

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC and MOTOROLA MOBILITY LLC,
Petitioners,

v.

MULTIFOLD INTERNATIONAL INC. PTE. LTD.,
Patent Owner.

Case IPR2025-00059
U.S. Patent No. 9,141,135

**PATENT OWNER'S REQUEST FOR DIRECTOR REVIEW OF
THE FINAL WRITTEN DECISION**

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I. INTRODUCTION

Patent Owner Multifold International Inc. Pte. Ltd. (“Multifold”) respectfully requests Director review pursuant to 37 C.F.R. § 42.75 of the Final Written Decision (Paper 32) invalidating claims 1–3, 5–9, 15, 16, 19, and 20 of the ’135 Patent.

Multifold consistently argued in its papers that updating information does not “display[] information selectively” as required by independent claims 1 and 6 because receiving and updating information does not involve the selection of information for display. The Board instituted by simply equating updating information with “displaying information selectively” without explaining how updating information selects information for display. The Final Written Decision then confirmed that conclusion without addressing Multifold’s argument.

Respectfully, the Director should grant review because the Final Written Decision’s confirmation of the Institution Decision without considering Patent Owner’s argument is in error.

II. ARGUMENT

A. Multifold argued the “displays information selectively” limitation throughout its papers

Claims 1 and 6 of the ’135 patent relate to an annunciator window for a multi-display device. Typically, such annunciator windows “provide[] alerts, notifications, and statuses of the device” in an area that extends across multiple

displays to “enhance[e] viewability of information.” ’135 patent, abstract. Both claims 1 and 6 specify steps or instructions of “displaying, by the processor, a pre-configured annunciator window having information therein showing at least one of a device status, a connectivity status, and a messaging status” and “modifying, by the processor, the display of the annunciator window in response to a changed state of at least one of the device status, connectivity status, and messaging status, wherein the modified display of the annunciator window displays information selectively across the annunciator window.”

Multifold argued that “the annunciator window displays information selectively across the annunciator window” as claimed must be construed to mean “displays information in a way that involves intentionally choosing some information to display and not others.” Paper 7 (Preliminary Response), 7-9; Paper 13 (Patent Owner Response), 10-16; Paper 25 (Sur-Reply), 1-4. Based on this construction, Multifold consistently argued throughout its papers that dynamically updating a status bar does not “display[] information selectively” as that term is correctly construed:

“Even accepting all of Petitioners’ allegations, these allegations do not demonstrate that Yook’s status bar selects some information to display as required by the claim language. At most, these allegations suggest that Yook’s status bar always displays information showing device status and connectivity status, and that the values of this information may be

dynamically updated. The Petition has not shown (or even alleged) that Yook's status bar selects some information to display as required by the claim language."

Paper 13 (Patent Owner Response) at 33-38; *see also* Paper 25 (Sur-reply) at 4-8; Paper 7 (Patent Owner Preliminary Response) at 14-16 ("The Petition, however, has at most alleged that Yook's status bar always displays information showing device status and connectivity status, and that the values of this information may be dynamically updated. The Petition has not shown (or even alleged) that Yook's status bar selects some information to display as required by the claim language.").

Multifold repeated this argument at the oral hearing:

"[E]ven if the status bar dynamically updates icons, that is not displaying in a way that selectively displays or makes a choice. When a status bar dynamically updates an icon, like the battery level or the signal strength as shown in Yook, it just displays whatever the device tells it. There is no selection of information or making a choice to display.

For example, when you dynamically update the battery level, the device is *not* saying the battery level is either one percent or 100 percent, and then you select either one percent or 100 percent to display. *That's not what the device does.* The device just tells you, the battery level is 42 percent and then it displays 42 percent. During that process, there's no choice there whatsoever. There's no selection of information to be displayed. The device simply provides information and then that's whatever is displayed. There's no choice involved.

And the same is true of the other element that the Petitioner relied on – the signal strength. The device *doesn't* tell you that it's either one bar or five bars, and then you choose either one bar or five bars to display. The device simply tells you that there's three bars and that's what's being displayed – three bars. Yet there's no choice involved.

Because there's no choice involved in any of the examples that Petitioner cited, none of these examples correspond or require selective display.”

Paper 31, 19:16-20:15 (emphasis added).

B. The Final Written Decision overlooked Multifold's argument

Although Multifold raised the construction of “display[] information selectively” and the argument that updating information does not select information for display throughout, the Final Written Decision declined to construe “display[] information selectively” and did not address Multifold's argument.

The FWD determined that it did “not need to interpret expressly any claim term to resolve the parties' dispute” because “Petitioner...prevails under...Patent Owner's proposed interpretation” of “displays information selectively.” Paper 32 (FWD), 10 (*citing Realtime Data, LLC v. Iancu*, 912 F.3d 1368, 1375 (Fed. Cir. 2019) (“The Board is required to construe ‘only those terms that . . . are in controversy, and only to the extent necessary to resolve the controversy.’”)). But in analyzing whether the art “intentionally chooses some information to display and not others” as required by Multifold's construction, the FWD merely equated

updating information with “displaying information selectively” without explaining how updating information selects information for display:

“Even if we adopted Patent Owner’s proposed interpretation of ‘displaying information selectively’ to mean ‘display[ing] information in a way that involves intentionally choosing some information to display and not others,’ we would still determine that Petitioner adequately shows Yook would have rendered obvious the above-quoted limitations under that interpretation, because the proposed modification to Yook would result in intentionally choosing to display an updated status icon instead of the previously shown status icon.”

