

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ASUSTEK COMPUTER, INC. and  
ASUS COMPUTER INTERNATIONAL,  
Petitioners,

v.

AVAGO TECHNOLOGIES GENERAL IP (SINGAPORE) PTE. LTD.,  
Patent Owner.

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Case IPR2016-00648  
Patent 6,188,835 B1

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Before GLENN J. PERRY, PATRICK R. SCANLON, and J. JOHN LEE,  
*Administrative Patent Judges.*

LEE, *Administrative Patent Judge.*

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

## INTRODUCTION

On February 22, 2016, ASUSTeK Computer, Inc. and ASUS Computer International (collectively, “ASUS”) filed a Petition (Paper 4, “Pet.”) requesting *inter partes* review of claims 1–5, 7–11, and 13–19 (“the challenged claims”) of U.S. Patent No. 6,188,835 B1 (Ex. 1001, “the ’835 Patent”). Patent Owner Avago Technologies General IP Pte. Ltd. (“Avago”) timely filed a Preliminary Response (Paper 7, “Prelim. Resp.”) on May 24, 2016. We have jurisdiction under 35 U.S.C. § 314, which provides that an *inter partes* review may not be instituted unless the information presented in the Petition shows “there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” Upon consideration of the Petition and Preliminary Response, we determine that the information presented shows there is a reasonable likelihood that ASUS would prevail in establishing the unpatentability of each of the challenged claims. Accordingly, pursuant to § 314, we institute an *inter partes* review of the challenged claims of the ’835 Patent.

### A. *Related Proceedings*

The parties identify the following district court proceedings as related to this case: (1) *Avago Technologies General IP (Singapore) Pte. Ltd. v. ASUSTeK Computer, Inc.*, Case No. 3:15-cv-04525 (N.D. Cal.); and (2) *Avago Technologies General IP (Singapore) Pte. Ltd. v. ASUSTeK Computer, Inc.*, Case No. 3:16-cv-00451 (N.D. Cal.). Pet. 1; Paper 6, 1.

### B. *The ’835 Patent*

The ’835 Patent relates to “[a]n optical disk system” that “stores index information allowing playback of selected portions of a presentation

recorded upon an optical disk.” Ex. 1001, at [57]. Figure 1 of the ’835 Patent is reproduced below:

