

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CURRENT LIGHTING SOLUTIONS, LLC, and HLI SOLUTIONS, INC.,
Petitioner,

v.

ALSI HOLDINGS, LLC,
Patent Owner.

IPR2023-00198
Patent 8,721,114 B2

Before HUBERT C. LORIN, GRACE KARAFFA OBERMANN, and
DONNA M. PRAISS, *Administrative Patent Judges*.

LORIN, *Administrative Patent Judge*.

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

I. INTRODUCTION

A. Background

Current Lighting Solutions, LLC and HLI Solutions, Inc. (collectively “Petitioner”) filed a Petition (Paper 1, “Pet.”) requesting *inter partes* review of claims 1–19 of U.S. Patent No. 8,721,114 B2 (Ex. 1001, “the ’114 patent”). ALSI Holdings, LLC (“Patent Owner”) filed a Preliminary Response (Paper 7, “Prelim. Resp.”). Petitioner also filed a Preliminary Reply (Paper 9, “Prelim. Reply”) and Patent Owner filed a Preliminary Sur-reply (Paper 10, “Prelim. Sur-reply”).¹

We have jurisdiction under 35 U.S.C. § 6.

Upon consideration of the arguments and evidence presented by Petitioner, we are persuaded that Petitioner has demonstrated, under 35 U.S.C. § 314(a), a reasonable likelihood that it would prevail in showing the unpatentability of at least one challenged claim.

For the reasons stated below, we institute *inter partes* review as to challenged claims 1–19 of the ’114 patent.

B. Related Proceedings

Petitioner indicates, and Patent Owner agrees, that the ’114 patent is being asserted in *ALSI Holdings, LLC v. Current Lighting Solutions, LLC, d/b/a GE Current, a Daintree Company, and HLI Solutions, Inc., f/k/a Hubbell Lighting, Inc., both d/b/a Hubbell Control Solutions and/or*

¹ The Board authorized the filing of these papers. *See* Ex. 1057. The Board also authorized Petitioner to file a *Sotera* stipulation. *Id.* at 16:24–25; Ex. 1056.

Current, Case No. 6:21-cv-01187-ADA, (W.D. Tex. 2021) (“District Court Action”). Pet. vii; Paper 4, 1.

Petitioner indicates that related U.S. Patent Nos. 9,699,854; 8,186,855; 8,322,881; and 9,049,753; as well as U.S. Design Patent Nos. D650,508 and D612,088 are also being asserted in the District Court Action. Pet. vii. Petitioner also indicates that it has “filed petitions regarding U.S. Patent Nos. 9,699,854 and 8,322,881.” *Id.*

C. The '114 patent (Ex. 1001)

1. Disclosure

The '114 patent, titled “LED Lamp Apparatus and Method of Making an LED Lamp Apparatus,” relates to “a light emitting diode (LED) or other solid state light emitter light device.” Ex. 1001, code (54), 1:17–18.

The '114 patent explains that lighting devices that use incandescent and halogen bulbs suffer from various problems including being energy inefficient, having short lifetimes, producing unwanted heat, and having problematic housing designs that causes electrical shorts, or other problems. Ex. 1001, 1:20–51.

According to the '114 patent, although LEDs are known in general, “LEDs have not been considered an option in the past for providing quality light in many applications because they do not provide enough useful light at a distance.” Ex. 1001, 1:57–61. Accordingly, the '114 patent considers that “there is a need in the art for methods and [] apparatuses that can be used with LEDs or other solid state emitters to provide quality light from a distance.” *Id.* at 1:63–65.

To that end, the '114 patent discloses “an ‘LED device’ that directs enough light from a plurality of LEDs to a distant area in a form that provides an acceptable amount of light.” Ex. 1001, 2:9–11. This is depicted in Fig. 1 of the '114 patent, reproduced below.