Paper 32 (FWD), 27 (*citing* Pet. 34-35).

Indeed, the FWD made the same error as in the Institution Decision by equating updating information with “displaying information selectively” without explaining how updating information selects information for display:

“Petitioner sufficiently argues that one of ordinary skill in the art would have been motivated to implement and pre-configure Yook’s status bar to display dynamically the device status and connectivity status, so that Yook discloses or suggests ‘wherein the modified display of the annunciator window displays information selectively across the annunciator window.’ In other words, as we understand the argument, Petitioner associates dynamically updating a status via a status icon with ‘display[ing] information selectively.’”

Paper 8 (Inst. Dec.), 21 (citations omitted).

Both times, rather than addressing Patent Owner's argument with analysis explaining how updating information selects information for display, the Board backfilled its unsupported conclusion with legal errors. The Institution Decision relied on a ground not raised in the Petition to support the invalidity of the independent claims. Paper 13 (Patent Owner Response), 36-37 (*citing* Paper 8 (Inst. Dec.), 21). The FWD first justifies its conclusion with a new argument never made by Petitioners:

“[T]he fact that Yook shows a signal strength icon and battery icon in its Figure 3, but not other icons known in the art as evidenced by Bauer indicates that those icons were selected for display in a manner that meets Patent Owner's proposed interpretation.”

Paper 32 (FWD), 28. Unlike the other conclusions supported by citations to Petitioners' papers, the FWD could not cite any of Petitioners' papers for this argument. *Qualcomm Inc. v. Intel Corp.*, 6 F.4th 1256, 1264 (Fed. Cir. 2021) (The PTAB may not *sua sponte* make new arguments in the FWD). And even if other icons were known in the art, the FWD does not explain how the art selected some icons and not others as required by Multifold's construction. At most, evidence of other icons is only evidence that the other icons exist, not that the other icons were not selected as required by Multifold's construction. Thus, even if proper, this statement does not address Multifold's argument.

The FWD then takes the position that “displaying information selectively” is a meaningless limitation that is always met because, if something is displayed, it is chosen:

“We agree with Petitioner that ‘in the context of Claim 1 where a processor displays information on a screen, it is unclear how a processor displaying information could ever fail to meet the plain language of [Patent Owner’s] construction,’ because, if a processor displays something, it was chosen for display. Pet. Reply 26–27 (citing Pet. 38).”

Paper 32 (FWD), 28.

But this position is contravened by the numerous Federal Circuit precedents that teach not to interpret claims in a manner that reads out entire limitations. Paper 25 (Sur-Reply), 2-3 (*citing Pause 22 Technology LLC v. TiVo Inc.*, 419 F.3d 1326, 1334 (Fed. Cir. 2005) (“In construing claims[,] we must give each claim term the respect that it is due.”) and *Apple Inc. v. Motorola, Inc.*, 757 F.3d 1286, 1305 (Fed. Cir. 2014)). This is particularly egregious as IPRs are conducted under the *Phillips* standard, where claims should be interpreted in a manner that preserves their validity, if possible. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1327 (Fed. Cir. 2005). Moreover, this position is inconsistent with Multifold’s construction, which distinguishes “between being provided information to display” from “selecting information for display.” Paper 13 (Patent Owner Response) at 33-38; Paper 25 (Sur-reply) at 4-8; Paper 7 (Patent Owner Preliminary Response) at 14-16. As

Multifold's explained in its papers, receiving information and then displaying it alone does not select any information for display because what is provided is necessarily displayed – there is no choice to display or not to display. *Id.*; Paper 31, 19:16-20:15. At a minimum, the Board must consider the art in view of Multifold's construction – not a different construction that reads out the claim limitation – before finding Multifold's patent to be invalid under Multifold's construction.

Respectfully, the Director should grant review because the Board must address Multifold's argument and explain how updating information selects information for display before invalidating the claims, without relying on arguments never made by any party or a construction different than Multifold's.

III. CONCLUSION

The Director should grant review because the Final Written Decision overlooked Multifold's argument that dynamically updating information does not “display[] information selectively” as correctly construed. Because the Board confirmed the Institution Decision without addressing Multifold's argument, the Final Written Decision should be reversed.

Respectfully submitted,

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Date: May 7, 2026

CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITS

This paper contains 8 pages, excluding table of contents, table of authorities, certificate of service, this certificate, or table of exhibits. This paper complies with the type-volume limitation of 15 pages as mandated in 37 C.F.R. § 42.24(a)(1)(v).

Respectfully submitted,

/Minghui Yang/

Date: May 7, 2026

CERTIFICATE OF SERVICE

I hereby certify that on May 7, 2026, I caused a true and correct copy of the foregoing **PATENT OWNER'S REQUEST FOR DIRECTOR REVIEW OF THE FINAL WRITTEN DECISION** to be served on the following counsel of record for Petitioner by electronic mail to the following addresses:

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