

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WANGS ALLIANCE CORPORATION d/b/a WAC LIGHTING CO.,
Petitioner,

v.

PHILIPS LIGHTING NORTH AMERICA CORPORATION,
Patent Owner.

Case IPR2015-01294
Patent 7,038,399 B2

Before GLENN J. PERRY, TREVOR M. JEFFERSON, and
MIRIAM L. QUINN, *Administrative Patent Judges*.

JEFFERSON, *Administrative Patent Judge*.

FINAL WRITTEN DECISION
37 C.F.R. § 318(a) and 37 C.F.R. § 42.73

I. INTRODUCTION

On November 25, 2015, we instituted *inter partes* review of claims 7, 8, 17, 18, 28, and 34 of U.S. Patent No. 7,038,399 B2 (Ex. 1001, “the ’399 patent”). Paper 9 (“Dec.”). Patent Owner, Philips Lighting North America Corporation, filed a Request for Rehearing (Paper 11, “Req. Reh’g”), and a Patent Owner Response (Paper 21, “PO Resp.”) in response to Petition (Paper 1, “Pet.”) filed by Wangs Alliance Corporation d/b/a WAC Lighting Co. (“Petitioner”). Petitioner filed a Reply. Paper 27 (“Pet. Reply”). Petitioner filed a Motion to Exclude. Paper 36 (“Pet. Mot. Exclude”). Patent Owner filed an opposition to Petitioner’s Motion to Exclude (Paper 39, “PO Opp. Exclude”) and Petitioner filed a reply (Paper 42, “Pet. Reply Exclude”). A transcript of an oral hearing held on September 20, 2016 (Paper 45, “Tr.”) has been entered into the record.

We have jurisdiction under 35 U.S.C. § 6. This Final Written Decision is issued pursuant to 35 U.S.C. §318(a). We base our decision on the preponderance of the evidence. 35 U.S.C. § 316(e); 37 C.F.R. § 42.1(d).

Having reviewed the full record, we conclude that Petitioner has not demonstrated by a preponderance of the evidence that the challenged claims are unpatentable for the reasons set forth below.

A. *Related Proceedings*

Petitioner reports the following pending litigation matter related to the ’399 Patent: *Koninklijke Philips N.V. et al. v. Wangs Alliance Corporation*, Case No. 14-cv-12298-DJC (D. Mass.). Pet. 1.

Petitioner notes that Patent Owner is suing the Petitioner and/or other parties under one or more of U.S. Patent Nos. 6,013,988; 6,147,458;

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6,586,890 B2; 6,250,774 B1; 6,561,690 B2; 6,788,011 B2; 7,352, 138 B2; 6,094,014; and 7,262,559 B2, all of which generally relate to light emitting diodes (“LEDs”). *Id.*

B. The '399 Patent

The '399 patent discloses a method and apparatus for providing power to LED-based light sources, not normally dimmable, from power circuits that provide other than standard line voltage, such as a dimmer circuit intended to dim an incandescent light. Ex. 1001, at [57]. The claimed invention allows LED-based sources to be substituted for other light sources, such as incandescent lights, in environments using A.C. dimming devices or controls. *Id.*

Figure 1, below, shows an example operation of conventional A.C. dimming devices. *Id.* at 8:30–31.

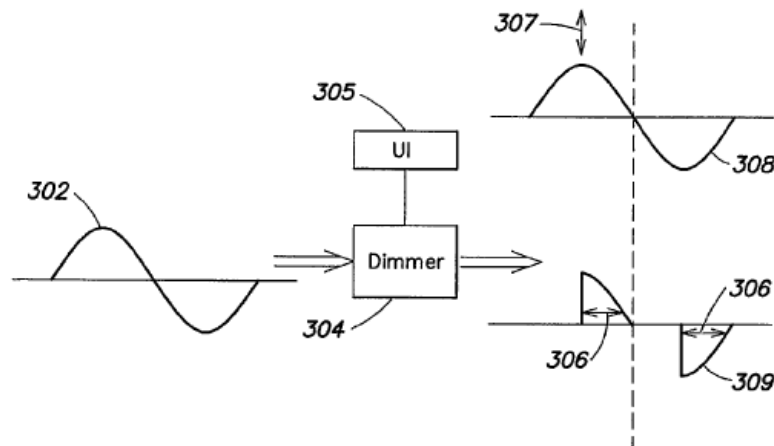


FIG. 1
(PRIOR ART)

