

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

SCRAMOGE TECHNOLOGY LTD.,
Patent Owner.

IPR2022-00117
Patent 9,843,215 B2

Before JAMESON LEE, KARL D. EASTHOM, and
BRIAN J. McNAMARA, *Administrative Patent Judges*.

McNAMARA, *Administrative Patent Judge*.

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

I. INTRODUCTION

Apple Inc. (“Petitioner”) filed a petition, Paper 2 (“Petition” or “Pet.”), to institute an *inter partes* review of claims 1, 5, 8–13, and 17–22 (the “challenged claims”) of U.S. Patent No. 9,843,215 B2 (“the ’215 patent”). 35 U.S.C. § 311. Scramoge Technology Ltd. (“Patent Owner”) filed a Preliminary Response, Paper 6 (“Prelim. Resp.”), contending that the Petition should be denied as to all challenged claims. As authorized by the panel, Petitioner filed a Reply (Paper 7, “Reply”) and Patent Owner filed a Sur-reply (Paper 8 “Sur-reply”).

We have jurisdiction under 35 U.S.C. § 314, which provides that an *inter partes* review may not be instituted unless the information presented in the Petition “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.”

A decision to institute under § 314 may not institute on fewer than all claims challenged in the petition. *SAS Inst., Inc. v. Iancu*, 138 S. Ct. 1348, 1359–60 (2018). In addition, per Board practice, if the Board institutes trial, it will “institute on all grounds in the petition.” PTAB Consolidated Trial Practice Guide, 5–6 (Nov. 2019); *see also PGS Geophysical AS v. Iancu*, 891 F.3d 1354, 1360 (Fed. Cir. 2018) (interpreting the statute to require “a simple yes-or-no institution choice respecting a petition, embracing all challenges included in the petition”).

Having considered the arguments and the associated evidence presented in the Petition and the Preliminary Response, for the reasons described below, we institute *inter partes* review.

II. REAL PARTIES IN INTEREST

Petitioner identifies itself (Apple Inc.) as the sole real party-in-interest. Pet. 69. Patent Owner identifies itself (Scramoge Technology Ltd.) the sole real party-in-interest. Paper 4, 2.

III. RELATED MATTERS

The Petition states that the '215 patent is asserted in the following litigation: *Scramoge Tech. Ltd. v. Apple Inc.*, No. 6-21-cv-0579 (W.D. Tex., filed June 7, 2021) (“*Apple case*”); *Scramoge Tech. Ltd. v. Google, LLC f/k/a Google Inc.*, No. 6-21-cv-0616 (W.D. Tex., filed June 15, 2021) (“*Google case*”); *Scramoge Tech. Ltd. v. Samsung Electronics Co., Ltd. et al.*, No. 6-21-cv-0454 (W.D. Tex. Filed April 30, 2021). Pet. 69.

Patent Owner also identifies the following co-pending proceedings: *Apple Inc. v. Scramoge Technology Ltd.*, IPR2022-00118 (PTAB, October 29, 2021); *Apple Inc. v. Scramoge Technology Ltd.*, IPR2022-00119 (PTAB October 29, 2021); and *Apple Inc. v. Scramoge Technology Ltd.*, IPR2022-00120 (PTAB October 29, 2021). Paper 4, 2.

IV. THE '215 PATENT

The '215 patent concerns a wireless charging and communication board and device. Ex. 1001, 1:18–20. Figure 1 of the '215 patent is reproduced below.

