

RECORD OF ORAL HEARING

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WANGS ALLIANCE CORPORATION D/B/A WAC LIGHTING CO.

Petitioner

vs.

KONINKLIJKE PHILIPS N.V.,

Patent Owner

Case IPR2015-01291

Patent 6,561,690

Oral Hearing Held: August 23, 2016

Before: GLENN J. PERRY, TREVOR M. JEFFERSON,
MIRIAM L. QUINN (via video), Administrative Patent Judges

The above-entitled matter came on for hearing on Tuesday,
August 23, 2016 at the U.S. Patent and Trademark Office, 600 Dulany
Street, Alexandria, Virginia in Courtroom A, at 1:32 p.m.

REPORTED BY: KAREN BRYNTESON, RMR, CRR,
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P R O C E E D I N G S

(1:32 p.m.)

JUDGE JEFFERSON: Good afternoon. You may be seated. We're back on the record.

And this afternoon we have three cases, IPR 2015-01291 is first. Each slide is allotted 20 minutes. And, actually, we're going to wait to make sure we get Judge Quinn back on the line.

Good afternoon, Judge Quinn. Can you hear us? Very good. So we will get started.

Let me get the timer set up. You can begin when ready.

MR. RADULESCU: Thank you, Your Honor, again, David Radulescu for the Petitioner.

And here again I have a very brief introduction and overview of the patent, the grounds for granting of the petition, the identification of the issues before the Board, and also a summary of the prior art.

We start with the '690 patent. And, in fact, we have a highlighted version of claim 1 side-by-side with figure 1, color coded, to match the elements in the figure to the elements in the claims. And the elements that are at issue here, of course, you know, relate to this optical means shown in pink, which is, in fact, positioned between this retaining element shown in light or faint blue and a support

1 shown in light green with the LED light source on top of the
2 support, and then the optical means or collimator
3 sandwiched between the retaining element and the support.

4 There are two additional components in the
5 figure that I want to identify and call to your attention
6 upfront. And that is the spacer, which is identified as
7 element 11 in the figure on slide 4, and also the adhesive
8 tape identified by, you know, reference numeral 12.

9 With respect to the spacer, that is the elastic
10 material. And that is the material that exerts some pressure
11 down from the retaining element into the collimator. There
12 is also, of course, disclosure in the specification of that
13 elastic material is encompassing a spring, specifically at
14 column 4, lines 30 to 38 of the patent.

15 And then the purpose of adhesive tape 12 is to
16 stick the retaining element to the metal housing shown in
17 yellow. So we use tape to stick it, and we use the elastic,
18 the spacer or the elastic material to assist in exerting
19 pressure down on to the optical means, which keeps the
20 optical means attached to the support.

21 We have one piece of prior art, the Sharrah
22 reference, shown here on slide 5, and the grounds for
23 granting of the petition is based on anticipation of claim 1
24 by Sharrah, okay?

1 The issues before the Board, and we broke
2 them down into a couple, the first of which is whether
3 Sharrah discloses each and every element of claim 1. And
4 there is two specific limitations that are the subject of the
5 briefing.

6 And the first is the optical means for guiding
7 the light emitted by the LED towards the outside of the
8 housing. There is a claim construction issue built into that,
9 and also a disclosure issue in Sharrah that we will get into
10 shortly.

11 The second issue is this optical means is
12 required in the claim to "be held between the retaining
13 element connected to the housing and the support for the
14 LED by pressure exerted by the retaining element and the
15 support for the LED." That's the second limitation that I
16 will be addressing shortly as well.

17 And then the remaining issue before the Board
18 is whether, from our perspective, Dr. Bretschneider's
19 testimony should deserve more weight than Dr. Teich's,
20 given his admittedly lack of the necessary experience in
21 LED lighting design; of course, to be contrasted with
22 quantum physics and photonics and those other very
23 complicated branches of the physical sciences.

24 From here we go to a summary of the prior art.
25 And, again, on slide 7 I have claim 1 and all its elements

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