IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

United States Patent No.: 7,915,631	§	Attorney Docket No.:
Inventors: Yoshinori Shimizu, et al.	§	112868-0001-658
Formerly Application No.: 12/548,618	§	
Issue Date: March 29, 2011	§	Customer No.: 28120
Filing Date: August 27, 2009	§	
Former Group Art Unit: 2822	§	Petitioner: VIZIO, Inc.
Former Examiner: Michael Trinh	§	
	§	
	§	
	§	

For: LIGHT EMITTING DEVICE AND DISPLAY

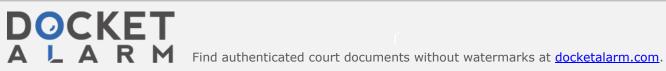
MAIL STOP PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
Post Office Box 1450
Alexandria, Virginia 22313-1450

PETITION FOR INTER PARTES REVIEW OF U.S. PATENT NO. 7,915,631



TABLE OF CONTENTS

I.	INTRODUCTION					
II.	OVERVIEW OF THE '631 PATENT					
III.	OVERVIEW OF THE EVERLIGHT LITIGATION					
IV.	PERSON OF ORDINARY SKILL IN THE ART					
V.	CLA	CLAIM CONSTRUCTION				
VI.	STATEMENT OF RELIEF REQUESTED FOR EACH CHALLENGED CLAIM					
	A.	Identification of Challenge (37 C.F.R. §§ 42.104(b))	9			
VII.	GRO	OUNDS OF CHALLENGE (37 C.F.R. § 42.204(b)(2))	9			
VIII.	TEC	HNOLOGY BACKGROUND	9			
	A.	Principles of Color Mixing.	9			
	B.	Phosphors are Commonly Used to Create White and Different Light Colors				
	C.	In 1996, YAG Phosphors Were Well Known for Converting Blue Emissions to Yellow in Lighting Products, Especially Under Harsh Operating Conditions	12			
	D.	Emergence of Commercially Viable Blue LEDs				
	Е.	The Blue Plus Yellow Approach to Making a White LED was a Natural and Obvious Progression	14			
IX.	SUMMARY OF THE CITED PRIOR ART					
	A.	Baretz	16			
	B.	Shimizu	17			
	C.	Matoba	18			
	D.	Pinnow	19			
	E.	The 1995 Nakamura Reference	20			
X.		NTIFICATION OF HOW THE CHALLENGED CLAIMS ARE	21			



A.		Ground 1: Baretz, Shimizu, and Matoba Render Claims 1-2, 6, and 10-11 Obvious						
	1.	Inde	Independent Claim 1					
		(a)	a) Baretz Discloses 1.Pre					
		(b)	Baret	z Discloses 1a	23			
		(c)	Baret	z Discloses 1b	23			
		(d)	Baret	z and Shimizu Disclose 1c	24			
			(i)	Baretz	25			
			(ii)	Shimizu	27			
			(iii)	Motivation to Combine Baretz and Shimizu	29			
		(e)	Baret	z Discloses 1d	29			
		(f)	Mato	ba Discloses 1e	29			
		(g)	Baret	z Discloses 1f	30			
		(h)	Coml	OSITA Would Have Been Motivated To bine Baretz, Shimizu, and Matoba and Had a bonable Expectation of Success In So Doing	32			
	2.	Bare	zz Discloses Claim 2					
	3.		tz Discloses Claim 6					
	4.		tz Discloses Claim 10					
	5.	Bare	tz Disc	z Discloses Claim 11				
В.	Ground 2: Baretz, Shimizu, Matoba, and Pinnow Render Claims 7-8 Obvious							
		(a)	Comboding Combod	OSITA Would Have Been Motivated To bine Baretz, Shimizu, Matoba, and Pinnow Had A Reasonable Expectation Of Success In bing	38			
	2.	Pinn	ow Discloses Claim 7					
	3.	Pinn	Pinnow Discloses Claim 8					
C.		Ground 3: Baretz, Shimizu, Matoba, and Nakamura Render						
	Clai	Claim 9 Obvious						
	1	1 Nakamura Discloses Claim 0						



		2.	Bare	tz, Shi	Would Have Been Motivated To Combine mizu, Matoba, and Nakamura And Had a Expectation of Success	47	
	D.	Ground 4: Matoba, Shimizu, and Pinnow Render Claims 1, 6-8, and 10-11 Obvious					
		1.	Indep	enden	t Claim 1	50	
			(a)	Mato	ba Discloses 1.Pre.	50	
			(b)	Mato	ba Discloses 1b	51	
			(c)	Mato	ba, Shimizu, and Pinnow Disclose 1c	52	
				(i)	Matoba discloses the claimed phosphor, absorbing LED light, and emitting light of a different wavelength	52	
				(ii)	Shimizu discloses absorbing a "part" of the LED light	53	
				(iii)	Pinnow discloses absorbing a "part" of the blue emission from the light source	54	
				(iv)	A POSITA would have been motivated to combine Matoba, Shimizu, and Pinnow with a reasonable expectation of success	55	
		2.	Shim	izu Di	scloses Claim 6		
		3.	Pinno	ow Dis	scloses Claim 7	64	
		4.	Pinno	ow Dis	scloses Claim 8	65	
		5.	Shim	izu Di	scloses Claim 10	65	
		6.	Matoba Discloses Claim 11				
XI.	MANDATORY NOTICES						
	A.	Real Party-in-Interest (37 C.F.R. § 42.8(b)(1))					
	B. Related Matters (37 C.F.R. § 42.8(b)(2))					66	
		1.	Relat	ted Pat	ent Office Proceedings	66	
		2.	Relat	ted Lit	igation	67	
XII.					nsel (37 C.F.R. § 42.8(b)(3)) and Service § 42.8(b)(3)-(4))	67	



XIII.	REQUIREMENTS FOR INTER PARTES REVIEW (37 C.F.R §§ 42.101, 42.104, and 42.108)				
	A.	Grounds for Standing (37 C.F.R. § 42.104(a); 37 C.F.R. § 42.101(a)-(c))	68		
XIV.		Board Should Not Exercise Its Discretion to Deny Institution or Sections 314(A) and 325(d)	68		
XV.	CON	CLUSION	72		



DOCKET A L A R M

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

