

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.
Petitioner

v.

MOJO MOBILITY INC.
Patent Owner

Patent No. 11,316,371

**PETITIONER'S NOTICE
REGARDING MULTIPLE PETITIONS**

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I. INTRODUCTION

Petitioner is concurrently filing four petitions challenging different claims of U.S. Patent No. 11,316,371 (“the ’371 patent”) (Ex. 1001). “To aid the Board in determining” why “more than one petition is necessary,” Petitioner provides the information below. PTAB Consolidated Trial Practice Guide (“TPG”) (November 2019) at 59-60. As explained below, the Board should institute all three petitions.

II. RANKING

While the petitions are meritorious and justified as explained below, Petitioner requests that the Board consider the petitions in the following order:¹

Rank	Petition	Challenged Claims	Grounds
1	Petition 1	1-4, 8, 11-12	<u>Ground 1</u>: Claims 1 and 4 are obvious over <i>Okada, Odendaal, Kook, Calhoon, and Black</i> <u>Ground 2</u>: Claim 2 is obvious over <i>Okada, Odendaal, Kook, Calhoon, Black, and Kazutoshi</i> <u>Ground 3</u>: Claim 3 is obvious over <i>Okada, Odendaal, Kook, Calhoon, Black, and Masias</i> <u>Ground 4</u>: Claim 8 is obvious over <i>Okada, Odendaal, Kook, Calhoon, Black, and Chen</i> <u>Ground 5</u>: Claim 11 is obvious over <i>Okada, Odendaal, Kook, Calhoon, Black, Kazutoshi,</i>

¹ While this ranking is provided in accordance with the TPG, Petitioner believes ranking here is inappropriate/unnecessary since different claims are challenged in the Petitions.

Rank	Petition	Challenged Claims	Grounds
			<i>Takagi, and Masias</i> <u>Ground 6</u>: Claim 12 is obvious over <i>Okada, Odendaal, Kook, Calhoon, Black, and Labrou</i>
2	Petition 2	9-10, 15-16	<u>Ground 1</u>: Claim 9 is obvious over <i>Okada, Odendaal, Kook, Calhoon, Black, Symons, Shima, and Hui-027</i> <u>Ground 2</u>: Claim 10 is obvious over <i>Okada, Odendaal, Kook, Calhoon, Black, Symons, Shima, Hui-027, and Hahn</i> <u>Ground 3</u>: Claim 15 is obvious over <i>Okada, Odendaal, Kook, Calhoon, Black, and Ahn</i> <u>Ground 4</u>: Claim 16 is obvious over <i>Okada, Odendaal, Kook, Calhoon, Black, Shima, Cho, and Hui-027</i>
3	Petition 3	20-23, 30	<u>Ground 1</u>: Claims 20 and 22 are obvious over <i>Okada, Odendaal, Cho, Tetlow, Nguyen, Berghegger, Calhoon, and Black</i> <u>Ground 2</u>: Claim 21 is obvious over <i>Okada, Odendaal, Cho, Tetlow, Nguyen, Berghegger, Calhoon, Black, and Labrou</i> <u>Ground 3</u>: Claim 23 is obvious over <i>Okada, Odendaal, Cho, Tetlow, Nguyen, Berghegger, Calhoon, Black, and Meadows</i> <u>Ground 4</u>: Claim 30 is obvious over <i>Okada, Odendaal, Cho, Meadows, and Berghegger</i>
4	Petition 4	28-29	<u>Ground 1</u>: Claim 28 is obvious over <i>Okada, Odendaal, Shima, Hui-027, and Kook</i> <u>Ground 2</u>: Claim 29 is obvious over <i>Okada, Odendaal, Shima, Hui-027, Kook, and Kazutoshi</i>

III. MATERIAL DIFFERENCES AND REASONS FOR INSTITUTION

As the Board has recognized, “there may be circumstances in which more than one petition may be necessary.” PTAB Consolidated TPG at 59-60. This is such a circumstance. The ’371 patent includes independent claims 1, 20, 28, and 30 (and corresponding dependent claims 2-4, 8-12, 15-16, 21-23, and 29 challenged here), which recite numerous features that Petitioner addresses. (*See* Ex. 1001, 71:35-80:59.) The grounds of the four petitions (listed above) challenge different claims, and based on, in part, different prior art combinations tailored to address different combinations of features in the claims.

