

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and
DELL TECHNOLOGIES INC.,
Petitioner,

v.

MYPAQ HOLDINGS LTD.,
Patent Owner.

IPR2022-00311
Patent 8,477,514 B2

Before KRISTINA M. KALAN, DANIEL J. GALLIGAN, and
ELIZABETH M. ROESEL, *Administrative Patent Judges*.

ROESEL, *Administrative Patent Judge*.

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

I. INTRODUCTION

A. *Background and Summary*

Samsung Electronics Co., Ltd. and Dell Technologies Inc. (collectively, “Petitioner”) filed a Petition (Paper 3, “Pet.”) seeking an *inter partes* review of claims 1–20 (the “challenged claims”) of U.S. Patent No. 8,477,514 B2 (Ex. 1001, “the ’514 Patent”). MyPAQ Holdings Ltd. (“Patent Owner”) filed a Preliminary Response. Paper 7 (“Prelim. Resp.”). With Board authorization, Petitioner filed a Reply (Paper 9, “Pet. Reply”), and Patent Owner filed a Sur-reply (Paper 10, “PO Sur-reply”).

We have authority to determine whether to institute an *inter partes* review. 35 U.S.C. § 314 (2018); 37 C.F.R. § 42.4(a) (2021). An *inter partes* review may not be instituted “unless . . . 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). After applying this standard and declining Patent Owner’s invitation to exercise our discretion to deny institution, we grant institution of an *inter partes* review.

Our findings and conclusions below are based on the record developed thus far. This is not a final decision as to the patentability of any challenged claim. Any final decision will be based on the full record developed during trial.

B. *Related Matters*

The parties identify the following district court actions as related matters involving the ’514 Patent: *MyPAQ Holdings Ltd. v. Samsung Electronics Co.*, 6:21-CV-00398 (W.D. Tex.) and *MyPAQ Holdings Ltd. v. Dell Technologies Inc.*, 6:21-CV-00933 (W.D. Tex.) (together, the “district

court litigation”). Pet. 1; Paper 8, 1 (Patent Owner’s updated mandatory notices).

C. The ’514 Patent (Ex. 1001)

The ’514 Patent discloses a power system having a power converter with an adaptive controller. Ex. 1001, code (57), 6:51–55. In one embodiment, a power converter is coupled to a load and includes: (a) “a power switch configured to conduct for a duty cycle to provide an output characteristic at an output thereof” and (b) “a power converter controller configured to receive a signal from the load indicating a system operational state of the load and enable a power converter topological state as a function of the signal.” *Id.* at code (57), 6:55–62, 7:41–43, Fig. 3 (circuit diagram of a power converter with controller 311); *see also id.* at 11:32–14:22 (describing Figure 3 embodiment). “In another embodiment, a power system includes a power system controller configured to provide a signal characterizing a power requirement of a processor system and a power converter coupled to the processor system.” *Id.* at 6:63–66, 8:3–6, Fig. 11 (block diagram of a power system coupled to loads and including power converters controlled by a power system controller); *see also id.* at 21:65–25:27 (describing Figure 11 embodiment).

D. Illustrative Claims

Petitioner challenges claims 1–20 (all claims) of the ’514 Patent. Pet. 8–9. Claims 1, 6, 11, and 13 are independent. Claims 1 and 6 are illustrative of the claimed subject matter and are reproduced below.

1. A power converter coupled to a load, comprising:
a power switch configured to conduct for a duty cycle to provide an output characteristic at an output thereof; and

a power converter controller configured to receive a signal from said load indicating a system operational state of said load and control an internal operating characteristic of said power converter as a function of said signal.

Ex. 1001, 28:2–8.

6. A power system, comprising:

a power system controller configured to provide a signal characterizing a power requirement of a processor system; and

a power converter coupled to said processor system, comprising:

a power switch configured to conduct for a duty cycle to provide an output characteristic at an output thereof, and

a power converter controller configured to receive a signal from said power system controller to control an internal operating characteristic of said power converter as a function of said signal.

Id. at 28:29–41.

E. Asserted Grounds and Evidence

Petitioner asserts the following grounds of unpatentability.

Ground	Claim(s) Challenged	35 U.S.C. §¹	Reference(s)/Basis
1A	1–12, 14–17, 19, 20	102(a), (b)	Chagny ²
1B	1–20	103(a)	Chagny
2A	1–10, 16, 17, 19, 20	102(a), (b)	Hwang ³

¹ The Leahy-Smith America Invents Act (“AIA”), Pub. L. No. 112-29, 125 Stat. 284, 287–88 (2011) amended 35 U.S.C. §§ 102 and 103, effective March 16, 2013. Because the ’514 Patent was filed before this date, we refer to the pre-AIA versions of §§ 102 and 103. Ex. 1001, code (22).

² Ex. 1004, US 6,873,136 B2, issued March 29, 2005 (“Chagny”).

³ Ex. 1006, US 2004/0174152 A1, published September 9, 2004 (“Hwang”).

Ground	Claim(s) Challenged	35 U.S.C. § ¹	Reference(s)/Basis
2B	11, 12, 14–17, 19, 20	103(a)	Hwang, Chagny
2C	18	103(a)	Hwang
2D	13, 18	103(a)	Hwang, Chagny

Pet. 8–9. Petitioner submits the Declaration of Dr. Sayfe Kiaei to support its challenges. Ex. 1002 (“Kiaei Declaration”).

II. ANALYSIS

A. Discretion under 35 U.S.C. § 314(a)

Patent Owner argues that the Board should exercise its discretion under 35 U.S.C. § 314(a) and deny institution in light of the district court litigation involving the ’514 Patent. Prelim. Resp. 13–21; PO Sur-reply. Petitioner argues the opposite. Pet. 9–12; Pet. Reply.

In assessing whether to exercise such discretion, the Board weighs six non-exclusive factors, known as the *Fintiv* factors. *Apple Inc. v. Fintiv, Inc.*, IPR2020-00019, Paper 11 at 6 (PTAB Mar. 20, 2020) (precedential) (“*Fintiv I*”). Recognizing that “there is some overlap among these factors” and that “[s]ome facts may be relevant to more than one factor,” the Board “takes a holistic view of whether efficiency and integrity of the system are best served by denying or instituting review.” *Id.* We have considered Patent Owner’s arguments in light of the *Fintiv* factors, together with Petitioner’s opposition, and we decline to exercise our discretion to deny the Petition as explained further below.

1. Factor 1: Whether a Stay Exists or Is Likely to Be Granted if a Proceeding Is Instituted

The district court litigation has not been stayed. Petitioner argues that it intends to seek a stay should the Board institute *inter partes* review.

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