Filed: March 16, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC., and APPLE INC., Petitioners,

v.

SMART MOBILE TECHNOLOGIES LLC, Patent Owner.

Case IPR2022-01249 Patent 9,019,946 B1

PATENT OWNER'S OPPOSITION TO PETITIONER'S MOTION TO SUBMIT SUPPLEMENTAL INFORMATION PURSUANT TO 37 C.F.R. § 42.123(a)



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TABLE OF AUTHORITIES

Cases

Am. Well Corp. v. TelaDocHealth, Inc., IPR2021-00748, Paper 23 (Feb. 28, 2022)	6
Apple Inc. v. Telefonaktiebolaget LM Ericsson, IPR2022-00343, Paper 14 (Nov. 10, 2022)	8
Cisco Sys., Inc. v. C-Cation Techs., LLC, IPR2014-00454, Paper 12 (Aug. 29, 2014)	7
Frameless Hardware Co. v. CR Laurene Co., IPR2022-00356, Paper 29 (Oct., 25, 2022)	8, 9
Intelligent Bio-Systems, Inc. v. Illumina Cambridge Ltd., 821 F.3d 1359 (Fed. Cir. 2016)	1, 9
Lab. Français du Fractionnement et des Biotechs. SA v. Novo Nordisk Healthcare AG, IPR2017-00028, Paper 22 (Jun. 13, 2017)	5
MED-EL Elektromedizinische Geraete GmbH v. Advanced Bionics AG, IPR2020-00190, Paper 24 (Aug. 10, 2022)	8
Merck Sharp & Dohme Corp. v. Microspherix LLC, IPR2018-00393, Paper 21 (Sep. 10, 2018)	6
Nissan N. Am., Inc. v. Diamond Coating Techs., IPR2014-01548, Paper 37 (July 15, 2015)	6
Ooma, Inc. v. Deep Green Wireless LLC, IPR2017-01541, Paper 14 (Jan. 23, 2018)	2
Pac. Mkt. Int'l, LLC v. Ignite USA, LLC, IPR2014-00561, Paper 23 (Dec. 2, 2014)	8
Redline Detection, LLC v. Star Envirotech, Inc., 811 F.3d 435 (Fed. Cir. 2015)	5
Samsung Elecs. Co., Ltd. v. Immersion Corp., IPR2018-01499, Paper 19 (May 16, 2019)	5



Sling TV LLC v. Realtime Adaptive Streaming LLC, IPR2018-01342, Paper 17 (May 7, 2019)	6
Triller, Inc. v. TikTok Pte., IPR2022-00180, Paper 18 (Aug. 25, 2022)	passim
W. Digital Corp. v. Spex Techs., IPR2018-00082, Paper 22 (July 23, 2018)	6
Statutes	
35 U.S.C. § 312(a)(3)	1
Other Authorities	
Trial Practice Guide, 77 Fed. Reg., 48,756, 48,767 (Aug. 14, 2012)	4
Regulations	
37 C.F.R. § 42.104(b)(4)	2
37 C.F.R. § 42.123	5, 10
37 C.F.R. § 42.20(c)	4
37 C.F.R. § 42.6(a)(3)	7
37 C.F.R. §42.123	5
37 C.F.R. §42.123(a)	4



EXHIBIT LIST

Ex. No.	Brief Description
2001.	Reserved.
2002.	Declaration of Professor Todor V. Cooklev, Ph.D.
2003.	Defendants' Opening Claim Construction Brief Regarding the '434 Patent Family.
2004.	Declaration of Harry Bins in Support of Defendants' Opening Claim Construction Briefs (Exhibit 1 to Defendants' Opening Claim Construction Briefs).
2005.	Kevin M. Stack, <i>Preambles as Guidance</i> , September 2016, Vol. 84, No. 5 [1252-1292].
2006.	Electronics Tutorials, The Multiplexer.
2007.	Texas Instruments, SN74HC153 Data Sheet, Dec. 1982 – Revised Feb. 2022 (2022).
2008.	Lee Stanton, What Is The Difference Between A Landline And A Mobile Phone Number? (Feb. 22, 2022) (https://www.alphr.com/difference-landline-mobile-phone-number/)
2009.	Focus LCDs, <i>LCD Resources – Serial Vs. Parallel</i> (Oct. 19, 2022) (https://focuslcds.com/serial-vs-parallel/)
2010.	Techopedia, What is a Serial Interface? – Definition from Techopedia (Nov. 4, 2014) (https://www.techopedia.com/definition/9312/serial-interface)
2011.	The Authoritative Dictionary of IEEE Standards Terms, Seventh Edition (2000), "serial interface."



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