

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

PICTIVA DISPLAYS INTERNATIONAL
LTD., *ET AL.*,

Plaintiffs,

vs.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

Civil Action Nos.
2:23-cv-00945-JRG
2:24-cv-00532-JRG

**EXPERT REPORT OF THOMAS KATONA, PH.D.,
REGARDING THE NON-INFRINGEMENT OF
U.S. PATENT NOS. 6,949,389, 8,317,547, AND 11,828,425**



I. INTRODUCTION

1. I discussed my qualifications, experience, and background in my opening report, which I incorporate herein by reference. I will use the terms “opening report” and “Katona Rep.” to refer to my opening report in this case.

2. I have been asked by Samsung and its counsel to review, evaluate, and provide my opinions on sections of the expert reports from Dr. Schanze (“Schanze Rep.”) and Mr. Humphrey (“Humphrey Rep.”) on U.S. Patent Nos. 6,949,389 (“the ’389 patent”), 8,314,547 (“the ’547 patent”), and 11,828,425 (“the ’425 patent”) (collectively, “the asserted patents”).

3. To prepare this rebuttal report, I reviewed and relied upon my experience and the materials cited in the Schanze Rep. and Humphrey Rep., along with the materials cited in the text and footnotes of my opening report and Appendices to that report. Additional materials that I relied upon are contained in the text and footnotes of this rebuttal report.

4. I reserve the right to modify or supplement my report and any of the analysis and opinions it contains as necessary to reflect any additional information that I receive, including but not limited to the report(s) and deposition testimony of other experts in this case.

II. BASIS FOR OPINION

5. I discussed my qualifications, experience, and background in my opening report, which I incorporate herein by reference. I will use the terms “opening report” and “Katona Rep.” to refer to my opening report in this case.

6. I have been asked by Samsung and its counsel to review, evaluate, and provide my opinions on sections of the expert reports from Dr. Schanze (“Schanze Rep.”) and Mr. Humphrey (“Humphrey Rep.”) on U.S. Patent Nos. 6,949,389 (“the ’389 patent”), 8,314,547 (“the ’547 patent”), and 11,828,425 (“the ’425 patent”) (collectively, “the asserted patents”).

7. To prepare this rebuttal report, I reviewed and relied upon my experience and the materials cited in the Schanze Rep. and Humphrey Rep., along with the materials cited in the text and footnotes of my opening report and Appendices to that report. Additional materials that I relied upon are contained in the text and footnotes of this rebuttal report.

8. I included a section on the level of ordinary skill in the art (POSITA) in my opening report in this case, which I incorporate by reference here.

9. I reserve the right to modify or supplement my report and any of the analysis and opinions it contains as necessary to reflect any additional information that I receive, including but not limited to the report(s) and deposition testimony of other experts in this case.

[REDACTED]

to UV radiation during operation” and Pictiva proposing it to be construed as “Plain and ordinary meaning, where ‘electromagnetic radiation in a spectral range from infrared radiation to UV radiation’ refers to electromagnetic radiation having a spectrum of wavelengths that fall anywhere within the spectral range from a wavelength in the infrared radiation range to a wavelength in the UV radiation.” Under Samsung’s proposed construction, this limitation is not met and Dr. Schanze fails to show it is met.

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]



286. Additionally, 700 nm is not part of the infrared wavelength range. Instead, a person of ordinary skill in the art would understand that 780 nm—not 700 nm—is the beginning of the infrared wavelength range:

