UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO. LTD. AND SAMSUNG ELECTRONICS AMERICA, INC., Petitioners,

v.

GUI GLOBAL PRODUCTS, LTD., Patent Owner.

Case IPR2021-00337 Patent 10,562,077

PATENT OWNER'S SUR-REPLY TO PETITIONER'S REPLY



TABLE OF CONTENTS

I.	INTRODUCTION1
II.	KIM DOES NOT DISCLOSE (OR RENDER OBVIOUS) PETITIONER'S FICTIONAL FIGURE A DEVICE
A.	Kim Does Not Disclose Petitioner's Fictional Figure A Device
В.	Petitioner's "Figure A" Device Would Not Have Been Obvious in View of Kim
1.	Petitioner's attempts to refute Gwee's arguments for why a POSITA would not be motivated to create a non-functional, deeply flawed and unsuitable Figure A device lack persuasiveness and include improper new grounds8
III.	CLAIM 1 AND ITS DEPENDENT CLAIMS ARE NOT OBVIOUS IN VIEW OF KIM
A.	Kim Does Not Disclose or Suggest "When Coupled, the First Case Functions to Protect the Second Case"
B.	Kim Does Not Disclose or Suggest "a First Magnet is Fully Disposed Within the Electronic Device"
C.	Petitioner Has Still Not Shown that Kim Discloses a "Switching Device."
D.	Kim Does Not Render Obvious an Electronic Device with Both Magnets and Raised Shapes Configured to Correspond to Complementary Recessed Areas on a Switching Device
Ε.	Petitioner Fails to Explain How Kim Discloses or Suggests a Portable Switching Device "Configured to Activate, Deactivate, or Send into Hibernation"
F.	Kim Does Not Disclose (or Suggest) the "Electronic Device Plays, Pauses, and/or Changes the Volume of a Remote Device"21



G.	Kim Does Not Render Obvious that the "Lid is Recessed to Configure to the Electronic Device"	22
IV.	KIM DOES NOT RENDER OBVIOUS CLAIM 5 OR ITS DEPENDENT CLAIM	23
V.	KIM IN COMBINATION WITH KOH DOES NOT RENDER CLAIM 11 OBVIOUS	25
A.	A POSITA Would Not Have Been Motivated to Combine Kim and Koh as Suggested by Petitioner	25
В.	The Combination of <i>Kim</i> and <i>Koh</i> Does Not Disclose or Suggest "When Coupled, the First Case Functions to Protect the Second Case"	26
C.	The <i>Kim-Koh</i> Combination Does Not Disclose (or Suggest) that the "Switching Device" is "Configured to Activate, Deactivate, or Send into Hibernation" the Portable Electronic Device	27
D.	The Alleged <i>Kim-Koh</i> Combination Does Not Discloses That "the Electronic Device Pauses or Plays a Remote Device"	29
VI.	KIM IN COMBINATION WITH LEE DOES NOT RENDER CLAIM 9 OBVIOUS	30
VII.	CONCLUSION	31



TABLE OF AUTHORITIES

CASES

Elbrus Int'l Ltd. v. Samsung Elecs. Co., 738 F.App'x 694 (Fed. Cir. 2018)
Henny Penny Corp. v. Frymaster LLC, 938 F.3d 1324 (Fed. Cir. 2019) passim
<i>In re Chudik</i> , 851 F.3d 1365, 1372 (Fed. Cir. 2017)3
Intelligent Bio-Sys., Inc. v. Illumina Cambridge Ltd., 821 F.3d 1359
(Fed. Cir. 2016)1
Polygroup Ltd. v. Willis Elec. Co., 780 F.App'x 880 (Fed. Cir. 2019)19
SAS Inst. Inc. v. Iancu, 138 S. Ct. 1348 (2018)



EXHIBIT LIST

Exhibit No.	Description
2001	Samsung's 2020-12-29 Petition in IPR2021-00335
2002	Transcript of deposition of Sayfe Kiaei, Ph.D. in IPRs 2021- 00336, -00337, and -00338 (Aug. 30, 2021)
2003	Transcript of deposition of Sayfe Kiaei, Ph.D. in IPR2021-00335 (Aug. 30, 2021)
2004	Declaration of Mark N. Horenstein, Ph.D.
2005	Curriculum Vitae of Mark N. Horenstein, Ph.D.



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.

