

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VITEC PRODUCTION SOLUTIONS, INC.,
Petitioner,

v.

ROTOLIGHT LIMITED,
Patent Owner.

IPR2022-00261
Patent 10,197,257 B2

Before MICHELLE N. ANKENBRAND, GRACE KARAFFA OBERMANN,
and AVELYN M. ROSS, *Administrative Patent Judges*.

ROSS, *Administrative Patent Judge*.

DECISION

Denying Institution of *Inter Partes* Review
35 U.S.C. § 314, 37 C.F.R. § 42.4

I. INTRODUCTION

Vitec Production Solutions, Inc. (“Petitioner”) filed a Petition (Paper 1, “Pet.”) requesting an *inter partes* review of claims 1–21 of U.S. Patent No. 10,197,257 B2 (Ex. 1001, “the ’257 patent”). Rotolight Limited (“Patent Owner”) filed a Preliminary Response to the Petition. Paper 7 (“Prelim. Resp.”).

We have authority to determine whether to institute an *inter partes* review. 35 U.S.C. § 314 (2020); 37 C.F.R. § 42.4(a). The standard for instituting an *inter partes* review is set forth in 35 U.S.C. § 314(a), which provides that an *inter partes* review may not be instituted “unless the Director determines . . . there is a reasonable likelihood that the petitioner would prevail with respect to at least [one] of the claims challenged in the petition.”

For the reasons set forth below, and upon considering the Petition, the Preliminary Response, and the evidence of record, we determine that the information presented in the Petition does not establish a reasonable likelihood that Petitioner would prevail with respect to at least one challenged claim. Accordingly, we deny the Petition, and do not institute an *inter partes* review.

A. *Real Parties-in-Interest*

Petitioner states that “[t]he real party-in-interest is Petitioner Vitec Production Solutions, Inc.” and “The Vitec Group plc.” Pet. 1. Patent Owner identifies Rotolight Limited and Rotolight Group Ltd. as real parties-in-interest. Paper 5, 1 (Patent Owner’s Mandatory Notices).

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B. Related Proceedings

The parties identify the petitions for *inter partes* review challenging U.S. Patent Nos. 10,197,257 B2 (IPR2021-01496) and 10,197,258 B2 (IPR2022-00262) as related matters. Pet. 1; Paper 5, 1. Patent Owner also identifies the petitions for *inter partes* review challenging U.S. Patent Nos. 10,197,258 B2 (IPR2021-01497), 10,203,101 B2 (IPR2021-01498), and 10,845,044 B2 (IPR2022-00099) as related matters. Paper 5, 1.

C. The '257 Patent

The '257 patent, titled "Lighting System and Control Thereof," issued on February 5, 2019. Ex. 1001, codes (45), (54). The '257 patent "relates to a lighting system, and the control of a lighting system, and the simulation of lighting special effects, and in particular to a lighting system for videography, broadcasting and cinematography." Ex. 1001, 1:16–20.

According to the '257 patent, a typical "lighting controller called a 'flicker box' . . . is used to produce flickering light effects to mimic flickering light for example from a fire place, candle, electrical spark or lightning." *Id.* at 1:21–25. But flicker boxes are "complex, costly and time consuming" to set up, and the "connection and control of multiple pieces of hardware . . . requir[e] a physical wired connection to the 'hot' light source desired to be controlled." *Id.* at 1:30–35. Flicker boxes are also "incompatible with LED light sources" and "require the use of 'hot' incandescent light sources which are energy inefficient and also pose health and safety risks to those working on set." *Id.* at 1:39–42.

The "improved solution" the '257 patent offers includes methods, controllers, and computer programs "for controlling a lighting device to produce user customisable lighting effect" by, among other things,

“calculating a time varying lighting value based on at least one simulation parameter” and “outputting said time varying lighting value thereby to simulate a lighting effect.” *Id.* at 1:45–51, 2:61–67, 3:37–43. Figure 2 is illustrative and reproduced below.

