

**IN THE 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 LTD.,
Patent Owner

Case: IPR2025-01309

U.S. Patent No. 7,577,417

**PATENT OWNER'S PRELIMINARY SUR-REPLY IN RESPONSE
TO PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 7,577,417**

Mail Stop **Patent Board**
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-145

PATENT OWNER’S EXHIBIT LIST

Description	Exhibit #
Notice Letter to Samsung (July 7, 2021)	2001
Follow-up Notice Letter to Samsung (December 29, 2021)	2002
Docket Navigator Time to Trial Statistics for the Eastern District of Texas	2003
Docket Control Order, <i>Maxell, Ltd. v. Samsung Elecs. Co., Ltd.</i> , No. 5:25-cv-00092-RWS (E.D. Tex.)	2004
Jury Trial Transcript, Vol. 4, <i>Maxell, Ltd. v. Samsung Elecs. Co., Ltd.</i> , No. 5:25-cv-00092-RWS (E.D. Tex.)	2005
Complaint, <i>Maxell, Ltd. v. Samsung Elecs. Co., Ltd.</i> , No. 5:25-cv-00092-RWS (E.D. Tex.)	2006
Follow-up Notice Letter to Samsung (April 21, 2025)	2007
Law360 Article, “Maxell Settles Patent Suit Against Apple Over Mobile Tech”	2008
Law360 Article, “Maxell Scores \$43M EDTX Jury Win In ZTE Patent Trial”	2009
Law360 Article, “Maxell, Huawei Reach Terms To End Smartphone Patent Suit”	2010
Hudson Institute Article, “Google’s Loss to Sonos Settles It, Big Tech Has an IP Piracy Problem”	2011
PatentRenewal.com Article, “which-companies-hold-the-most-patents-in-the-world”	2012
Motion for Partial Summary Judgement of Validity Based on Sotera Stipulations, <i>Maxell, Ltd. v. Samsung Elecs. Co., Ltd.</i> , No. 5:25-cv-00092-RWS (E.D. Tex.)	2013
Follow-up Notice Letter to Samsung (November 28, 2024)	2014
Petitioner’s Invalidity Contentions (November 28, 2025)	2015
U.S. Patent No. 6,484,041	2016
Patent Owner’s Infringement Contentions	2017
Joint Claim Construction and Prehearing Statement	2018

The intrinsic record is clear, the claimed “mobile terminal” is a “cellular phone” and not a “laptop computer system.” Petitioner does not dispute that the ’417 Patent specification uses “cellular phone” at least 46 times, including when describing all of the figures and its embodiments. POPR, at 9. Instead, Petitioner asks the Director to ignore the specification in view of a Japanese reference (EX1028) discussed in the “Background of the Invention” section. Nothing in EX1028 changes the interpretation of “mobile terminal.” As even the Petition acknowledges, “[t]he ’417 patent discloses a central processing unit (CPU) for a mobile terminal, **such as a cell phone**” Pet. at 5 (emphasis added).

Petitioner relies on Paragraph 15 of EX1028, which identifies “portable terminal devices such as **handheld** terminals” Pet. Reply, at 2 (emphasis added). Paragraphs 3, 36, and 44 also refer to a “**handheld** terminal,” just like a cellular phone. At no point in its Reply or Petition does Petitioner explain how a “laptop computer system” is a **handheld** terminal. It is not. Moreover, the term under construction is “mobile terminal” **not** portable terminal. Petitioner fails to explain why-when the specification describes a mobile terminal as cellular phone 40+ times-the Board should disregard that in favor of a background reference that does not even use the claim term under construction.

Importantly, Petitioner is wrong when it argues there is nothing in EX1028 “suggesting that the handheld terminal could be considered a cellular phone.” *Id.* To

the contrary, EX1028 identifies a personal computer in Paragraph 2 and then states in Paragraph 3 “On the other hand, portable terminal devices such as handheld terminals” EX1018, at ¶3. It also juxtaposes a handheld device from a computer when it states “When sending data from a handheld terminal to a host computer” *Id.* at ¶58. The “handheld terminal” of EX1028 is clearly not a laptop computer. Thus, even if EX1028 is found to have any bearing on claim construction here over the countless uses of “cellular phone” in the specification, it only further supports Patent Owner’s interpretation that “mobile terminal” as claimed is a handheld phone and not a computer. Thus, like *GPNE Corp. v. Apple Inc.*, 830 F.3d 1365 (Fed. Cir. 2016), nothing in the specification, including the cited background art, is inconsistent with interpreting the mobile terminal as a cellular phone. *GPNE*, 830 F.3d at 1371.

Moreover, a tablet accused in the infringement contentions, like a phone, is also a **handheld** device. Even Samsung’s own documentation confirms the accused tablets correspond to a cellular phone. POPR, at 14 (citing EX2017, at 1, 2-3). This is unlike a laptop computer in the prior art, which is meant for one’s **lap**. Nothing in the infringement contentions contradicts Patent Owner’s interpretation of “mobile terminal” in the preliminary response.

Patent Owner's interpretation is also entirely consistent with Patent Owner's proposed construction in the district court case. See EX2018.¹ This is unlike Petitioner, who sets forth specific constructions for terms not proposed in the IPR petition.

Patent Owner respectfully requests that institution be denied.

Dated: February 2, 2026

Respectfully submitted,

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¹ Patent Owner files the Joint Claim Construction and Prehearing Statement to keep the Director informed of the claim construction processing running in parallel in the District Court and to ensure consistency is maintained across proceedings.

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of February, 2026, a copy of the attached PATENT OWNER PRELIMINARY SUREPLY IN RESPONSE TO PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 7,577,417, together with all exhibits was served by electronic mail to the attorneys of record, at the following addresses:

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Respectfully submitted,

Date: February 2, 2026

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