

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG ELECTRONICS, INC., LG ELECTRONICS U.S.A., INC., AND
VIZIO, INC.¹
Petitioners,

v.

MULTIMEDIA TECHNOLOGIES PTE. LTD.,
Patent Owner.

IPR2024-00351
Patent 9,510,040 B2

**AUTHORIZED RESPONSE TO
DIRECTOR REVIEW REQUEST**

¹ VIZIO, Inc. filed a petition in IPR2024-00694 and was joined as a petitioner in this proceeding.

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I. INTRODUCTION

Multimedia's Patent Owner Request for Director Review of Final Written Decision ("Request," Paper 34) mischaracterizes the Final Written Decision ("FWD," Paper 32). There was no error.

II. PATENT OWNER'S ARGUMENTS MISREPRESENT THE FWD

A. THE BOARD'S DECISION DID NOT ERR IN REJECTING PATENT OWNER'S PLAIN AND ORDINARY MEANING ARGUMENTS

First, Patent Owner argues that the Board erred by not "ascertaining the plain and ordinary meaning of the claim language." Request 2-3. This is false. The Board addressed the claim language in full and noted that the "claim language requires the two elements 'being associated with' one another." FWD, 28-29. The Board then applied case law that specifically addresses the language at issue, noting that "the Federal Circuit has explained [that] '*the plain meaning of associating relates to a mere commonality.*'" FWD, 29 (*citing Apple Inc. v. Motorola, Inc.*, 757 F.3d 1286, 1306 (Fed. Cir. 2014), overruled by *Williamson v. Citrix Online, LLC*, 792 F.3d 1339 (Fed. Cir. 2015) (on unrelated grounds). Accordingly, Patent Owner's argument that the Board did "not "ascertain[] the plain and ordinary meaning of the claim language" is false.

Patent Owner further argues that the Board mischaracterized its construction. Request, 4. This is also false. As examples of some of Patent

Owner's arguments cited by the Board in the FWD:

- “Multimedia first argues: ‘[t]he ’040 Patent discloses that a content source may be highlighted *when it corresponds to* information content *that is being displayed.*’ PO Resp. 17 (emphasis added).” FWD, 27.
- “Multimedia contends with respect to the ’040 patent’s description of Figure 15B, ‘Live TV-801’ 1504A on the left hand side is highlighted with a box 1512 *because it corresponds to* the program ‘CNXN’ that is being displayed on the right hand side.’ *Id.* at 18 (emphasis added).” FWD, 27.
- “Multimedia argues that limitation [1.6] requires that a content source be ‘highlighted *because*’ it corresponds to a program ‘being displayed on the right-hand side’ and that one reason Kim is distinguished is because Kim’s objects are highlighted because a user must select them. PO Resp. 17–30 (emphasis added)” FWD, 30-31.
- “[I]n Figure 15B the content source LiveTV-801 CNXN 1504A is highlighted *because* the CNXN program is being displayed.” FWD, 28 (citing Sur-reply 2) (emphasis in original).

These cited arguments, among others noted in the FWD, show that the Board did not mischaracterize Patent Owner’s claim construction arguments. What Patent Owner appears to take issue with is that the Board “*disagree[d] with th[e] erroneous premise that Multimedia’s arguments rest upon.*” FWD, 28.

Second, Patent Owner argues that the “Board’s analysis of the specification is tainted from the start.” Request, 4. This is incorrect. The Board, in ascertaining the proper construction, spent countless pages painstakingly walking through the specification and ultimately “*determine[d] that Multimedia’s characterization of the ’040 patent is contrary to its disclosure.*” FWD, 27-30; *see also* FWD, 30 (noting that the specification “supports our understanding [of] the claim language”).

Patent Owner lastly argues that the “Board never articulates what it regards to be the proper construction” of “*as being associated with*’ in limitation 1.6.” Request, 8. This is untrue. As already noted above, the Board ascertained that “the plain meaning of associating relates to a mere commonality.” FWD, 29.

Accordingly, Patent Owner’s claim construction arguments misrepresent the Board’s reasoning and analysis.