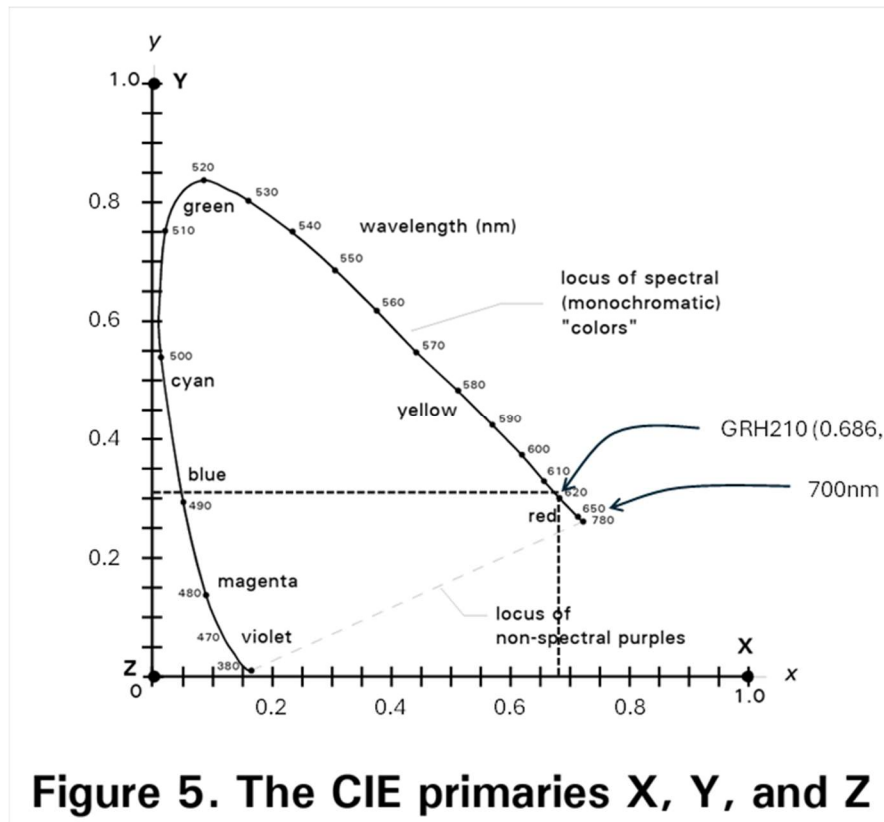


Figure 5. The CIE primaries X, Y, and Z

Kerr, Douglas A, "The CIE XYZ and xyZ Color Spaces," at 12 (May 21, 2010).



International Commission on Illumination
Commission Internationale de l'Éclairage
Internationale Beleuchtungskommission

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infrared radiation

optical radiation for which the wavelengths are longer than those for visible radiation, from 780 nm to 1 mm NOTE 1 For infrared radiation, the range between 780 nm and 1 mm is commonly subdivided into: IR-A: 780 nm to 1400 nm, or 0,78 µm to 1,4 µm; IR-B: 1,4 µm to 3,0 µm; IR-C: 3 µm to 1 mm. NOTE 2 A precise border between "visible" and "infrared" cannot be defined, because visual sensation at wavelengths greater than 780 nm is noted for very bright sources at longer wavelengths. NOTE 3 In some applications the infrared spectrum has also been divided into "near," "middle," and "far" infrared; however, the borders necessarily vary with the application (e.g. in meteorology, photochemistry, optical design, thermal physics, etc.).

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[REDACTED]

International Commission on Illumination (<https://cie.co.at/eilv/580>).

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

290. As the accused products do not meet this limitation, the accused products do not infringe any of the asserted claims.

e. [1e] wherein the organic layer sequence comprises an electron transport layer that is n-doped; and

291. Independent claim 1 requires, among other things, “the organic layer sequence comprises an electron transport layer that is n-doped.” Samsung does not infringe any of the asserted claims as the accused products do not include “the organic layer sequence comprises an electron transport layer that is n-doped” as required by the asserted claims.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

294. As Dr. Schanze fails to show the accused products meet this limitation, the accused products do not infringe any of the asserted claims.

B. Claim 4

295. Claim 4 requires “the encapsulation comprises a first encapsulation layer and a second encapsulation layer, the first and the second encapsulation layer each having a respective volume structure, wherein the volume structure of the second encapsulation layer is independent of the volume structure of the first encapsulation layer, and the volume structure of the second encapsulation layer has a higher amorphicity than the volume structure of the first encapsulation layer.” Samsung does not infringe any of the asserted claims as the accused products do not include and Dr. Schanze fails to show “the encapsulation comprises a first encapsulation layer and a second encapsulation layer, the first and the second encapsulation layer each having a respective volume structure, wherein the volume structure of the second encapsulation layer is independent of the volume structure of the first encapsulation layer, and the volume structure of the second encapsulation layer has a higher amorphicity than the volume structure of the first encapsulation layer” as required by the asserted claims.

[REDACTED]

[REDACTED]

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[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

302. As the accused products do not meet this limitation, the accused products do not infringe any of the asserted claims.

C. Claim 10

303. Claim 10 requires “at least one touch sensor is integrated into the organic light-emitting diode.” Samsung does not infringe this claim as the accused

[REDACTED]

products do not include “at least one touch sensor is integrated into the organic light-emitting diode” as required by the claim.

304. In opining that this limitation is met, Dr. Schanze merely relies on his analysis for claim 9 to conclude that “a touch sensor [is] integrated into the OLED.” Schanze, Ex. B, 175. However, Dr. Schanze fails to show that the touch sensor is integrated into the OLED. Claim 10 requires more than merely having a touch-sensitive component integrated into the display panel. Claim 10 requires the touch sensor is integrated into the organic light-emitting diode. Dr. Schanze does not show the touch sensor integrated into the OLED in any of the accused products and fails to show this limitation is met by any of the accused products.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



DATED: April 21, 2025

Thomas Katona, Ph.D.