

UNITED STATES PATENT AND TRADEMARK OFFICE  
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BEFORE THE PATENT TRIAL AND APPEAL BOARD  
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OSRAM SYLVANIA INC.,  
Petitioner,

v.

JAM STRAIT, INC.,  
Patent Owner.

\_\_\_\_\_  
Case IPR2014-00703  
Patent 6,786,625 B2

Before MICHELLE R. OSINSKI, BART A. GERSTENBLITH, and  
MIRIAM L. QUINN, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

DECISION  
Institution of *Inter Partes* Review  
37 C.F.R. § 42.108

## I. INTRODUCTION

Osram Sylvania Inc.<sup>1</sup> filed a Corrected Petition to institute an *inter partes* review of claims 30–31 of U.S. Patent No. 6,786,625 B2 (“the ’625 patent”) pursuant to 35 U.S.C. §§ 311–319. Paper 5 (“Petition” or “Pet.”). Jam Strait, Inc.<sup>2</sup> filed a Preliminary Response to the Petition. Paper 9 (“Prelim. Resp.”). We have jurisdiction under 35 U.S.C. § 314, which provides as follows:

THRESHOLD – The Director may not authorize an *inter partes* review to be instituted unless the Director determines that the information presented in the petition filed under section 311 and any response filed under section 313 shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.

Petitioner asserts that claims 30-31 (“the challenged claims”) are unpatentable under either 35 U.S.C. § 102 or 35 U.S.C. § 103(a) by each of the following four references: Laforest,<sup>3</sup> Sivacumarran,<sup>4</sup> Alvarez,<sup>5</sup> and Horowitz.<sup>6</sup>

We determine that, based on the record before us, there is a reasonable likelihood that Petitioner will prevail in establishing the unpatentability of all the challenged claims. Accordingly, we grant the petition for *inter*

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<sup>1</sup> Hereinafter referred to as “Petitioner.”

<sup>2</sup> Hereinafter referred to as “Patent Owner.”

<sup>3</sup> French Patent Application Pub. No. 2 576 719 to Laforest, et al. (Ex. 1017). A certified translation of this reference was provided as Exhibit 1018. Therefore, hereinafter, all references to “Laforest” are with respect to translation in Exhibit 1018.

<sup>4</sup> U.S. Patent Application Pub. No. 2003/0102820 A1 (Ex. 1019) (“Sivacumarran”).

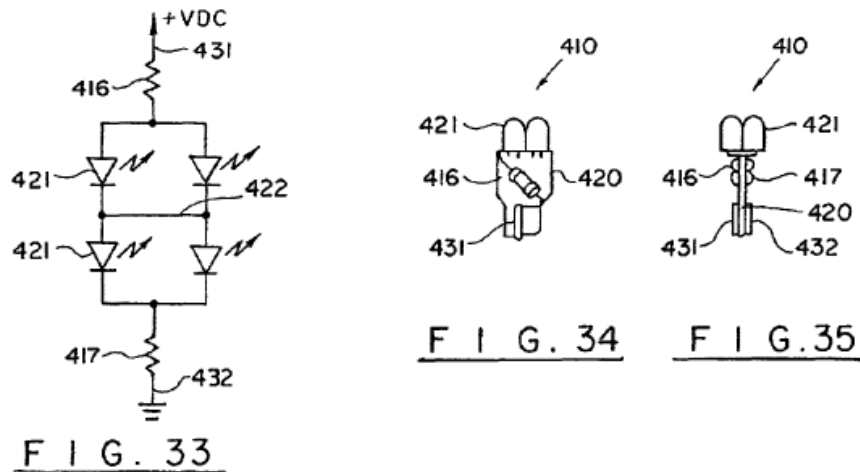
<sup>5</sup> U.S. Patent No. 6,252,350 B1 (Ex. 1020) (“Alvarez”).

<sup>6</sup> U.S. Patent No. 6,357,902 B1 (Ex. 1021) (“Horowitz”).

*partes* review of the '625 patent as to claims 30–31 on the obviousness grounds discussed below.

