

[REDACTED]

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG DISPLAY CO., LTD.
Petitioner,

v.

PICTIVA DISPLAYS INTERNATIONAL LTD.,
Patent Owner.

Case IPR2024-01095
Patent No. 11,828,425

**PETITIONER'S RESPONSE TO PATENT OWNER'S STATEMENT
REGARDING DISTRICT COURT TRIAL**

[REDACTED]

I. Patent Owner makes the confusing argument that the Board should reject Petitioner’s obviousness showing based on a fact witness’s interpretation of what “n-doping” requires, even though (i) Patent Owner disagrees with this interpretation, arguing that is “overly narrow,” Paper 48 at 1; and (ii) even if this interpretation were presented as a non-infringement argument, the jury must have rejected it in finding infringement, Ex. 2033 at 4. Thus, not only is Patent Owner’s argument self-contradictory, accepting it would create an inconsistency with the jury verdict.

Further, Patent Owner acknowledges that whether Liq acts as an n-dopant depends on the context in which Liq is used. *See* Paper 48 at 2 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]; Ex. 2034 at 425:16-22, 428:9-17 (P.O. expert Dr. Schanze testifying that relative HOMO/LUMO levels is “not a necessary condition” for n-doping). And the fact witness’s trial testimony was in the context of explaining a document relating to the accused products. Ex. 2034 at 848:16-22 [REDACTED]

[REDACTED]

[REDACTED]. There is no indication that this witness had assessed the role of Liq in the context of Diekmann’s or Suzuki’s OLEDs as modified by Ma. To be clear, “the basis of the Petition” was not that n-doping requires charge transfer; that was *Patent Owner’s* argument in IPR. Paper 48

at 1-2 (citing Patent Owner's briefs and expert declarations). Patent Owner is incorrect that Liq would not act as an n-dopant in the OLEDs of Diekmann or Suzuki, for the reasons presented in Petitioner's briefing and at oral argument.

II. Patent Owner next argues that the grounds of invalidity presented in district court are cumulative of Petitioner's IPR theories. Paper 48 at 2. Not so. The obviousness grounds in this IPR were not raised, and could not have been raised, in the district court in light of Petitioner's stipulation. Ex. 1037. Indeed, each of the references raised in district court are different from the references relied on here. In district court, Defendants relied on (i) a prior art product called Clix2 in combination with a publication called Wei; and (ii) a publication called Kondakova. Thus, the jury verdict that Defendants have not proven by clear and convincing evidence that claim 2 of the '425 patent is invalid does not preclude finding that the claim is unpatentable based on the combinations of Diekmann and Ma and Suzuki and Ma.

Patent Owner asserts that the jury rejected "materially the same" obviousness theory as presented in this IPR because "Wei and Ma have materially the same disclosure." Paper 48 at 3. But Patent Owner has not even attempted to show that that is the case; Patent Owner points only to the fact that the references have overlapping co-authorship. And regardless, the obviousness theories were not materially the same. The Petition relies on using Liq (which Ma teaches is an n-dopant) as the n-dopant in Diekmann's and Suzuki's OLEDs *which already have n-*

doped ETLs. Pet. at 36-38, 69-70. In contrast, the Clix2 product was not shown to have an n-doped ETL, Ex. 2034 at 917:1-8, and the theory presented in district court was to n-dope a non-doped ETL in the first instance. Ex. 2034 at 920:8-14. This is a different combination with a materially different motivation-to-combine analysis.

Patent Owner's argument that Kondakova relies on the same theory as the Petition is even more far-fetched. As Patent Owner admits, Defendants argued Kondakova *alone* discloses all limitations. Paper 48 at 3; Ex. 2034 at 920:21-922:6. This is materially different from the Petitioner's obviousness combinations.

Patent Owner also alleges that the Kondakova theory was to "replace known n-dopants in an ETL with [REDACTED]." Paper 48 at 3. This mischaracterizes the record. The testimony Patent Owner quotes—that "any metal chelated oxynoid can be used, of which [REDACTED] is an example"—is not a description of the n-dopants, but rather the ETL material. Ex. 2034 at 921:23-922:2; *see* Ex. 2036 at [0332] ("materials for use in constructing the electron transporting layer ... are metal-chelated oxinoid compounds"). Indeed, Defendants' expert testified that Kondakova teaches doping with an alkaline metal, and *not* [REDACTED]. Ex. 2034, 921:14-22. ("Kondakova discloses ... doping the ETL with an alkaline metal, and it gives one example of [REDACTED]. That's *not* [REDACTED] but just [REDACTED], the alkaline metal.") Thus, the jury's validity finding does not imply any subsidiary findings about a motivation to n-dope an ETL with Liq or whether there was a reasonable expectation of success in doing so.

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Respectfully submitted,

By / David A. Garr /

David A. Garr

Registration No.: 74,932

Scott C. Weidenfeller

Registration No.: 54,531

COVINGTON & BURLING LLP

850 10th Street NW

Washington, DC 20001

(202) 662-6000

Counsel for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that the foregoing Petitioner's Response to Patent Owner's Statement Regarding District Court Trial was served by electronic mail on the following counsel of record for Patent Owner:

Hong Annita Zhong (hzhong@irell.com)
Blair Silver (bsilver@irell.com)
Rebecca Carson (rcarson@irell.com)
Philip Warrick (pwarrick@irell.com)
Jason Sheasby (jsheasby@irell.com)
PictivaIPR@irell.com

Date: November 23, 2025

/ David A. Garr /
David A. Garr (Reg. No. 54,531)