

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

SLYDE ANALYTICS, LLC,
Patent Owner.

IPR2024-00041
Patent 10,198,085 B2

Before JAMESON LEE, ST. JOHN COURTENAY, III, and
JOHN F. HORVATH, *Administrative Patent Judges*.

COURTENAY, *Administrative Patent Judge*.

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

Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Petitioner”) filed a Petition (Paper 3, “Pet.”) requesting an *inter partes* review of claims 1–10 (“the challenged claims”) of U.S. Patent No. 10,198,085 B2 (Ex. 1001, “the ’085 patent”). Slyde Analytics, LLC (“Patent Owner”) filed a Preliminary Response. Paper 9 (“Prelim. Resp.”).

With our authorization, Petitioner filed a Preliminary Reply (Paper 10, “Prelim. Reply”) to address Patent Owner’s arguments in the Preliminary Response regarding discretionary denial under 35 U.S.C. § 314(a), and Patent Owner filed a Preliminary Sur-reply. Paper 11 (“Prelim. Sur-reply”).

We have authority to determine whether to institute an *inter partes* review. *See* 35 U.S.C. § 314 (2018); 37 C.F.R. § 42.4(a) (2023). 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.” 35 U.S.C. § 314(a). Upon consideration of the contentions and the evidence of record before us, we conclude Petitioner has not shown a reasonable likelihood that it would prevail in establishing unpatentability of any challenged claim of the ’085 patent.

Accordingly, we decline to institute *inter partes* review.

I. INTRODUCTION

A. *Real Parties in Interest*

Petitioner identifies Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. as the real parties in interest. Pet. 1. Patent Owner identifies itself, Slyde Analytics, LLC, as the real party-in-interest. Paper 5, 2.

B. Related Matters

The parties identify the following related district court litigation: *Slyde Analytics LLC v. Samsung Electronics Co., Ltd., et al.*, Case No. 2-23-cv-00083 (E.D. Tex.); *Slyde Analytics LLC v. Zepp Health Corp.*, Case No. 2-23-cv-00172 (E.D. Tex.). Pet. 1; Paper 5, 2.¹

C. The '085 patent

The '085 patent is entitled “Method and Circuit for Switching a Wristwatch from a First Power Mode to a Second Power Mode.” Ex. 1001, code (54). The patent seeks to provide faster switching of a device into a different power mode, without causing unwanted changes of power mode. *Id.* at 2:22–27. The patent also discusses the use of a detected “tap” as a signal. *Id.* at 2:51–3:3.

The '085 patent describes that a “first power mode could be a sleep mode, or standby mode, in which the power consumption is reduced but no indications are displayed on the display,” and a “second power mode could be an operating mode where indications are displayed on the display.” Ex. 1001, 3:15–19. The patent gives examples of using taps and wristturns to detect an intent to change power modes. *Id.* at 9:29–42.

D. Illustrative Claim

Petitioner challenges claims 1–10 of the '085 patent. Pet. 1.

Claim 1, the sole independent claim, is illustrative of the challenged claims, and recites the following (bracketing and identifiers added):

1[pre]. A method for switching a wristwatch from a first power mode to a second power mode, comprising:
[a] using an accelerometer for detecting a wristturn, and

¹ Patent Owner appears to have incorrectly listed the case numbers as starting with “3:23” rather than “2:23.”

[b] switching said wristwatch from said first power mode to said second power mode when a wristturn has been detected,

[c] wherein said step of detecting a wristturn comprises:

[c.1] detecting that an orientation of the wristwatch is in a starting position, wherein said step of detecting that the orientation is in the starting position comprises detecting that the orientation of the wristwatch is held within a first range for a defined time;

[c.2] detecting that an orientation of the wristwatch is then in a final position, wherein said step of detecting that the orientation is in the final position comprises detecting that the orientation is in a second range different from said first range,

[c.3] in response to a detection that the orientation of the wristwatch is in the second range, detecting that the wristwatch remains substantially immobile during a predetermined duration and that a duration between the starting position and the final position is in a predefined range.

Ex. 1001, 10:59–11:15; Pet. 25–36.

E. Declaration

Petitioner filed a Declaration of Professor Benjamin B. Bederson, Ph.D. (Ex. 1002).

F. Prior Art

Petitioner submits the following asserted references as evidence:

Prior Art	Exhibit No.
Yeung, US 2009/0164219 A1 (published June 25, 2009)	1005
Ruiz, US 8,228,292 B1 (issued July 24, 2012)	1006
Alameh, US 2011/0148752 A1 (published June 23, 2011)	1007
Joselli, “gRmobile: A Framework for Touch and Accelerometer Gesture Recognition for Mobile Games,” VIII Brazilian Symposium on Games and Digital Entertainment, IEEE, pp. 141–150 (2009)	1008
Yano, US 8,615,375 B1 (issued Dec. 24, 2013)	1009

a. Summary of Yeung (Ex. 1005)

Yeung is titled “Accelerometer-Based Control of Wearable Devices.” Ex. 1005, code (54). Yeung “relates to using accelerometer-based orientation and/or movement sensing to control wearable devices, such as wrist-worn audio recorders and wristwatches.” *Id.* ¶ 5.

Yeung describes that motion activation has been used to operate wristwatches, but notes limits to “simple motion-activated on-off switches.” Ex. 1005 ¶ 11. Yeung discloses improvements by using accelerometers to sense orientation and movement for control of devices such as wrist-worn audio recorders and wristwatches. *Id.* ¶ 14. For example, Yeung discloses detecting a user positioning an audio recorder in front of his or her mouth, with the front housing of the recorder facing the mouth, by detecting “the natural movement of lifting the arm upwards from a resting position (i.e. from the side of the body or from in front of the lower end of the torso) and tilting the wrist towards the mouth to activate audio recording.” *Id.* ¶ 47.

b. Summary of Ruiz (Ex. 1006)

Ruiz is titled “Flipping for Motion-Based Input,” and “relates to systems and techniques for interpreting motion-based user inputs to a mobile computing device.” Ex. 1006, code (54), 1:15–17. Ruiz describes techniques for placing a mobile device in and out of motion-based input mode, such as by repeating a motion, using a different motion, or following a motion with “a delimiter input.” *Id.* at 1:44–64. Ruiz also discloses a variety of motions that can be interpreted as inputs. *Id.* at 4:24–5:42. Ruiz describes the “delimiter” as an input that may be used by a user “to indicate that a user would like to ‘open’ the device to additional motion-based inputs—i.e., to switch input modes on the device so that the other motion-based inputs, which were previously disabled, will be enabled.” *Id.* at 4:26–31.

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