A. THE '625 PATENT (EX. 1001)

The '625 patent, titled “LED Light Module for Vehicles,” issued on September 7, 2004. LED is an acronym for Light Emitting Diode. *See* Ex. 1001, Abstract. The '625 patent describes an LED lamp module for use in a vehicle’s tail, brake, or turn signal lamp fixtures. *Id.* at col. 1, ll. 28–33. “LED bulbs designed to replace vehicle incandescent bulbs require bases similar to the standard bayonet or the wedge bases.” *Id.* at col. 1, ll. 54–56. A mini-wedge bulb is described with reference to Figures 33, 34, and 35, for example, reproduced below.



Figures 33, 34, and 35 of the '625 patent illustrate bulb 410 including four LEDs 421 in a “2 x 2” array mounted on a printed circuit board (PCB). *Id.* at col. 14, ll. 6-9. “Resistors 416 and 417 limit current through and voltage drop across the LEDs to acceptable levels for the ratings of the LEDs 421.” *Id.* at col. 14, ll. 12–14. The '625 patent further describes that the mini-wedge bulb can replace any 3-digit automotive bulb. *Id.* at col. 14,

ll. 28–30. An example of a 3-digit incandescent light bulb that may be replaced by the mini-wedge bulb is the LED bulb identified by the part number “194-XX.” *Id.* at col. 24, ll. 37–40, 49–67 (Table). As for shape, the ’625 patent states that the outline of PCB 420 (shown in Figures 34–35 above) is “preferably approximately the same as the smaller 3[-]digit incandescent bulbs such as 194.” *Id.* at col. 14, ll. 36–37.

### B. ILLUSTRATIVE CLAIM

Challenged claim 30 is an independent claim, and claim 31 depends from claim 30. We reproduce below illustrative claim 30:

1. An LED light bulb adapted for use in standard automotive mini wedge type bulb sockets comprising:
  - a bulb body comprising a printed circuit board having a front side, a rear side, and an upper side; at least one light emitting diode mounted on the upper side of the printed circuit board and electrically coupled with the printed circuit board; and
  - electrical control means mounted on the printed circuit board electrically connected between the printed circuit board and at least one pair of electrical conductors.

### C. CLAIM INTERPRETATION

Before addressing the specific asserted grounds, we review the scope of the challenged claims, vis-à-vis interpretation of claim terms relevant to our threshold determination of whether to institute trial. Consistent with the statute, case law, and legislative history of the America Invents Act (“AIA”), the Board interprets claims using the “broadest reasonable construction in light of the specification of the patent in which [they] appear[.]” 37 C.F.R. § 42.100(b); *see also* Office Patent Trial Practice Guide, 77 Fed. Reg.

48,756, 48,766 (Aug. 14, 2012). We presume that claim terms have their ordinary and customary meaning. *See In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007) (“The ordinary and customary meaning ‘is the meaning that the term would have to a person of ordinary skill in the art in question.’” (citation omitted)).

Although Petitioner submits proposed constructions for seven terms, we determine that only two of those terms are relevant to our determination of whether to institute trial: the preamble of claim 30 and “electrical control means.”

We analyze each of these claim terms in turn.

1. Preamble of Claim 30: “An LED light bulb adapted for use in standard automotive mini wedge type bulb sockets”

Petitioner contends that the preamble states the intended use of the alleged invention, and thus carries no patentable weight, or in the alternative, that the construction is “[a]n LED light bulb capable of being inserted, or wedged, into sockets configured to receive a three-digit automotive incandescent lamp.” Pet. 12. Patent Owner addresses neither of Petitioner’s contentions, but argues that the asserted grounds fail because the references do not disclose the preamble. Prelim. Resp. 1–4. At this stage of the proceeding, we are not persuaded that the preamble is only an intended use of the invention. Further, we are not persuaded that Petitioner’s proposed construction reflects the broadest reasonable interpretation in light of the specification.

First, we determine that the preamble is a limitation. “A claim’s preamble may limit the claim when the claim drafter uses the preamble to define the subject matter of the claim.” *August Tech. Corp. v. Camtek, Ltd.*,

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