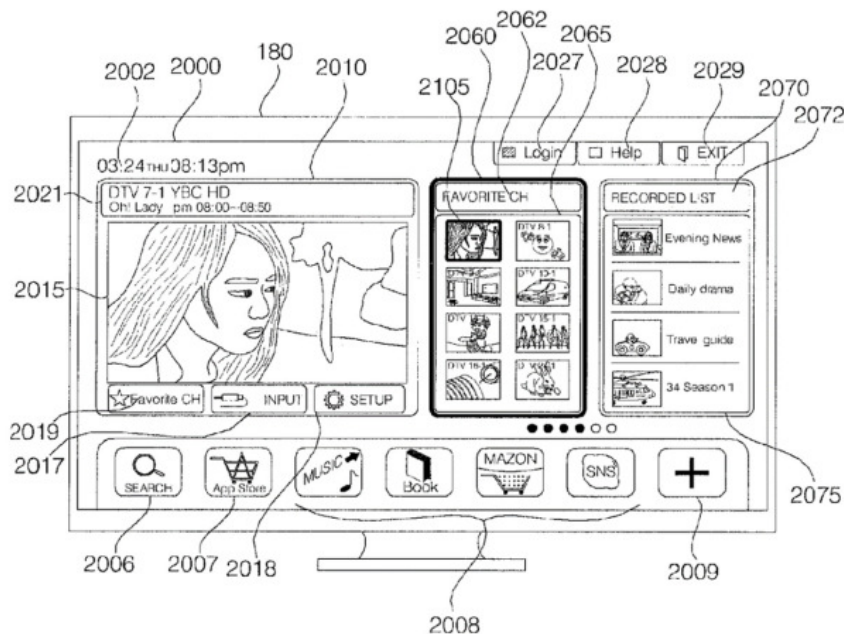
B. THE BOARD’S DECISION DID NOT ERR IN DETERMINING THAT THE CLAIM IS OBVIOUS

Patent Owner contends that the “Board’s incorrect finding of obviousness is premised on its erroneous understanding of limitation 1.6.” Request, 8. This is wrong. As noted above, the Board properly considered the claim language in ascertaining the meaning of the claim language at issue under the plain meaning. Accordingly, Patent Owner’s arguments about the Board’s finding of obviousness

are moot, because they are premised on its erroneous understanding of limitation 1.6, which the Board properly rejected as “erroneous” and contrary” to the disclosure of the '040 patent. FWD, 27-30.

Patent Owner further states that the “Board never demonstrates that Kim teaches, or that Kim could or would be modified, for a card object to be highlighted to indicate it ‘*as being associated with*’ the thumbnails already displayed within the card object.” Request, 12-13. This is wrong. The Board, citing multiple examples provided by Dr. Lippmann, explained how the prior art teaches this limitation. FWD, 31-35 (citing Ex.1003, ¶¶134-139). As one example cited by the Board, FIG. 33B illustrates that it was known in the art for a displayed card object to be highlighted as being associated with content information:

FIG. 33B



FWD, 31 (citing Ex.1003, ¶136).

As such, based on the totality of the evidence—including “several tangible examples”—the Board “[ou]nd persuasive Dr. Lippman’s testimony” to support its obviousness conclusion. FWD, 31. Patent Owner’s arguments simply amount to disagreement with the Board’s findings.

Furthermore, Patent Owner’s argument that “[t]here would be no reason to highlight a card object per limitation 1.6,” is wrong. Request, 11. The Board, after considering “the final record,” found that “LG and Dr. Lippman establish persuasively that a person of ordinary skill in the art would highlight a card object within Kim ‘so that it is distinguished from the other card objects and readily identified by the user.’” FWD, 34-35 (citing Pet. 46-47, Ex. 1003 ¶135).

Rather than show any error in the FWD, Patent Owner is instead disagreeing with the Board’s conclusion. The Director should deny Patent Owner’s Request.

Respectfully submitted,

Dated: June 6, 2025
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CERTIFICATE OF SERVICE

The undersigned certifies that, in accordance with 37 C.F.R. § 42.6(e),
service was made on Multimedia as detailed below.

Date of service June 6, 2025

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REVIEW REQUEST**

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