# UNITED STATES PATENT AND TRADEMARK OFFICE

# BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIZIO, INC., Petitioner

v.

NICHIA CORPORATION, Patent Owner

> Case No. 2018-00437 Patent 9,537,071

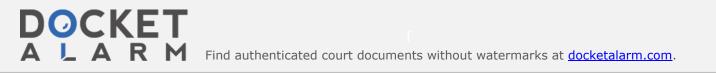
PETITIONER'S OPPOSITION TO PATENT OWNER'S CONTINGENT MOTION TO AMEND CLAIMS

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III.	THE	PROPOSED CLAIMS ARE UNPATENTABLE UNDER §1039		
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# TABLE OF AUTHORITIES

# Page(s) Cases AFG Indus., Inc. v. Cardinal IG Co., 239 F.3d 1239 (Fed. Cir. 2001) Ariad Pharm., Inc. v. Eli Lilly & Co., 598 F.3d 1336 (Fed. Cir. 2010) Statutes 35 U.S.C. §112 1, 7, 8 Other Authorities 37 C.F.R. §42.121(A)(2)(II)



# **GLOSSARY OF ABBREVIATIONS**

Shorthand	Description
Claims	Claims 1, 2, 4-9, 11-12, 15-19, 21-23, and 25 of U.S. Patent 9,537,071
Proposed Claims	Patent Owner's Proposed Amended Claims 27-34
IPR	Inter Partes Review
BRI	Broadest Reasonable Interpretation
Pet.	IPR2018-00437, Paper 2, Petition For <i>Inter Partes</i> Review of U.S. Patent 9,537,071
DI	IPR2018-00437, Paper 17, Decision on Institution of <i>Inter Partes</i> Review
РО	Patent Owner
POSA	Person of Ordinary Skill in the Art
POR	IPR2018-00437, Paper 22, Patent Owner's Response
Mot./Motion	IPR2018-00437, Paper 24, Patent Owner's Contingent Motion to Amend Claims
Pap.	Paper
G#	Ground #
Hsu	U.S. Patent No. 6,770,498, issued August 3, 2004 (Ex. 1030)
Koung	U.S. Patent Publication No. 2008/0261339, published October 23, 2008 (Ex. 1008)
Urasaki	Japanese Patent Publication No. 2007-235085, published September 13, 2007, with Certified English Translation (Ex. 1031)
Kuramoto	Japanese Patent Publication No. JP2006-156704, published June

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Shorthand	Description
	15, 2006, with Certified English Translation (Ex. 1032)
Mori	U.S. Patent Publication No. 2005/0211991, published September 2, 2005 (Ex. 1005)
Suenaga	Japanese Patent Publication No. JP2001-036154, published February 9, 2001, with Certified English Translation (Ex. 1033)
Wang	U.S. Patent Publication No. 2008/0073662, published March 27, 2008 (Ex. 1006)
Oshio	U.S. Patent Publication No. 2005/0280017, published December 22, 2005 (Ex. 1007)
Glenn	U.S. Patent No. 6,433,277, issued August 13, 2002 (Ex. 1034)
Lin	U.S. Patent Publication No. 2007/0126020, published June 7, 2007 (Ex. 1010)
Matoba	Japanese Patent Publication No. H7-99345, published April 11, 1995, with Certified English Translation (Ex. 1035)

Note: All emphasis herein added unless otherwise stated.

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