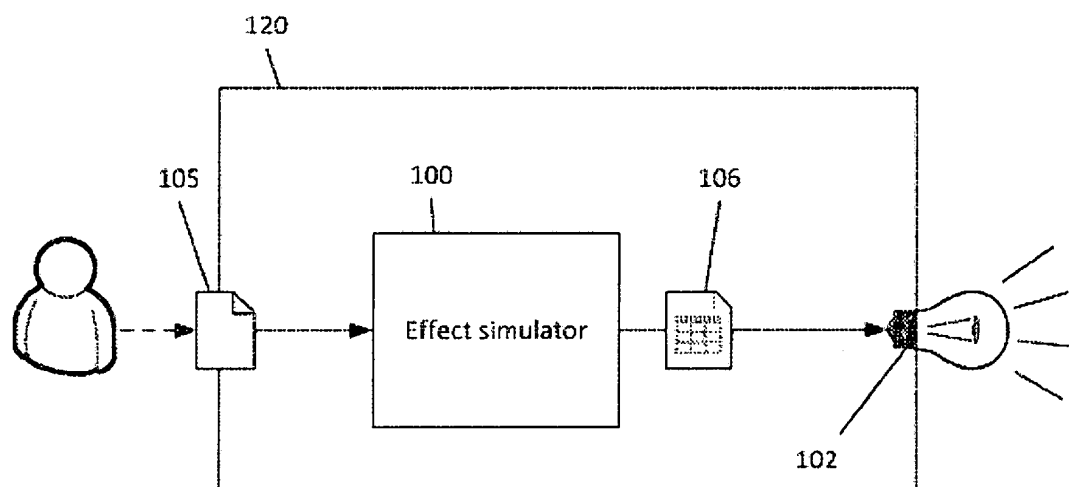


Figure 2

Figure 2 “is a schematic diagram of a further lighting system.” *Id.* at 5:25. Figure 2 shows studio lamp device 120 that includes input interface 105 and lighting effect simulator 100 which produces data 106 used to modulate light 102. *Id.* at 5:51–6:14. “In one example, the light 102 is an array of LEDs, preferably of differing colours” and a “microcontroller or other computing unit is integrated in the lamp device 120 for performing calculations.” *Id.* at 5:60–61, 5:65–67. The ’257 patent explains that “[t]his arrangement does not require the DMX distribution hub 302, power elements 304, 306” required in a flicker box lighting system. *Id.* at 5:61–63.

Figure 6, reproduced below, illustrates a simulated lighting effect that employs an exemplary graphic user interface.

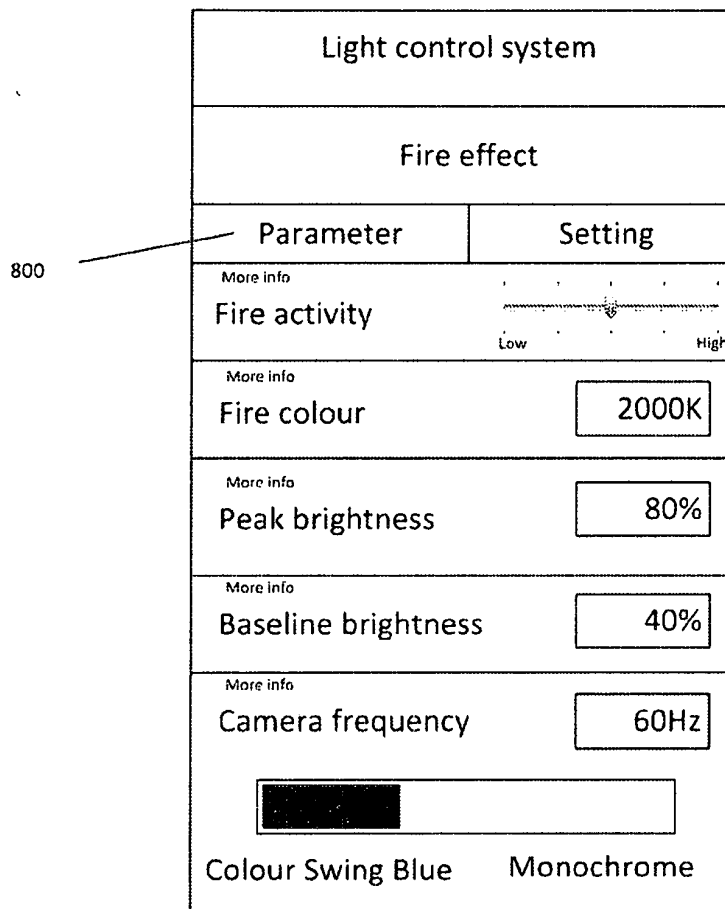


Figure 6

Figure 6 “is a graphic user interface [800] for user input of simulation parameters.” *Id.* at 5:32–33. According to Figure 6, the simulated effect is a fire effect. *Id.* at 8:14–16. Interface 800 allows the user to select a “fire activity” by sliding the slider between low to high and set values for “fire colour,” “peak brightness,” “baseline brightness,” and “camera frequency.” *Id.* at 8:17–21.

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