There was no practicable way to fit the challenges in less than four petitions. Claim 1 (Petitions 1, 2), claims 20 and 30 (Petition 3), and claim 28 (Petition 4) are exacting and each take up one or more columns. (Ex. 1001, 71:35-72:58, 75:57-76:54, 78:59-79:53, 80:1-58.) While some dependent claims are less exacting, they include new and often substantially different features from their respective independent claims. Addressing those claims involved additional references, including those not applied in the other petitions, *e.g.*, *Masias* and *Chen* (Petition 1), *Symons*, *Hahn*, and *Ahn* (Petition 2), *Tetlow* and *Nguyen* (Petition 3), *Kazutoshi* (Petitions 1 and 4), *Hui-027* (Petitions 2 and 4), and *Shima* (Petitions 2 and 4). Petitioner had to separate the challenges into four petitions—each **challenging different claims**—to ensure the grounds contain the necessary specificity regarding

how the prior art meets each limitation within the word limit applicable to IPR petitions, consistent with similar previously instituted proceedings. *See, e.g., Samsung Elecs. Co. v. Hardin*, IPR2022-01335, Paper No. 13 at 22 (P.T.A.B. Feb. 8, 2023) (recognizing long claims); *ASSA ABLOY AB v. CPC Patent Technologies Pty Ltd.*, IPR2022-01089, Paper 21 at 3-5 (P.T.A.B. Jan. 3, 2023).

The challenged claims recite varying limitations that are only addressed in one petition (except that the claim 1 analysis is necessarily presented in Petitions 1 and 2 because the challenged dependent claims in Petition 2 depend from claim 1). For example, independent claim 1 and dependent claims 2-4, 8, and 11-12 (Petition 1) are directed to an apparatus comprising, a system for inductively powering a portable device, where the system includes drive, sense, and communication/control circuits that involve a voltage regulator (claim 3) and a high heat conductivity layer (claim 8). Dependent claims 9-10 and 15-16 (from claim 1) (Petition 2) involve a copper coil of specified thickness range (claim 9) and common contact pads associated with a primary coil (claim 10). Claims 20-23 and 30 (Petition 3) are directed to a portable device with a receiver coil and circuitry, a ferrite material layer, and a receiver communication/control circuit (claim 20), including an output disconnect switch (claims 23 and 30). Claims 28-29 (Petition 4) are directed to a system with a drive circuit having an operating frequency within a range of 100 kHz to 1 MHz (claim 28). Due to the claims reciting multiple (*albeit* conventional)

features, including the above disparate features and others, it would have been impractical (and prejudicial to Petitioner) to challenge all claims in one petition to the detriment of detail and supporting arguments and evidence.

The overlapping prior art references (e.g., *Okada*, the sole primary reference) weigh in favor of institution. Petitioner believes a relatively small amount of effort is required by the parties and Board to address the prior art and limitations across the multiple petitions. *See, e.g., Hardin*, IPR2022-01335 at 22-23. And Petitioner has filed its petitions concurrently, and thus “did not gain a timing advantage,” which further supports institution. *Id.*

Given that it is Petitioner’s burden, the level of detail included in the petitions is appropriate, and Petitioner should not be penalized via discretionary denial under 35 U.S.C. § 314, especially given the space needed address other issues under current PTAB practice in light of PO’s litigation against Petitioner. (*See* Petitions 1-4, §X.) Petitioner would not oppose consolidation of the proceedings upon institution.

IV. CONCLUSION

For the reasons given above, the Board should institute all four petitions.

Respectfully submitted,

Dated: June 30, 2023

By: /Joseph E. Palys/
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CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2023, I caused a true and correct copy of the foregoing Petitioner's Notice Regarding Multiple Petitions to be served via express mail on the Patent Owner at the following correspondence address of record as listed on Patent Center:

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Respectfully submitted,

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