

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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LG ELECTRONICS, INC., and  
LG ELECTRONICS U.S.A., INC.

Petitioner

v.

TOSHIBA SAMSUNG STORAGE TECHNOLOGY KOREA CORPORATION

Patent Owner

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Case IPR2015-01644  
Patent No. 6,785,065

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**PATENT OWNER'S PRELIMINARY RESPONSE**

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U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

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## I. INTRODUCTION

Toshiba Samsung Storage Technology Korea Corporation (“TSST” or “Patent Owner”) hereby submits this Preliminary Response to LG Electronics, Inc. and LG Electronics U.S.A., Inc. (“LG” or “Petitioner”)’s Petition for *inter partes* review of U.S. Patent No. 6,785,065 (the “’065 patent”) in accordance with 35 U.S.C. § 313 and 37 C.F.R. § 42.107.

On July 30, 2015, Petitioner filed a Petition, requesting *inter partes* review of claims 1-9 of the ’065 patent based on two grounds of invalidity. Paper No. 1. Petitioner filed a 179-page Declaration by Dr. Masud Mansuripur to support its allegations. Ex. 1011. The Petition asserts the two challenges based upon various combination of references. Paper No. 1 at 7. Each challenge fails to establish that the claimed invention would have been obvious to one skilled in the art at the time of the invention.

Petitioner bears the burden of proof to establish that it is entitled to institution as sought in its petition. *See* 37 C.F.R. §42.20(c). The Board proceeds on a ground-by-ground basis, and cannot institute trial for a ground of unpatentability unless the petition supporting the ground demonstrates a reasonable likelihood of prevailing. 37 C.F.R. § 42.108(c); 35 C.F.R. § 314(a).

For at least the reasons set forth below, no claim of the '065 patent should be found obvious over the prior arts. There can be no "reasonable likelihood that Petitioner would prevail with respect to at least one of the claims challenged," 35 U.S.C. 314(b), and Petitioner's request for IPR should be denied. As such, trial should not be instituted in this proceeding as the Petition has failed to demonstrate a reasonable likelihood that any of the challenged claims of the '065 patent are invalid. *See* 37 C.F.R. § 42.108(c).

## **II. BACKGROUND**

### **A. Overview of the '065 Patent**

In one aspect, the '065 Patent is generally directed to an apparatus and a method of driving an optical pickup actuator, and more particularly, to an apparatus and a method of driving an optical pickup actuator in which a focus coil, a track coil, and a tilt coil which drive an optical pickup in a focus direction, a track direction, and a tilt direction, respectively, are provided at both sides of a bobbin to secure the remaining sides of the bobbin, and the focus coil is also used as the tilt coil. Ex. 1001, Abstract.

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