

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC., and GOOGLE LLC,
Petitioner,

v.

SCRAMOGE TECHNOLOGY LTD.,
Patent Owner.

IPR2022-00385
Patent 9,843,215 B2

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

LEE, *Administrative Patent Judge*.

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

I. INTRODUCTION

A. Background

Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Google LLC (“Petitioner”) filed a Petition requesting *inter partes* review of claims 1, 4, 5, 8–13, and 17–22 (the “challenged claims”) of U.S. Patent No. 9,843,215 B2 (Ex. 1001, “the ’215 patent”). Paper 1 (“Pet.”). Scramoge Technology Ltd. (“Patent Owner”) filed a Preliminary Response. Paper 8 (“Prelim. Resp.”). Petitioner filed an authorized Preliminary Reply. Paper 9 (“Prelim. Reply”). Patent Owner filed an authorized Preliminary Sur-Reply. Paper 10 (“Prelim. Sur-Reply”).

We have authority to determine whether to institute an *inter partes* review, under 35 U.S.C. § 314 and 37 C.F.R. § 42.4. An *inter partes* review may not be instituted unless it is determined that “the information presented in the petition filed under section 311 and any response filed under section 313 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) (2018); *see also* 37 C.F.R. § 42.4(a) (2021) (“The Board institutes the trial on behalf of the Director.”). The “reasonable likelihood” standard is “a higher standard than mere notice pleading,” but “lower than the ‘preponderance’ standard to prevail in a final written decision.” *Hulu, LLC v. Sound View Innovations, LLC*, IPR2018-01039, Paper 29 at 13 (PTAB Dec. 20, 2019) (precedential).

For the reasons provided below and based on the record before us, we determine that Petitioner has demonstrated a reasonable likelihood that it would prevail in showing the unpatentability of at least one challenged claim. Accordingly, we institute an *inter partes* review on all challenged claims and on each ground set forth in the Petition.

B. Real Parties in Interest

Petitioner states that its real parties in interest are Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Google LLC. Pet. 1. Patent Owner states that its real party in interest is Scramoge Technology Ltd. Paper 5, 2.

C. Related Proceedings

Petitioner and Patent Owner both identify the following district court actions as involving the '215 patent: (1) *Scramoge Technology Ltd. v. Google LLC*, No. 6:21-cv-00616 (W.D. Tex. June 15, 2021); (2) *Scramoge Technology Ltd. v. Samsung Elec. Co., Ltd.*, No. 6:21-cv-00454-ADA (W.D. Tex. Apr. 30, 2021); and *Scramoge Technology Ltd. v. Apple Inc.*, No. 6:21-cv-00579 (W.D. Tex. June 7, 2021). Pet. 1; Paper 5, 3.

Petitioner identifies Board proceeding IPR2022-00117 as also involving the '215 patent.¹ Pet. 2. Patent Owner identifies the following Board proceedings before the Board as related: IPR2022-00117, IPR2022-00118, IPR2022-00119, IPR2022-00185, IPR2022-00241, IPR2022-00284, IPR2022-00120, IPR2022-00350, IPR2022-00351. Paper 5, 2–3.

D. The '215 Patent (Ex. 1001)

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

¹ The Board instituted review in IPR2022-00117 on May 12, 2022. IPR2022-00117, Paper 10.

to extend longer than an exposed portion of soft magnetic layer 220, 230. *Id.* at 3:38–56. The wireless charging and communication board further includes coil patterns 120, 130, and processing hole 311. *Id.*

Figure 3 of the '215 patent is reproduced below.

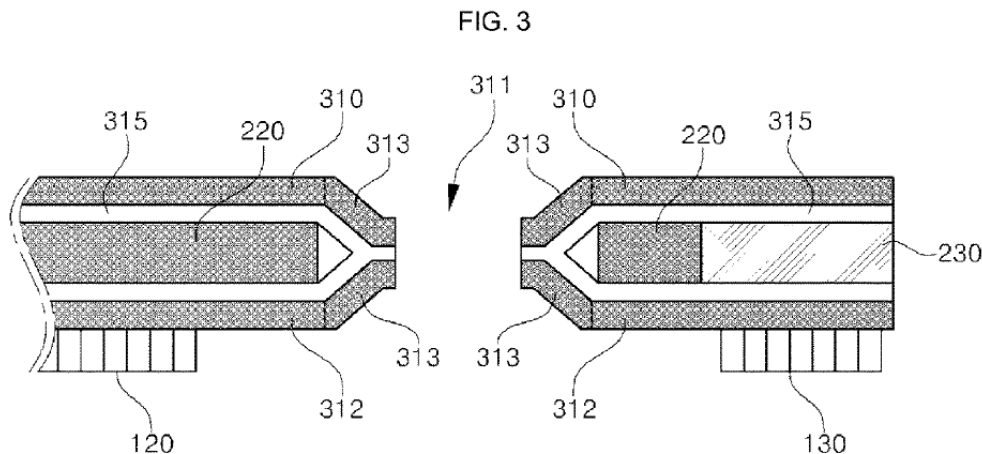


Figure 3 of the '215 patent is a cross-sectional view of a wireless charging and communication board. *Id.* at 2:1–3. Figure 3 shows polymeric material layers 310, 312 arranged on the surfaces of soft magnetic layer 220, 230 and extending longer than an exposed portion of soft magnetic layer 220, 230, and coil pattern 120, 130 arranged on polymeric material layer 310, 312. *Id.* at 5:24–31.

The wireless charging and communication board further includes polymeric material connector 313 connecting first polymeric layer 310 and second polymeric layer 312, and surrounding the exposed portion of soft magnetic layer 220. *Id.* at 5:32–37. The '215 patent further explains that in its specification the term polymeric material connector 313 can be used with an “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 312.” *Id.* at 5:37–42.

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