Figure 1 shows an example of A.C. dimmer known in the prior art. *Id.* at 8:30–31. Figure 1 “shows . . . voltage waveform 302 (e.g., representing a

standard line voltage) that may provide power to one or more conventional light sources.” *Id.* at 2:18–21. Figure 1 also shows A.C. dimmer 304 responsive to user interface 305 alters the A.C. signals, such that dimmer 304 is configured to output waveform 308, in which the amplitude 307 of the dimmer output signal may be adjusted via the user interface 305.” *Id.* at 2:23– 35. The Specification also states that “dimmer 304 is configured to output the waveform 309, in which the duty cycle 306 of the waveform 309 may be adjusted via the user interface 305.” *Id.* Thus, the output of a dimmer may be power related while not being exactly the same as standard AC line voltage.

Figure 3, below, shows one embodiment of the invention using an LED-based light source. *Id.* at 8:35–36.

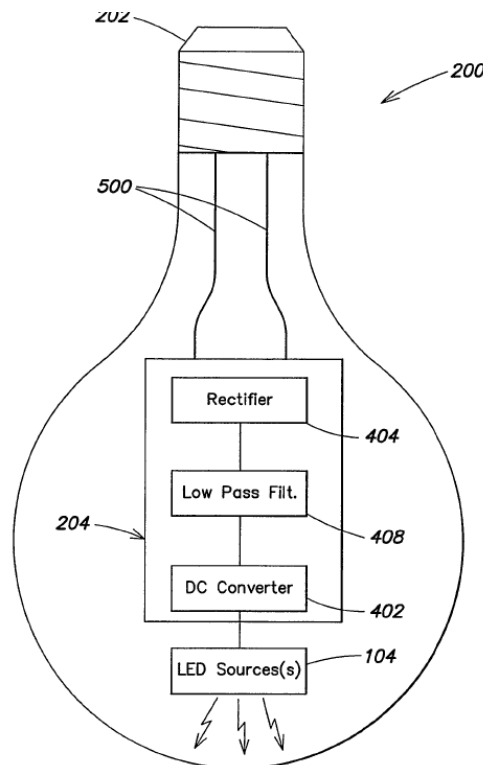


FIG. 3

Figure 3 illustrates an LED-based lighting unit 200 “depicted generally to resemble a conventional incandescent light bulb having a screw-type base connector 202 to engage mechanically and electrically with a conventional light socket.” *Id.* at 12:32–37. Lighting unit 200 includes LED-based light source 104 and controller 204 configured to receive A.C. signal 500 via connector 202 and provide operating power to LED-based light source 104. Controller 204 includes components to ensure proper operation of the lighting unit for A.C. signals 500 that are provided by a dimmer circuit, such as those that output duty cycle-controlled (i.e., angle modulated) A.C. signals. *Id.* at 12:50–60. Controller 204 includes rectifier 404, low pass filter 408, and DC converter 402. *Id.* at 12:61–64.

C. Illustrative Claims

Claims 7, 8, 17, and 28 are illustrative and reproduced below (Ex. 1001, 25:41–67, 26:28–59, 27:52–56).

7. An illumination apparatus, comprising:
 - at least one LED; and
 - at least one controller coupled to the at least one LED and configured to receive a power-related signal from an alternating current (A.C.) power source that provides signals other than a standard A.C. line voltage, the at least one controller further configured to provide power to the at least one LED based on the power-related signal,
 - wherein the A.C. power source is an A.C. dimmer circuit,
 - wherein the A.C. dimmer circuit is controlled by a user interface to vary the power-related signal, and
 - wherein the at least one controller is configured to variably control at least one parameter of light generated by the at least one LED in response to operation of the user interface, and

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