

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

GUI GLOBAL PRODUCTS, LTD., D/B/A GWEE,
Patent Owner.

IPR2021-00338
Patent 10,589,320 B1

Before SALLY C. MEDLEY, JON M. JURGOVAN, and
SHEILA F. McSHANE, *Administrative Patent Judges*.

McSHANE, *Administrative Patent Judge*.

JUDGMENT
Final Written Decision
Determining All Challenged Claims Unpatentable
35 U.S.C. § 318(a)

I. INTRODUCTION

We have jurisdiction to hear this *inter partes* review under 35 U.S.C. § 6. This Final Written Decision is issued pursuant to 35 U.S.C. § 318(a). For the reasons discussed herein, we determine that Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively “Petitioner”) has shown, by a preponderance of the evidence, that claims 1–13 of U.S. Patent No. 10,589,320 B1 (Ex. 1001, “the ’320 patent”) are unpatentable.

A. Procedural Background

Petitioner filed a Petition requesting *inter partes* review of claims 1–13 (“the challenged claims”) of the ’320 patent, along with the supporting Declaration of Dr. Sayfe Kiaei. Paper 3 (“Pet.”); Ex. 1002. GUI Global Products, Ltd., d/b/a Gwee (“Patent Owner”) filed a Preliminary Response to the Petition. Paper 10.

Pursuant to 35 U.S.C. § 314(a), on July 2, 2021, we instituted *inter partes* review on the grounds of:

Claim(s) Challenged	35 U.S.C §	Reference(s)/Basis
1–8	103(a) ¹	Kim ²
11	103(a)	Kim, Koh ³ ,
9, 10, 12, 13	103(a)	Kim, Lee ⁴

¹ The Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284 (2011) (“AIA”), amended 35 U.S.C. § 103. Because the ’320 patent has an effective filing date before the effective date of the applicable AIA amendments, we refer to the pre-AIA versions of 35 U.S.C. § 103.

² U.S. Pat. Appl. Pub. No. US 2010/0227642 A1, published September 9, 2010 (Ex. 1010, “Kim”).

³ Korean Pat. Pub. No. 10-2008-0093178, published October 21, 2008 (Ex. 1012, “Koh”).

⁴ U.S. Pat. Appl. Pub. No. US 2010/0298032 A1, published Nov. 25, 2010 (Ex. 1013, “Lee”).

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See Pet. 1–2; Paper 11 (“Inst. Dec.” or “Dec.”), 7–8, 42.

Patent Owner filed a Patent Owner Response (“PO Resp.”). Paper 15. Patent Owner filed the Declaration of Dr. Mark N. Horenstein to support its positions. Ex. 2004. Petitioner filed a Reply (“Pet. Reply”) to the Patent Owner Response. Paper 18. Patent Owner filed a Sur-Reply to Petitioner’s Reply (“PO Sur-Reply”). Paper 19.

An oral hearing was held on April 12, 2022. A transcript of the hearing is included in the record. Paper 26 (“Tr.”).

B. Related Matters

The parties indicate this Petition is related to *GUI Global Prods, Ltd. d/b/a Gwee v. Samsung Elecs. Co.*, No. 4:20-cv-02624 (E.D. Tex.) and *GUI Global Prods, Ltd. d/b/a Gwee v. Apple, Inc.*, No. 4:20-cv-02652 (S.D. Tex.). Pet. 76–77; Paper 5, 2.

C. The ’320 Patent

The ’320 patent is titled “System Comprising A Portable Switching Device For Use With A Portable Electronic Device” and issued on March 17, 2020, from an application filed on November 27, 2019. Ex. 1001, codes (22), (45), (54). The application for the ’320 patent is a continuation of several applications as well as several provisional applications. *Id.*, codes (60), (63).

The Specification of the ’320 patent describes how an apparatus may be used for cleaning view screens of electrical devices. *See* Ex. 1001, 2:19–24. The ’320 patent aims to provide appropriate cleaning materials where the cleaning component can be carried on an electronic device case. *Id.* at 1:56–2:15.

In one embodiment, a cleaning component for cleaning a view screen of an electronic device is coupled to a first case of the electronic device

using magnetic attractive force. *Id.* at 5:64–6:2, Fig. 1B. Figure 1B is illustrative and is reproduced below.

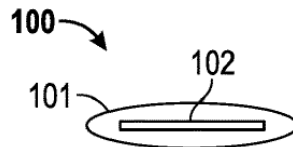


FIG. 1B

Figure 1B, above, shows a side view of a cleaning component. Ex. 1001, 6:29–30. Cleaning component 100 includes ferromagnetic or ferrimagnetic substrate 102 covered by cleaning material 101, such as a fabric or a cloth. *Id.* at 6:20–49.

In another embodiment, a second case receives the cleaning component and also “functions to protect the primary case.” Ex. 1001, 6:2–7. Figure 3 is illustrative and is reproduced below.

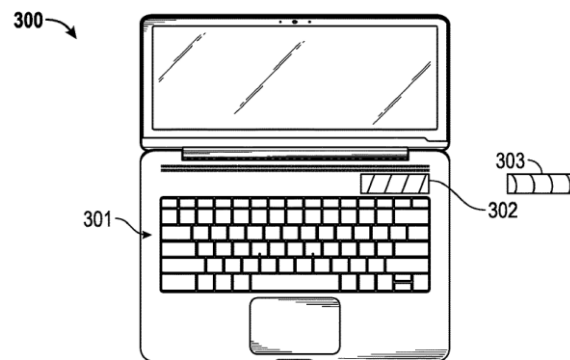


FIG. 3

Figure 3, above, shows a computer case configured to receive a cleaning component. Ex. 1001, 4:45–46. Laptop 300 has rectangular indentation 302 dimensioned for receiving cleaning component 303 which has a magnet. *Id.* at 8:62–9:2.

Figure 5A is also illustrative and is reproduced below.

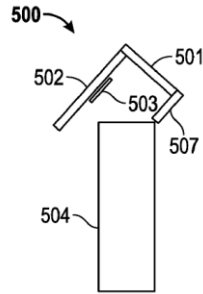


FIG. 5A

Figure 5A, above, shows “a lateral type phone case configured to receive a cleaning component.” Ex. 1001, 4:49–50. Case 500 includes body 504 “which functions to hold a smart phone” and a lid having tip 501, side 502, hinge 507, and cleaning component 503. *Id.* at 10:13–18.

A cleaning component may be secured and adhered to a case utilizing “dimensional stability to increase the security with which the clean components are adhered to the case.” Ex. 1001, 11:44–49; Fig. 9. Figure 9 is illustrative and is reproduced below.

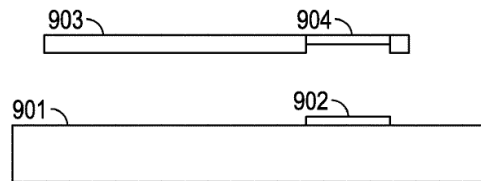


FIG. 9

Figure 9, above, shows a cleaning component “employing a structural feature to enhance adhesion.” Ex. 1001, 4:60–61. Device 901 has raised section 902 which is configured to fit within recess 904 of cleaning component 903. *Id.* at 11:49–51.

In another embodiment, the cleaning component has a magnetic element that activates or deactivates a magnetic switch. Ex. 1001, 3:6–8. The ’320 patent describes “activating or deactivating a device having a magnetic switch” as a “secondary application[.]” and that “cleaning devices”

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