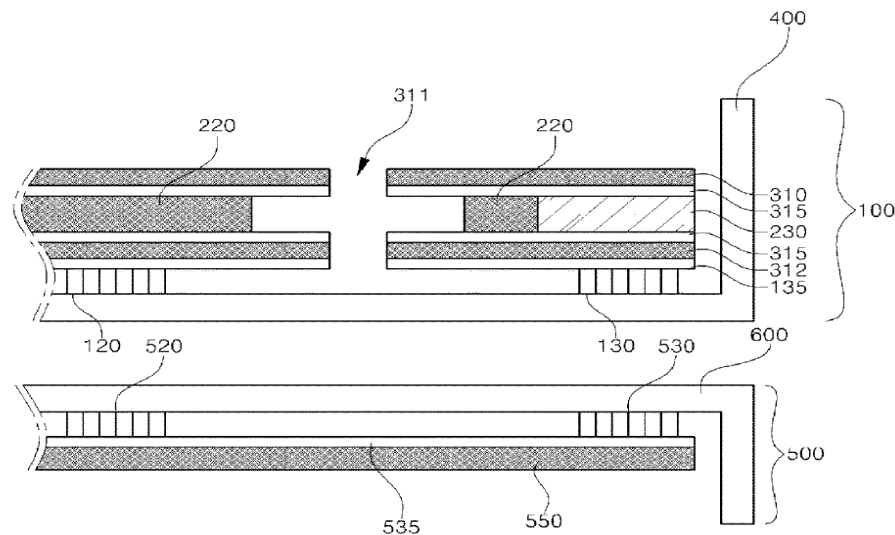


Figure 1 of the '215 patent

Figure 1 of the '215 patent shows an embodiment of a charging and communication device that includes receiver 100 having reception coil pattern 120 for wireless power conversion and reception coil 130 for near field communication, as well as transmitter 500 having transmission coil pattern 520 for wireless power conversion and transmission coil pattern 530 for near field communication. *Id.* at 2:54–3:2, Fig. 1. Alternating current flowing in transmission coil pattern 520 induces current in reception coil pattern 120 that is transmitted to a separate circuit and rectified. *Id.* at 3:6–19. Receiver 100 includes a wireless charging and communication board and housing 400 that radiates heat from coil patterns 120, 130 to the outside. *Id.* at 3:33–37. The wireless communication board includes soft magnetic layer 220, 230, polymeric layer 310, 312 disposed on one surface and the other surface of soft magnetic layer 220, 230 to extend longer than an exposed portion thereof and adhered thereto by adhesive layer 315; coil patterns 120, 130, and processing hole 311. *Id.* at 3:38–56, 4:39–57.

Figure 3 of the '215 patent is reproduced below.

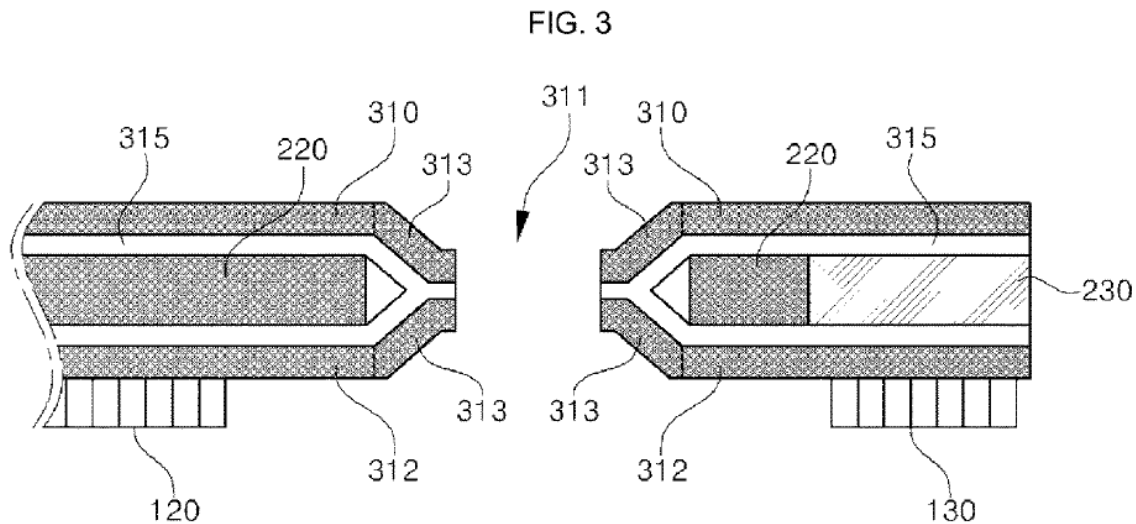


Figure 3 of the '215 patent is a cross-sectional view of an embodiment of a wireless charging and communication board. *Id.* at 2:1–3. Figure 3 shows polymeric material layers 310, 312 arranged on the surfaces of soft magnetic layer 220, 230 and extending longer than an exposed portion of soft magnetic layer 220, 230, and material connector 313 connecting first polymeric layer 310 and second polymeric layer 312, thereby surrounding the exposed portion of soft magnetic layer. *Id.* at 5:24–37. The '215 patent further explains that the term polymeric material connector 313 may be used with the term extending portion, so that “a first extending portion may be extended in the first polymeric material layer 310, and a second extending portion may be extended in the second polymeric material layer. *Id.* at 5:37–42. “Accordingly, in the embodiment of FIG. 3, the exposed portion may refer to an end exposed by a processing hole 311 and the polymeric material connector 313 surrounding the exposed portion of the soft magnetic core 220 may prevent water penetration from the outside.” *Id.* at 5:43–47.

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