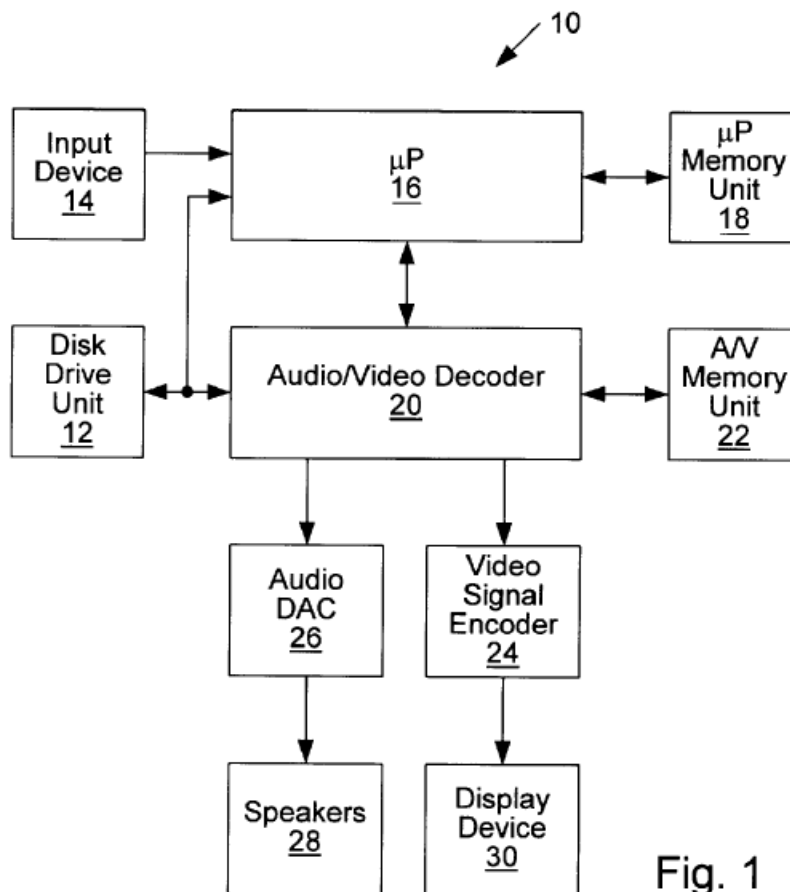


Fig. 1

Figure 1 depicts an embodiment of the claimed optical disk system. The depicted system includes disk drive unit 12 for retrieving “identification data, encoded video and audio data, and navigation data” stored on an optical disk, such as a DVD. *Id.* at 4:45–49. The identification data is used to identify the optical disk. *Id.* at 4:53–54. The encoded video data may be a recorded video presentation, such as a movie. *Id.* at 5:3–4. The navigation data may provide playback time information, i.e., the time index in relation to the beginning of the presentation. *Id.* at 5:27–34.

The system further includes input device 14 (e.g., a remote control unit), which provides an output signal to microprocessor 16. *Id.* at 5:5–6.

The output signal may be used to indicate the beginning of a selected portion of the video, such as a favorite movie scene. *Id.* at 5:10–12. Microprocessor 16 stores the navigation data indicating the beginning of the selected portion in microprocessor memory unit 18, along with the identification data from the disk. *Id.* at 5:40–48. When a disk is inserted, microprocessor 16 uses the identification data to determine if user selections for that disk have been stored previously in memory. *Id.* at 5:49–51. If index information for such selections is found in memory, the user may be given the option of viewing the entire presentation, or selecting one of the previously selected portions. *Id.* at 5:51–55.

*C. Challenged Claims*

ASUS challenges claims 1–5, 7–11, and 13–19 of the '835 Patent. Pet. 2. Claims 1, 8, 11, and 15 are independent claims, and all other challenged claims depend, directly or indirectly, from those claims. Independent claim 1 is illustrative of the challenged claims:

1. An optical disk system, comprising:
  - a disk drive unit for retrieving identification data, encoded video data, and navigation data from an optical disk positioned therein, wherein the identification data of the optical disk identifies the optical disk, and wherein the encoded video data comprises a presentation;
  - an input device configured to produce an output signal in response to user input, wherein the output signal indicates user selection of a portion of the presentation and occurs when a beginning of the user selected portion is currently being played;
  - a memory unit comprising a non-volatile portion; and
  - a control unit coupled to receive the identification data and the navigation data from the disk drive unit and the output signal produced by the input device, wherein the control unit is

coupled to the memory unit, and wherein the control unit is configured to respond to the output signal by:

producing the current navigation data, wherein the current navigation data identifies the beginning of the user selected portion of the presentation currently being played; and

storing the identification data and the current navigation data within the non-volatile portion of the memory unit such that: (i) the identification data and the current navigation data exist in the non-volatile portion of the memory unit concurrently, and (ii) the current navigation data is associated with the identification data within the non-volatile portion of the memory unit.

*D. Alleged Grounds of Unpatentability*

ASUS asserts the following grounds of unpatentability in its Petition:

Claims	Basis	Prior Art
1-5, 7-11, and 13-19	§ 102(e)	Sturgeon <sup>1</sup>
1, 3-5, 7-11, and 13-19	§ 102(b)	Katsuyama <sup>2</sup>
2	§ 103(a)	Katsuyama and Sturgeon
1-5, 7-11, and 13-19	§ 103(a)	Schoner <sup>3</sup> and Sturgeon
1-5, 7-11, and 13-19	§ 103(a)	Schoner and Katsuyama

<sup>1</sup> U.S. Patent No. 6,429,879 B1, filed Sept. 30, 1997, issued Aug. 6, 2002 (Ex. 1003, “Sturgeon”).

<sup>2</sup> European Patent Application No. EP 0 691 651 A1, published Jan. 10, 1996 (Ex. 1004, “Katsuyama”).

<sup>3</sup> U.S. Patent No. 6,493,506 B1, filed July 1, 1998, issued Dec. 10, 2002 (Ex. 1005, “Schoner”).

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