

EXHIBIT 9

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Anatoli Ledenev¹
and
Robert M. Porter,
Junior Party
(Patent 8,004,116),

v.

Meir Adest,²
Guy Sella, Lior Handelsman, Yoav Galin,
Amir Fishelov, Meir Gazit, Yaron Binder
and
Nikolay Radimov,
Senior Party
(Application 13/430,388).

Patent Interference No. 106,054 (JTM)
(Technology Center 2800)

Before SALLY G. LANE, JAMES T. MOORE, and DEBORAH KATZ,
Administrative Patent Judges.

MOORE, *Administrative Patent Judge*

DECISION ON MOTIONS

¹ The real party in interest is identified as AMPT, LLC. Paper 10, 1.

² The real party in interest is identified as Solaredge Technologies, Ltd. Paper 5, 1.

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37 C.F.R. § 41.125

I. BACKGROUND

An interference was declared between application 13/430,388 (“Junior Party” or “Adest”) and patent 8,004,116 (“Senior Party” or “Ledev”). Paper 1. The interference was redeclared to correct the accorded benefit dates. Paper 14.

After a conference call, the Board authorized numerous motions to be filed. Paper 17. Those authorized motions included Ledenev Motion 3 (no interference-in-fact); Ledenev Motion 4 (designating claims as not corresponding to the count); Adest Motion 1 (unpatentability of Ledenev claims 1–29); and Adest Motion 2 (motion for benefit).

After a second conference call, the Board authorized Ledenev Motion 7 (unpatentability, all claims). Paper 55. The Board also granted Ledenev Motion 8 seeking permission to file a reissue application. Paper 103.

The various motions, oppositions, and replies have been filed. The Board has awaited an initial determination on the fate of reissue application 15/469,087. In the absence of any such determination being presented to us to date, the Board has now elected to proceed with this interference on the present record to prevent further delay.

II. THE TECHNOLOGY

This interference concerns photovoltaic power systems that are said to be highly efficient. Ex. 2001, Title. There are many variables that affect a photovoltaic system, including non-uniformity of panels, partial shade, dirt or accumulated matter on the panels, damaged panels, and degradation due to age of

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the panels. *Id.* 2:38-44 There are many ways to interconnect panels, converters, and controllers. *Id.* 2:45-59.

In Ledenev’s description of the technical field of the subject matter, it is said that certain aspects of the invention may be responsible for the high efficiency and harvest maximum power from a solar cell, a solar panel, or strings of panels. These aspects include providing electrical power conversion in a multimodal manner, establishing a system that can alternate between differing processes, and differing systems that can achieve efficiencies in conversion that are said to be extraordinarily high compared to traditional systems. Ex. 2001, 1:20–31.

III. The Interference Count

The count is a “McKelvey” count, and recites the subject matter of the present interference. More specifically, the count comprises two alternatives –

Application 13/430,388, Claim 62. An efficient solar energy power system comprising:

a plurality of solar panels, each solar panel of said plurality of solar panels having a DC photovoltaic output;

a plurality of DC photovoltaic inputs, each DC photovoltaic input configured to receive power from a respective one of said DC photovoltaic outputs of said plurality of solar panels;

a plurality of buck+boost DC-DC power converters, each buck+boost DC-DC power converter configured to receive said power from a respective one of said plurality of said DC photovoltaic inputs, and each buck+boost DC-DC power converter configured to convert substantially all of said power accepted by said respective DC photovoltaic input to converted DC power;

a control circuit configured to control each of said buck+boost DC-DC power converters to convert substantially all of said power accepted by said respective DC photovoltaic input to said converted DC power, and

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wherein said control circuit is configured to control each of said buck+boost DC-DC power converters into multiple configurations;

a converted DC power output coupled to said plurality of buck+boost DC-DC power converters and configured to receive said converted DC power;

a DC-AC inverter configured to receive said converted DC power from said converted DC power output; and

an AC power output configured to receive converted AC power from said DC-AC inverter.0

or

Patent 8,004,116 Claim 1. An efficient solar energy power system comprising:

a plurality of solar panels, each said solar panel having a DC photovoltaic output;

a DC photovoltaic input that accepts power from said DC photovoltaic output;

at least one substantially power isomorphic photovoltaic DC-DC power converter responsive to at least one said DC photovoltaic input;

substantially power isomorphic maximum photovoltaic power point converter multimodal functionality control circuitry to which said at least one substantially power isomorphic photovoltaic DC-DC power converter is responsive;

a converted photovoltaic DC power output connected to said at least one substantially power isomorphic photovoltaic DC-DC power converter;

at least one photovoltaic DC-AC inverter responsive to said photovoltaic DC power output; and

a photovoltaic AC power output responsive to said at least one photovoltaic DC-AC inverter.

(Paper 1, 4; Paper 7, 3–4; Ex. 2001, 22:48–67).

A “buck” converter is a step-down converter, while a “boost” converter is a step-up converter. Ex. 2001, 11:28–29 and 44.

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