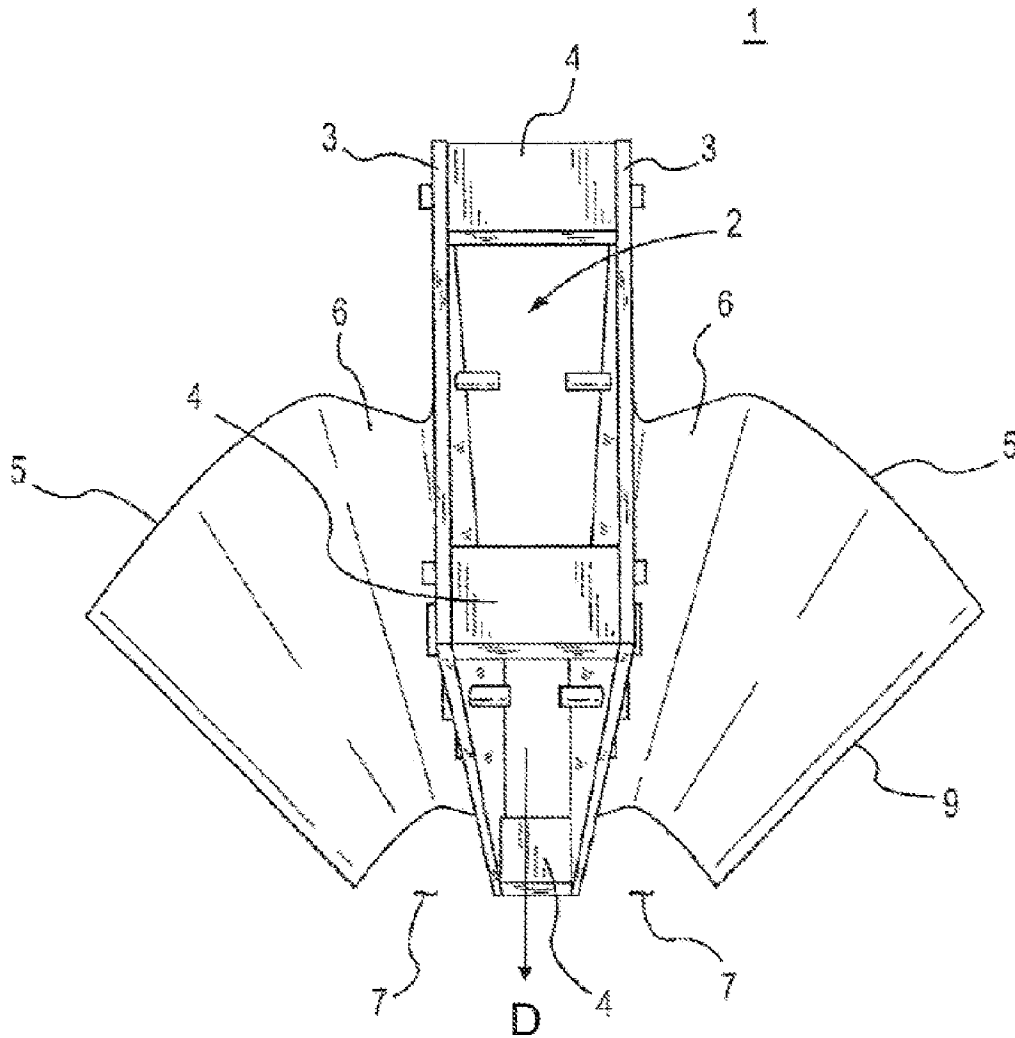


FIG. 1

Fig. 1 of the '114 patent (Ex. 1001) shows lighting device 1 having rolled reflector 5.

Lighting device 1 depicted in Fig. 1 comprises “central chimney portion 2 formed by two chimney side plates 3” that are “connected together via at least two spacers 4.” Ex. 1001, 3:35–37. “A plurality of LEDs 8 are mounted through each chimney side plate 3,” as depicted in Fig. 5, reproduced below.

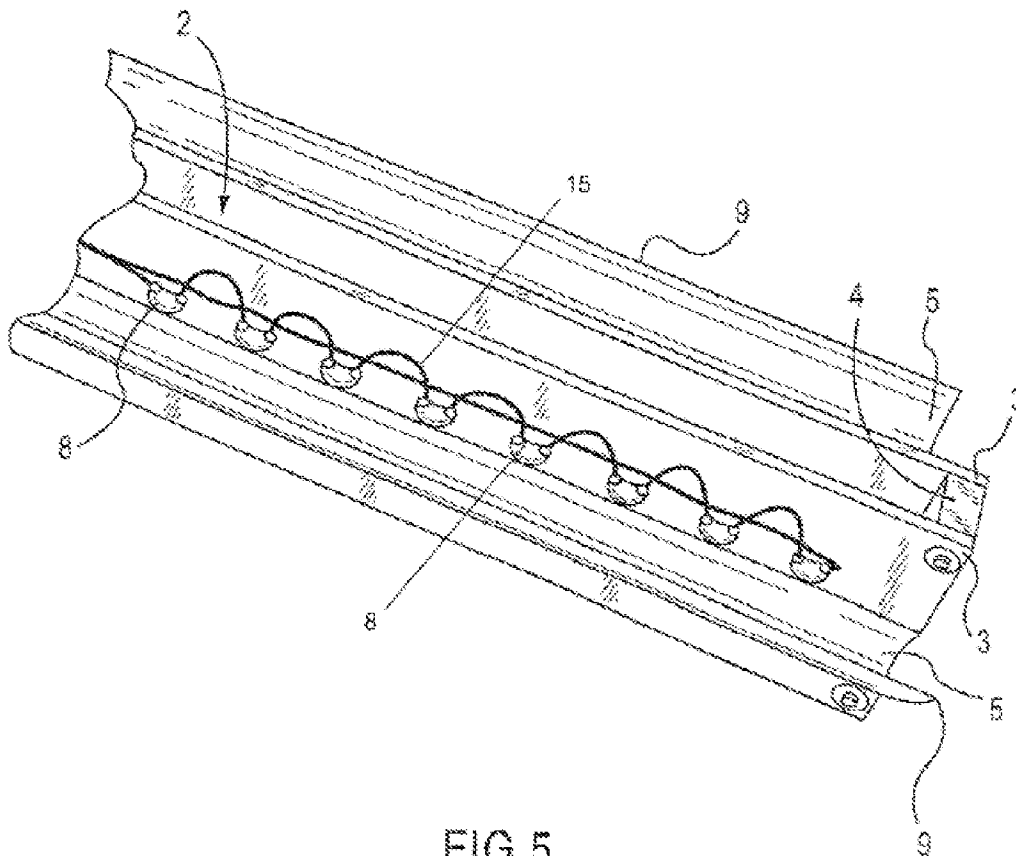


FIG. 5

Fig. 5 depicts the lighting device of Fig. 1 from a different view. Ex. 1001, 3:33–34.

LEDs 8 include a light emitting portion that “faces a reflector 5, such that the direction of maximum intensity light emitted by the LEDs is substantially anti-parallel with the [illumination] direction, D.” *Id.* at

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