

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE LLC, ZTE (USA), INC.,  
SAMSUNG ELECTRONICS CO., LTD.,  
LG ELECTRONICS INC., HUAWEI DEVICE USA, INC., HUAWEI  
DEVICE CO. LTD., HUAWEI TECHNOLOGIES CO. LTD.,  
HUAWEI DEVICE (DONGGUAN) CO. LTD.,  
HUAWEI INVESTMENT & HOLDING CO. LTD.,  
HUAWEI TECH. INVESTMENT CO. LTD., and  
HUAWEI DEVICE (HONG KONG) CO. LTD.,  
Petitioner v.

CYWEE GROUP LTD.,  
Patent Owner.

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Case IPR2018-01257 (Patent 8,552,978 B2)  
Case IPR2018-01258 (Patent 8,441,438 B2)

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**PATENT OWNER'S OBJECTIONS TO PETITIONER'S  
PROPOSED DEMONSTRATIVES**

Attached hereto are Patent Owner's objections to Google's proposed demonstratives, served on Patent Owner by Petitioner on September 4, 2019. Patent Owner presented these objections to Petitioner on September 8, 2019, along with a request to meet and confer to attempt to resolve the objections, as set forth in the Order regarding Requests for Oral Argument (Paper 61). Petitioner did not respond to Patent Owner's request to meet and confer. Instead, Petitioner responded with a blanket criticism of Patent Owner's objections on the eve of the deadline for Patent Owner to file its objections but did not provide any response to the individual objections themselves. Therefore, all of the objections remain unresolved and Patent Owner maintains them.

Respectfully submitted,

Dated: September 11, 2019

*/Jay P. Kesan/*\_\_\_\_\_

Jay P. Kesan  
Reg. No. 37,488

*Counsel for Patent Owner  
Cywee Group Ltd.*

SLIDE	OBJECTION	BASIS
4	Misrepresents Patent Owner's positions and is therefore unfairly misleading.	Omits several Principal Arguments from Patent Owner Responses including: <b>(1)</b> the combination of <i>Zhang</i> and <i>Bachmann</i> does not disclose element 1(d) "a six-axis sensor module attached to the PCB;" <b>(2)</b> the combination of <i>Zhang</i> and <i>Bachmann</i> does not disclose element 1(h) "utilizing a comparison..., wherein the comparison utilized by the processing and transmitting module further comprises an update program to obtain an updated state based on a previous state associated with said first signal set and a measured state associated with said second signal set;" <b>(3)</b> the combination of <i>Zhang</i> and <i>Bachmann</i> does not disclose element 1(i) "a predicted measurement based on the first signal set without using any derivatives of the first signal set;" <b>(4)</b> a PHOSITA would not be motivated to combine <i>Zhang</i> and <i>Bachmann</i> .
6	Misrepresents witness testimony through omission of additional testimony and facts that should be considered, and is therefore unfairly misleading ( <i>see, e.g.,</i> FRE 106, 403).	The cited testimony presents an incomplete hypothetical and is ambiguous as to whether it is limited to the context of the patents-at-issue. It is not clear whether Petitioner is asking the meaning of "control a display" in general or in the context of the patents at issue. Petitioner also omits other witness testimony that contradicts the limited citation included in the Slide.

<b>SLIDE</b>	<b>OBJECTION</b>	<b>BASIS</b>
7	Misrepresents witness testimony through omission of additional testimony and facts that should be considered, and is therefore unfairly misleading; also lacks relevance ( <i>see, e.g.</i> , FRE 106, 401, 403).	The cited testimony presents an incomplete hypothetical and is ambiguous whether it is limited to the context of the patents-at-issue. Moreover, whether or not movements of sensors can be displayed on a screen is not probative of the scope of the inventions of the patents at issue, which require far more.
8	Same as Slide 7	Same as Slide 7
9	Misstates and mischaracterizes the testimony and is therefore confusing and unfairly misleading ( <i>see, e.g.</i> , FRE 403).	The testimony is that the CyWee Patents at issue are enabled, not that the “combination” of <i>Zhang</i> and <i>Bachmann</i> is enabled, as stated on the slide. It is therefore confusing and misleading.
14	Misstates and mischaracterizes the testimony and is therefore confusing and unfairly misleading ( <i>see, e.g.</i> , FRE 403).	The testimony is that sensor fusion is desirable only if “need[ed] in order to get a result.” It does not state that <i>Bachmann</i> ’s sensor fusion method would be considered advantageous for all devices and purposes as stated on the slide.
17	Misstates and mischaracterizes Patent Owner positions and is therefore confusing and unfairly misleading.	The statement that CyWee suggests “anticipation” is required to “prove an obviousness case” is vague and unclear and does not accurately reflect CyWee’s position.
18	The hypothetical contained on this Slide has no probative value, is unsupported by any expert evidence, and is confusing and misleading ( <i>see, e.g.</i> , FRE 401, 403).	The hypothetical is nonsensical in the context of the patents at issue and “predicting the weather” is irrelevant to an understanding of those patents. Petitioner also provides no citations to the record that would support the relevance of the hypothetical.

<b>SLIDE</b>	<b>OBJECTION</b>	<b>BASIS</b>
19	Misrepresents the content of the document through omission of additional portions of the specification that should be considered and is therefore incomplete and unfairly misleading ( <i>see, e.g.</i> , FRE 106, 403).	The Slide contains a select quote from the specification of the '978 patent and omits other relevant passages that contradict or provide further explanation of the point for which Petitioner cites the limited quote. For example, CyWee's Reply in Support of the Motion to Amend cites to step 1040 in Fig. 10 of the '978 Patent, which reads "Calculate 'predicted magnetism' <i>based on current state at T</i> " (emphasis added)
20	Misstates and mischaracterizes witness testimony through omission of additional testimony and facts that should be considered, and is therefore unfairly misleading ( <i>see, e.g.</i> , FRE 106, 403)	The slide characterizes Dr. LaViola's testimony without reproducing it. Furthermore, it misstates the testimony. Dr. LaViola testified that the patents at issue use elements of an Extended Kalman filter, which is a novel feature "typically not done" in the prior art, (Ex. 1019, 41:23-44:19) not that Extended Kalman Filters are excluded. The statement is therefore incomplete, misleading and confusing.
22	Misstates and mischaracterizes the record through omission of additional facts that should be considered, and is therefore unfairly misleading ( <i>see, e.g.</i> , FRE 106, 403)	The slide states that a manual is the only evidence corroborating conception and that "it does not appear to relate to the proposed amended claims." That is not so and is contrary to the record. The manual relates to the JIL Phone, which Petitioner has not argued is not a handheld device/smartphone with an integrated display screen, as required by the amendments. The statement is therefore incorrect, misleading and confusing.

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