

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**SAMSUNG ELECTRONICS CO., LTD. AND
SAMSUNG ELECTRONICS AMERICA, INC.,**
Petitioners

v.

MAXELL CORPORATION,
Patent Owner

Inter Partes Review No. IPR2025-01309

**PETITIONERS' PRELIMINARY REPLY TO
PATENT OWNER'S PRELIMINARY RESPONSE**

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Exhibit No.	Description
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1024	Machine Translation of Japanese Patent Application Publication No. H09-26832A (“Kitazawa”).
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1026	“Order Focusing Patent Claims and Prior Art” from <i>Maxell, Ltd. v. Samsung Elecs. Co.</i> , No. 5:25-cv-00052 (E.D. Tex. Aug. 18, 2025).
1027	Patent Owner’s infringement contentions cover pleading from <i>Maxell, Ltd. v. Samsung Elecs. Co.</i> , No. 5:25-cv-00052 (E.D. Tex.).
1028	Certified English translation of Japanese Patent No. 3179054, published as H11 1999-73237.

I. INTRODUCTION

Petitioners submit this Reply along with EX1028 to highlight to the Director intrinsic evidence that directly contradicts PO's proposed construction of "mobile terminal." PO argues that "mobile terminal" should be narrowly construed to mean "cellular phone" to allegedly be consistent with the intrinsic record. However, the specification of the '417 patent refers to a "mobile terminal" in a Japanese patent publication that is not a cellular phone. The Director should reject PO's proposed construction of "mobile terminal" and all arguments of validity based upon it.

II. ARGUMENT

PO argues that "mobile terminal" should be construed and/or interpreted to mean "a cellular phone, not a laptop computer system." POPR at 8. Notably, PO does not argue (nor could it) that the plain and ordinary meaning of "mobile terminal" is "cellular phone" or that there was any lexicography. Instead, PO argues:

"Thus, because 'the specification ***repeatedly and exclusively*** uses [cellular phone] to refer to the devices in the patented system,' mobile terminal should be interpreted to reflect the disclosed invention, not a laptop computer system." POPR 13-14 (emphasis in the original).

PO relies upon *GPNE Corp. v. Apple Inc.*, 830 F.3d, 1365, 1370 (Fed. Cir. 2016), which found that ***repeatedly and consistently*** using "pager" or "paging unit" to refer to the devices in the patented system warranted construing "node" as "pager." However, the court did so because nothing in the *GPNE* specification was "inconsistent with characterizing the devices as a type of pager." *Id.* at 1371.

PO's reliance on *GPNE* is misplaced because the facts here are distinguishable. The '417 patent specification states the following:

“A hand-held terminal or ***mobile terminal***, for switching the frequency of a clock signal delivered from the side of an application program, is disclosed in JP-A NO. 73237/1999 (Heisei 11).” EX1001 at 1:17-20 (emphasis added).

An English translation of this patent reference is submitted herewith as EX1028, which discloses the mobile terminal device to which the invention is applied:

“On the other hand, portable terminal devices such as handheld terminals that have an input unit and a display unit, which store data read by an optical reading unit like a barcode reader or data entered from the input unit into internal memory, have been widely used.” EX1028 at ¶[0015].

The words “cellular,” “phone,” “network,” or anything similar suggesting that the handheld terminal could be considered a cellular phone are nowhere to be found. Instead, the patent reference describes the handheld terminal to which the invention is applied as storing entered data or the processing results of that data internally, and transferring the stored data to a host computer. *Id.*, at ¶[0015], Fig. 1. The mobile terminal of EX1028 is clearly not a cellular phone.

Therefore, PO's argument that the '417 patent repeatedly ***and exclusively*** uses the term “mobile terminal” to refer to a cellular phone is categorically false. The *GPNE* case is inapposite. Patentee chose not to limit the claims to cellular phones, and it is inappropriate to rewrite the claims to do so now.

Finally, PO's attempt to explain its contradiction in accusing Petitioner's tablet devices of infringement directly contradicts the specification's reference to EX1028. PO argues that the accused tablets "correspond to a cellular phone" because "they are used to 'Make calls and send messages' and by connecting to LTE and/or Wi-Fi networks to provide cellular phone functionalities." POPR at 14. There is nothing in EX1028 that discloses its "mobile terminal" can make calls, send messages, or connect to LTE and/or Wi-Fi networks. Ironically, the prior art laptop devices that PO is attempting to avoid can (see e.g., Petition at 24, where Petitioner relies on the incoming telephone call feature of the Belt laptop computer).

Separately, PO has sought permission to submit the parties' proposed terms and constructions exchanged in the district court case, presumably to allege that Petitioner has taken inconsistent positions. That would be false. Petitioner's position is that all terms should be construed with their plain and ordinary meaning, consistent with the Petition. It is PO that insists "mobile terminal" be construed outside of its plain and ordinary meaning. Petitioner is seeking construction of other terms with their plain and ordinary meanings, but only because PO's infringement contentions do not apply their plain and ordinary meanings.

The Director should reject PO's proposed construction of "mobile terminal."

Date: January 28, 2026

Respectfully submitted,

/s/ Alan A. Limbach/

Alan A. Limbach

Reg. No. 39,749

DLA Piper LLP (US)

3203 Hanover Street, Suite 100

Palo Alto, CA 94304-1123

Phone: + 1 650 833 2433

Fax: + 1 650 687 1182

Alan.Limbach@us.dlapiper.com

Attorney for Petitioners

CERTIFICATE OF SERVICE

The undersigned certifies pursuant to 37 C.F.R. §§ 42.6(e) and 42.105 that on January 28, 2026, a true and correct copy of this Reply and any new exhibits were served by emailing a copy of the same (by agreement) to the following attorneys for the Patent Owner:

Robert G. Pluta – (rpluta@mayerbrown.com);

Amanda S. Bonner (asbonner@mayerbrown.com);

Daniel Kim (dkim@mayerbrown.com); and

Saqib Siddiqui (ssiddiqui@mayerbrown.com).

A courtesy copy was sent via electronic mail to:

maxell-samsung-service@mayerbrown.com

Date: January 28, 2026

Respectfully submitted,

/s/ Alan A. Limbach/

Alan A. Limbach

Reg. No. 39,749

DLA Piper LLP (US)

3203 Hanover Street, Suite 100

Palo Alto, CA 94304-1123

Phone: + 1 650 833 2433

Fax: + 1 650 687 1182

Alan.Limbach@us.dlapiper.com

Attorney for Petitioners