* That case was *Polaris Innovations Ltd. v. Dell Inc.*, Case No. 5:16–cv-00451 (W.D. Tex). Pet. 93; Patent Owner's Initial Mandatory Notices, 2.

B. The '325 Patent

The '325 Patent is directed to trimming interface devices on semiconductor devices. Ex. 1001, 1:10-12. Figure 3 of the '325 Patent is reproduced below.
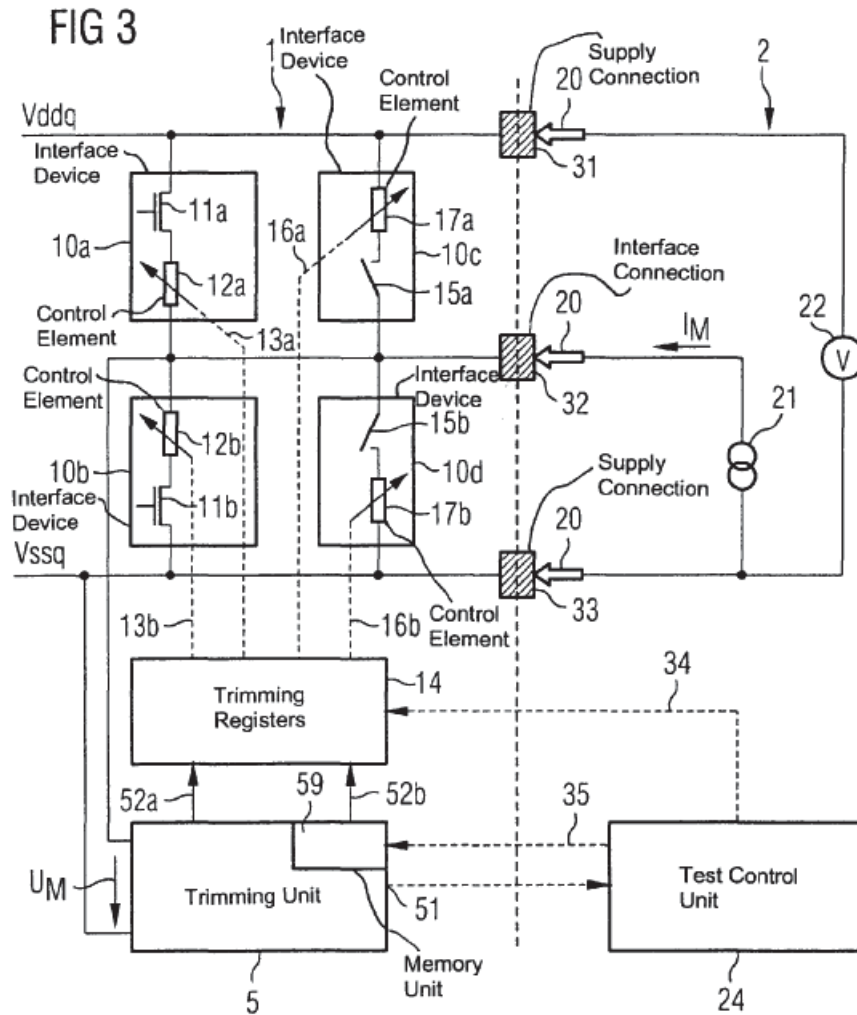

Figure 3 illustrates a schematic diagram of a configuration for trimming interface devices in a semiconductor device.

As shown in Figure 3 above, semiconductor device 1 includes trimming unit 5 that is connected to interface devices 10a–10d in a driver device. *Id.* at 7:61–8:6. Trimming unit 5 is connected to test control unit 24

in test apparatus 2. *Id.* at 8:8–9. Control path 34 connects test apparatus 2 to trimming register 14. *Id.* at 8:10–11.

C. Illustrative Claim

Petitioner challenges claims 1–20 of the '325 Patent. Pet. 1. Claims 1 and 14 are independent claims. Claims 2–13 and 15–20 depend, directly or indirectly, from claims 1 or 14. Independent claim 1, reproduced below, is illustrative of the claimed subject matter:

> 1. A method for trimming interface devices, which comprises:
>
> providing a semiconductor device having a plurality of interface devices and providing each one of the plurality of interface devices with a settable control element;
>
> providing a test apparatus having a current source;
>
> connecting the current source in the test apparatus to an interface connection on the semiconductor device, the interface connection being connected to one of the plurality of interface devices;
>
> controlling a measurement current produced by the current source and setting the control element of the one of the plurality of interface devices to an initial value;
>
> providing a trimming unit in the semiconductor device;
>
> using the trimming unit to acquire a measurement voltage produced by the measurement current in the one of the plurality of interface devices;
>
> using the trimming unit to compare the measurement voltage with a nominal voltage;
>
> based on a difference between the measurement voltage and the nominal voltage, setting the control element of the one of the plurality of interface devices to a trimming value at which the measurement voltage matches the nominal voltage; and
>
> acquiring the trimming value for the control element of the one of the plurality of interface devices.

Id. at 8:66–9:24.

D. Asserted Grounds of Unpatentability

Petitioner asserts that claims 1–20 are unpatentable, under 35 U.S.C. § 103(a), based on the following grounds (Pet. 1):

References	Challenged Claims
Tanaka[2] and Ikehashi[3]	1–20
Garrett[4] and Hassoun[5]	1, 8–14, 16, and 17
Garrett, Hassoun, and Ishikawa[6]	2–7, 15, and 18–20

As support, Petitioner proffers a Declaration of Dr. Nick Tredennick, who has been retained by Petitioner for the instant proceeding. Ex. 1002 ¶ 1–3.

II. DISCUSSION

A. Claim Construction

Petitioner contends "[u]nder the broadest reasonable construction, Petitioner does not submit that any claim terms require a construction at this time." Pet. 7. Patent Owner provides proposed constructions for "interface device," "trimming," "DRAM," "DDRII," and "settable control element." Prelim. Resp. 11–23.

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[2] U.S. Patent No. 7,000,160 B2, issued Feb. 14, 2006 (Ex. 1003) ("Tanaka").
[3] U.S. Patent No. 6,643,180 B2, issued Nov. 4, 2003 (Ex. 1004) ("Ikehashi").
[4] U.S. Patent No. 6,556,052 B2, issued Apr. 29, 2003 (Ex. 1005) ("Garrett").
[5] U.S. Patent No. 5,844,913, issued Dec. 1, 1998, (Ex. 1006) ("Hassoun").
[6] U.S. Patent No. 5,991,221, issued Nov. 23, 1999 (Ex. 1007) ("Ishikawa").

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