

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS AMERICA, INC.
Petitioner

v.

UNILOC LUXEMBOURG, S.A.
Patent Owner

U.S. Patent No. 8,872,646

**PETITION FOR *INTER PARTES* REVIEW OF
U.S. PATENT NO. 8,872,646**

TABLE OF CONTENTS

I. INTRODUCTION1

II. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8.....2

 A. Real Party-in-Interest2

 B. Related Matters.....2

 C. Counsel and Service Information.....2

III. GROUNDS FOR STANDING.....3

IV. THE '646 PATENT.....3

 A. State of the Art Before the '646 Patent3

 B. Overview of the '646 Patent.....4

 C. Prosecution History6

 D. Claim Construction7

 1. “glitch”9

 2. “a change in the dominant axis”9

 3. “dominant axis logic to determine an idle sample value”10

 4. “power logic to move the device from the inactive state to an active state upon detection of a change in the dominant axis which is the axis experiencing the largest effect of gravity”11

 5. “device state logic to restore the device to one of: a last active state, a preset customized state”12

V. RELIEF REQUESTED AND THE REASONS FOR THE REQUESTED RELIEF14

VI. IDENTIFICATION OF CHALLENGES.....16

 A. Challenged Claims16

B.	Statutory Grounds for Challenges	16
VII.	IDENTIFICATION OF HOW THE CLAIMS ARE UNPATENTABLE.....	17
A.	Challenge #1: Claim 22 is unpatentable under 35 U.S.C § 103 over Pasolini in view of Goldman, McMahan, Mizell, and Park	17
1.	Summary of Pasolini	17
2.	Summary of Goldman.....	19
3.	Reasons to combine Pasolini and Goldman.....	20
4.	Summary of McMahan	23
5.	Reasons to combine McMahan with Pasolini and Goldman.....	24
6.	Summary of Mizell	25
7.	Reasons to combine Mizell with Pasolini and Goldman	25
8.	Summary of Park	26
9.	Reasons to Combine Park with Pasolini, Goldman, McMahan, and Mizell.....	27
10.	Detailed Analysis	28
VIII.	CONCLUSION.....	42

LIST OF EXHIBITS

Ex. 1001	U.S. Patent No. 8,872,646
Ex. 1002	Prosecution History of U.S. Patent No. 8,872,646
Ex. 1003	U.S. Patent No. 7,409,291 to Pasolini <i>et al.</i> (“Pasolini”)
Ex. 1004	<i>Using the LIS3L02AQ Accelerometer</i> , Ron Goldman, Sun Microsystems Inc. Dated February 23, 2007 (“Goldman”)
Ex. 1005	U.S. Patent No. 7,204,123 to McMahan <i>et al.</i> (“McMahan”)
Ex. 1006	U.S. Patent Publication No. 2006/0161377 to Rakkola <i>et al.</i> (“Rakkola”)
Ex. 1007	<i>Using Gravity to Estimate Accelerometer Orientation</i> , David Mizell, Proceedings of the Seventh IEEE International Symposium on Wearable Computers (ISWC '03) 2003 (“Mizell”)
Ex. 1008	Declaration of Chris Butler
Ex. 1009	<i>Dictionary of Scientific and Technical Terms</i> , McGraw-Hill
Ex. 1010	Declaration of Dr. Irfan Essa
Ex. 1011	Curriculum Vitae of Dr. Irfan Essa
Ex. 1012	Declaration of Ingrid Hsieh-Yee
Ex. 1013	Reserved
Ex. 1014	U.S. Patent No. 7,028,220 to Park <i>et al.</i> (“Park”)

I. INTRODUCTION

U.S. Patent No. 8,872,646 (“the ’646 Patent,” Ex. 1001) is generally directed to waking a device from a low power state in response to detected acceleration. Specifically, the claims of the ’646 Patent recite well-known accelerometer techniques that involve (i) removing glitches, (ii) capturing accelerometer samples while at rest, (iii) measuring the current acceleration, and (iv) waking the device from the low power state in response to detecting acceleration. However, before the alleged invention of the ’646 Patent, such techniques were already well known and widely used.

Accordingly, the evidence in this Petition demonstrates that claim 22 of the ’646 Patent is unpatentable under (pre-AIA) 35 U.S.C. § 103. Indeed, claim 22 depends from claim 20, for which the Board has already instituted *inter partes* review based on the same prior art and analysis provided herein. *See Apple Inc. v. Uniloc Luxembourg, S.A.*, Case No. IPR2018-00289, Paper 7 at 17-22 (June 11, 2018). Additionally, while claim 22 has not previously been challenged before the Board, it recites limitations that are practically identical to the limitations recited in claim 18, which was also instituted in IPR2018-00289 based on the same combination of prior art and analysis presented herein. *See id.* at 22-24. Samsung Electronics America, Inc. (“Petitioner”) therefore respectfully requests that claim 22 be held invalid and cancelled.

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