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Paper 20
Date: September 15, 2020

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HP INC., LENOVO (UNITED STATES) INC.,
MOTOROLA MOBILITY LLC, DELL INC., and
DELL PRODUCTS LP,
Petitioner,

v.

NEODRON LTD.,
Patent Owner.

IPR2020-00653
Patent 8,432,173 B2

Before MIRIAM L. QUINN, PATRICK M. BOUCHER, and CHRISTOPHER L. OGDEN, *Administrative Patent Judges*.

OGDEN, *Administrative Patent Judge*.

DECISION
Granting Institution of *Inter Partes* Review
35 U.S.C. § 314

I. INTRODUCTION

HP Inc., Lenovo (United States) Inc., Morotola Mobility LLC, Dell Inc., and Dell Products LP (collectively, "Petitioner") filed (1) a Petition for *inter partes* review (Paper 5, "Pet.") of claims 1–3, 5–12, and 14–19 of U.S. Patent No. 8,432,173 B2 (Ex. 1001, "the '173 patent"); and (2) a Motion for Joinder (Paper 6, "Mot.") with IPR2020-00267 (the "Samsung IPR"), for which we instituted an *inter partes* review. *See Samsung Electronics Co. v. Neodron Ltd.*, IPR2020-00267, Paper 7 (PTAB June 8, 2020) ("IPR2020-00267 Dec."). Neodron Ltd. ("Patent Owner") did not file a preliminary response or an opposition to the Motion for Joinder.

We may institute an *inter partes* review when "the information presented in the petition . . . and any response . . . shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition." 35 U.S.C. § 314(a) (2018). Applying that standard, we institute an *inter partes* review of all asserted grounds and all challenged claims of the '173 patent, and join Petitioner as a party to the Samsung IPR for the reasons explained below. We base our decision solely on the preliminary record in this case, and we have not considered any arguments or evidence Patent Owner has submitted in the Samsung IPR.

II. BACKGROUND

A. REAL PARTIES IN INTEREST

The parties identify themselves as real parties in interest. *See* Pet. 3; Paper 8, 1. Petitioner also identifies Lenovo Group Ltd., Dell Inc., Dell

Products LP, and Microsoft Corp. as real parties in interest "without admitting that those parties are in fact real parties-in-interest." Pet. 3.

B. Related Proceedings

In addition to the Samsung IPR, the parties identify the following as related matters: *Neodron Ltd. v. Amazon.com, Inc.*, No. 6:19-cv-00317-ADA (W.D. Tex. filed May 21, 2019); *Neodron Ltd. v. Dell Technologies Inc.*, No. 6:19-cv-00318-ADA (W.D. Tex. filed May 21, 2019); *Neodron Ltd. v. HP Inc.*, No. 6:19-cv-00319-ADA (W.D. Tex. filed May 21, 2019); *Neodron Ltd. v. Lenovo Group Ltd.*, No. 6:19-cv-00320-ADA (W.D. Tex. filed May 21, 2019); *Neodron Ltd. v. Microsoft Corp.*, No. 6:19-cv-00321-ADA (W.D. Tex. filed May 21, 2019); *Neodron Ltd. v. Motorola Mobility LLC*, No. 6:19-cv-00322-ADA (W.D. Tex. filed May 21, 2019); and *Neodron Ltd. v. Samsung Electronics Co., Ltd.*, No. 6:19-cv-00323-ADA (W.D. Tex. filed May 21, 2019); and *In re Certain Touch-Controlled Mobile Devices, Computers, and Components Thereof*, Inv. No. 337-TA-1162 (filed May 21, 2019) ("related ITC proceeding"). Pet. 3–4; Paper 8, 2.

C. The '173 Patent (Ex. 1001)

The '173 patent relates to "capacitive position sensors for detecting the position of an object around a curved path." Ex. 1001, 1:21–22. The sensor can operate in two modes. The first mode is shown in Figure 1, reproduced below:

