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., D/B/A Gwee, Patent Owner Case IPR2021-00337 U.S. Patent No. 10,562,077

Patent Owner's Preliminary Response Petition for *Inter Partes* Review of U.S. Patent No. 10,562,077



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	A.	Kim does not disclose or render obvious "a portable switching device		
		coupled to a portable electronic device; wherein: the switching		
		device and the electronic device are configured to selectively couple		
		to each other employing magnetic force"34		
	B.	Kim does not disclose or render obvious "a first magnet is fully		
		disposed within the electronic device"4		
	C.	Kim does not disclose or render obvious that "the electronic device		
		comprises at least one element selected from the group consisting of		
		beveled edges, ridges, recessed areas, grooves, slots, indented shapes		
		bumps, raised shapes, and combinations thereof; configured to		



	correspond to complimentary surface elements on the switching			
	device"			
D.	Kim does not disclose or render obvious that "the portable switching			
	device is configured to activate, deactivate, or send into hibernation			
	the portable electronic device."55			
E.	Kim does not disclose or render obvious the switching device			
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Assuming arguendo for purposes of this Preliminary Response that Kim				
	discloses a watch-type device with a lid, it nonetheless does not			
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SAMSUNG'S '077 PETITION PROVIDES NO EXPLANATION FOR				
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VII.

VIII.

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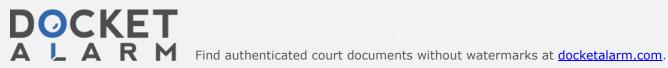


TABLE OF AUTHORITIES

Cases

Apple Inc. v. Fintiv, Inc., IPR 2020-00019, paper 11 (PTAB Mar. 20, 2020))
Arthrex, Inc. v. Smith & Nephew, Inc., 941 F.3d 1320 (Fed. Cir. 2019))
Belden Inc. v. Berk-Tek LLC, 805 F.3d 1064 (Fed. Cir. 2015))
Celgene Corp. v. Peter, 931 F.3d 1342 (Fed. Cir. 2019), cert denied, 141 S.Ct. 132 (2020)	1
Doolin Sec. Sav. Bank, F.S.B. v. FDIC, 53 F.3d 1395 (4th Cir. 1995)	1
Edmond v. United States, 520 U.S. 651 (1997))
Fanduel, Inc. v. Interactive Games LLC, 966 F.3d 1334 (Fed. Cir. 2020))
Impax Labs., Inc. v. Aventis Pharms., Inc., 468 F.3d 1366 (Fed. Cir. 2006)	1
In re Gleave, 560 F. 3d 1331 (Fed. Cir. 2009)	1
Phillips v. AWH Corp., 415 F.3d 1303 (Fed. Cir. 2005) (en banc)	3
Tumey v. Ohio, 273 U.S. 510 (1927)	1
Worlds Inc. v. Bungie, Inc., 903 F.3d 1237 (Fed. Cir. 2018))
Statutes	
35 U.S.C. § 314(a))
5 U.S.C. § 556)
5 U.S.C. 8 7521(a))



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