

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MIANYANG BOE OPTOELECTRONICS TECHNOLOGY CO. LTD.,
WUHAN CHINA STAR OPTOELECTRONICS SEMICONDUCTOR
DISPLAY TECHNOLOGY CO., LTD., TIANMA MICROELECTRONICS
CO. LTD, and VISIONOX TECHNOLOGY, INC.,
Petitioner,

v.

SAMSUNG DISPLAY CO., LTD.,
Patent Owner.

IPR2023-00941
Patent 7,414,599 B2

Before JAMESON LEE, TERRENCE W. McMILLIN, and
JOHN A. HUDALLA, *Administrative Patent Judges*.

LEE, *Administrative Patent Judge*.

ORDER
Authorizing Filing of Motion for Additional Discovery
37 C.F.R. § 42.20

On February 7, 2024, a conference call was held between the panel and respective counsel for the parties. During the conference call, counsel for Patent Owner requested authorization to file a motion for additional discovery directed to 51 documents that were produced by Petitioner during a related proceeding before the U.S. International Trade Commission (“ITC”) involving U.S. Patent 7,414,599 B2, and entered by Petitioner as exhibits in the ITC proceeding. Counsel for Petitioner represented that these documents comprise more than 5,000 pages. Counsel for Patent Owner acknowledged that Patent Owner already possesses all of these documents but is precluded by an ITC protective order from using them in this proceeding. According to counsel for Patent Owner, these documents would support Patent Owner’s assertion of objective evidence of nonobviousness even though counsel himself has not accessed these documents because of restrictions imposed by the ITC protective order.

It is

ORDERED that Patent Owner is authorized to file a motion for additional discovery, limited to 10 pages, and that the motion is due one week from the date of entry of this Order; and

FURTHER ORDERED that Petitioner is authorized to file an opposition to the motion for additional discovery, limited to 10 pages, and that the opposition is due one week from the filing of the motion.

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For Petitioner:

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