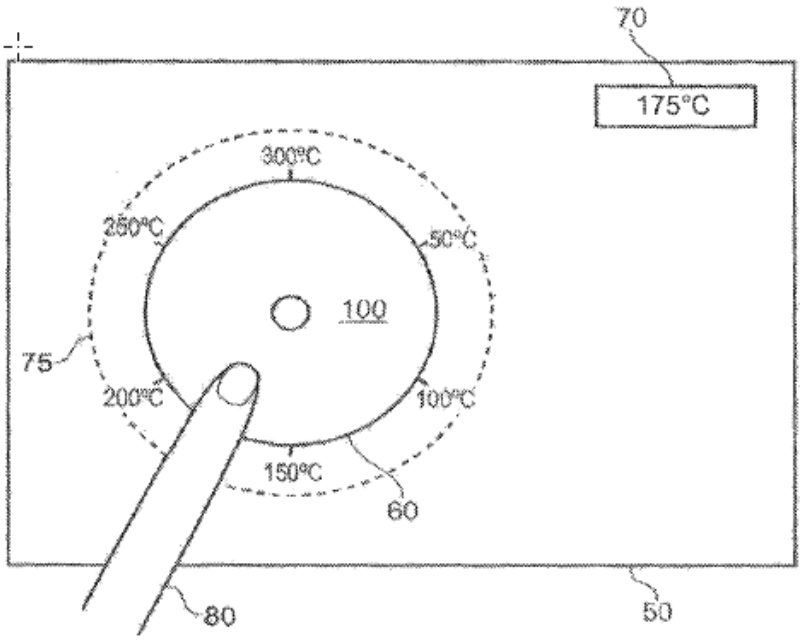

FIG. 1

Figure 1 shows "part of a control panel 50 having a capacitive sensor 60 and a digital readout display 70." Ex. 1001, 7:38–39. As shown in the sensor's first operating mode, "a user's finger is used to select a cooking temperature." *Id.* at 7:61–63. Finger 80 is near a portion of sensing element 100 corresponding to a temperature of 175 °C, which also appears on readout display 70. *Id.* at 7:63–66.

Because the sensor resolution is limited, the initial temperature selected in the first operating mode may only be an approximation of the intended temperature. *See* Ex. 1001, 7:66–8:8. Therefore, the sensor automatically enters a second mode of operation to allow the user to fine-tune the selected temperature, as shown below in Figure 2A:

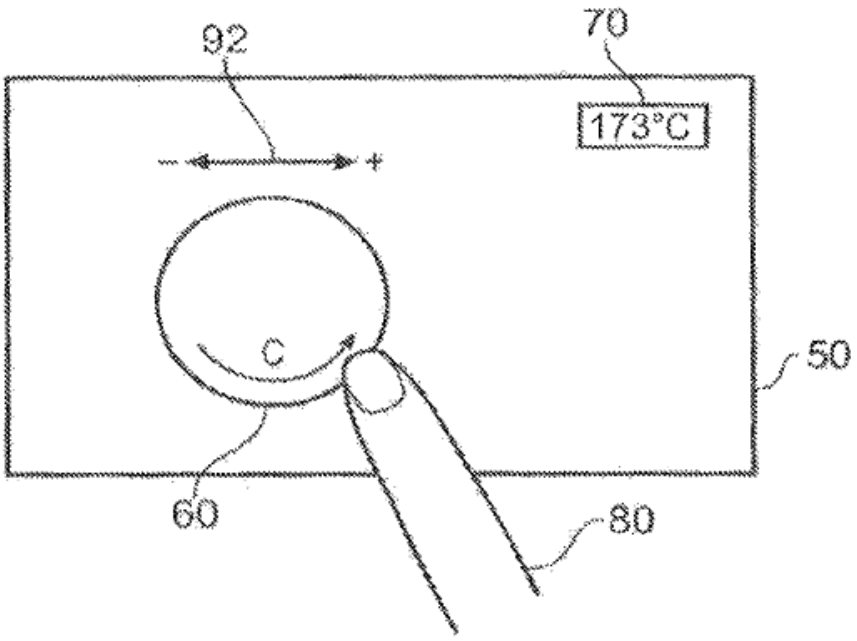

FIG. 2A

Ex. 1001, 8:9–10. Figure 2A depicts capacitive sensor 60 in a second operating mode. *Id.* at 8:10–12. In this mode, "a user is able to increase or decrease the temperature selected in the first mode by a pre-determined increment" by displacing finger 80 "by a pre-determined threshold angle." *Id.* at 8:13–17. In this example, the user has rotated finger 80 counterclockwise, as represented by arrow C, to decrease the temperature from 175 °C to 173 °C, with the updated temperature shown on display 70. *See id.* at 8:21–27.

D. CHALLENGED CLAIMS AND GROUNDS

Independent claim 1, which exemplifies the other challenged claims, is as follows:

[pre] 1. A method comprising:
[a] receiving one or more first signals indicating one or more first capacitive couplings of an object with a sensing element that comprises a sensing path that comprises a length, the

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