

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NICHIA CORPORATION,

Petitioner

v.

DOCUMENT SECURITY SYSTEMS, INC.,

Patent Owner

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Case No. IPR2018-00965

Patent 7,919,787

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**PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE**

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## I. Introduction

The Board correctly instituted review of claims 1-14, (*see* Paper 15), and should finally find all claims unpatentable. The claims are directed to well-known light emitting semiconductor dies (such as those of Weeks, Wirth, and Negley) and well-known substrate packaging assemblies (such as those of Lombard, Ishidu, and Ogawa).

Much like its Preliminary Response, Patent Owner’s Response does not rebut (or even address) the majority of the evidence Petitioner set forth in its Petition or the expert testimony of Dr. Shealy, *e.g.*: (i) it would have been simple and obvious to combine the prior-art light emitting semiconductor dies with the prior-art substrate packaging assemblies; (ii) Applicant’s admissions during prosecution regarding the knowledge of a POSITA and the known structural makeup of the claimed light emitting semiconductor die; and (iii) Dr. Shealy’s reasoned testimony explaining a POSITA’s understanding of the claimed die’s structural makeup.

Instead, Patent Owner—through attorney argument—attempts improperly to rewrite the claims by grafting baseless restrictions onto the “bottom major surface” and “formed on” claim limitations. The Board, in its Institution Decision, properly rejected this attorney argument, and should do so again. The argument is contrary

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