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Paper 10
Entered: August 19, 2019

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

FIRSTFACE CO., LTD.,
Patent Owner.

Case IPR2019-00614
Patent 9,779,419 B2

Before JUSTIN T. ARBES, MELISSA A. HAAPALA, and RUSSELL E. CASS, *Administrative Patent Judges*.

CASS, *Administrative Patent Judge*.

DECISION
Institution of *Inter Partes* Review
37 C.F.R. § 42.108

Apple Inc. ("Petitioner") filed a Petition pursuant to 35 U.S.C. §§ 311–319 to institute an *inter partes* review of claims 1–4, 6, 7, 10–13, and 15–17 of U.S. Patent No. 9,779,419 B2 ("the '419 patent"). Paper 2 ("Pet."). Firstface Co., Ltd. ("Patent Owner") filed a Preliminary Response. Paper 8 ("Prelim. Resp."). Applying the standard set forth in 35 U.S.C. § 314(a), which requires demonstration of a reasonable likelihood that Petitioner would prevail with respect to at least one challenged claim, we grant Petitioner's request to institute an *inter partes* review of claims 1–4, 6, 7, 10–13, and 15–17.[1]

I. BACKGROUND

A. The '419 Patent (Ex. 1001)

The '419 patent describes a method and mobile communication terminal for performing a specific function when a mobile communication terminal is activated. Ex. 1001, 1:16–18. Figure 1 of the '419 patent is reproduced below.

[1] Although we granted Petitioner's motion to seal certain exhibits filed with the Petition (Paper 9), we do not refer to any sealed material in this Decision.

FIG. 1

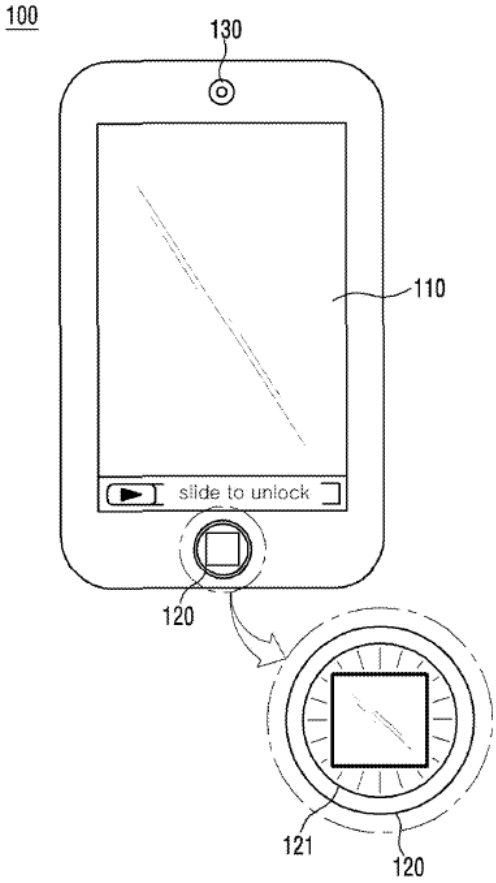

Figure 1 illustrates the external appearance of mobile communication terminal 100. *Id.* at 3:42–44. Mobile communication terminal 100 includes display unit 110 and activation button 120. *Id.* at 3:45–47. Display unit 110 displays various information regarding operation states of mobile communication terminal 100. *Id.* at 3:64–66. When the user presses the activation button, the terminal switches from the inactive state (in which the terminal is communicable but the display screen is turned off) to the active state (in which the display screen is turned on). *Id.* at 3:21–34; 4:22–27.

If the user presses activation button 120 when mobile communication terminal 100 is in the inactive state, mobile communication terminal 100 may perform a predetermined operation in addition to switching to the active

state. *Id.* at 4:36–40. The terminal may also perform different operations according to the number of presses or the press time of the activation button. *Id.* at 4:58–61. For example, the terminal may perform a first operation if activation button 120 is pressed once for a short time, and a second operation if activation button 120 is pressed once for a longer time. *Id.* at 4:65–5:2.

The ’419 patent describes a number of operations that can be performed when the activation button is pressed. *Id.* at 5:51–57. One of those functions is a user identification function, which performs a security authentication process. *Id.* at 7:14–17. According to this process, when mobile communication terminal 100 is in the inactive state, it senses that the user has pressed the activation button, and then operates the user identification function. *Id.* at 7:22–28. The ’419 patent describes an example user identification unit 420 that uses camera activation element 421, iris detection element 422, and user identification element 423 for sensing and recognizing the iris of a user’s eye. *Id.* at 7:28–8:6. The patent explains that “other authentication methods, for example, an authentication key matching method, a password matching method, a face recognition method, a fingerprint recognition method, and the like can be used” instead of the iris recognition method. *Id.* at 8:13–20. Mobile communication terminal 100 may also be switched to a hands-free function by pressing activation button 120. *Id.* at 9:22–24.

B. Illustrative Claim

Claims 1 and 10 are independent claims. Claim 1 is illustrative of the subject matter at issue:[2]

> 1. A mobile communication terminal comprising:
>
> a touch screen display;
>
> a power button configured to turn on and off the terminal by pressing; and
>
> an activation button separate from the power button and located outside the touch screen display, the activation button configured for pressing to turn on the touch screen display,
>
> wherein upon one-time pressing of the activation button while the touch screen display is turned off, the terminal is configured to turn on the touch screen display and perform a fingerprint authentication function in addition to turning on the touch screen display such that:
>
> a lock screen is displayed on the touch screen display upon turning on the touch screen display in response to the one-time pressing of the activation button while the touch screen display being turned off,
>
> in addition to turning on the touch screen display and displaying the lock screen, the one-time pressing while the touch screen display being turned off initiates the fingerprint authentication function,
>
> the lock screen is displayed on the touch screen display when the fingerprint authentication function initiated by the one-time pressing is being performed,

[2] Claims 1, 3, 4, 7, 10, 12, 13, and 17 were corrected in a certificate of correction dated March 20, 2018. Ex. 1001.

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