

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 IPR2016-01453
Patent 7,358,679 B2

Before TREVOR M. JEFFERSON, MIRIAM L. QUINN, and GARTH D.
BAER, *Administrative Patent Judges*.

JEFFERSON, *Administrative Patent Judge*.

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

I. INTRODUCTION

Wangs Alliance Corporation d/b/a WAC Lighting Co. (“Petitioner”) filed a Petition (Paper 1, “Pet.”) to institute an *inter partes* review of claims 1, 3–6, 11, 17–19, 26–33, 38, and 43–45 of U.S. Patent No. 7,358,679 B2 (Ex. 1001, “the ’679 patent”) pursuant to 35 U.S.C. § 311 et seq. Patent Owner, Philips Lighting North America Corporation, filed a Preliminary Response to the Petition. (Paper 6, “Prelim. Resp.”). We have jurisdiction under 35 U.S.C. § 314(a). After considering the Petition, the Preliminary Response, and associated evidence, we conclude that Petitioner has not demonstrated a reasonable likelihood that it would prevail in showing unpatentability of claims 1, 3–6, 11, 17–19, 26–33, 38, and 43–45.

A. *Related Proceedings*

Petitioner reports the following pending litigation matter related to this case: *Koninklijke Philips N.V. et al. v. Wangs Alliance Corporation*, Case No. 14-cv-12298-DJC (D. Mass.). Pet. 1. IPR2015-01293 and IPR2015-01294 (previously decided), and IPR2016-01455 (filed concurrently) are also related to this case. *Id.*

B. *The ’679 Patent*

The ’679 patent discloses a method and apparatus “for providing controllable power via an A.C. power source to LED-based lighting devices having an MR16 configuration.” Ex. 1001, Abstract. The methods and apparatus of the ’679 patent’s invention “facilitate the use of LED-based light sources on A.C. power circuits that provide either a standard line

voltage or signals other than standard line voltages.” *Id.* at 2:54–57. The ’679 patent discloses that

methods and apparatus of the invention particularly facilitate the use of LED-based light sources on A.C. power circuits that are controlled by conventional dimmers (i.e., “A.C. dimmer circuits”). In one aspect, methods and apparatus of the present invention facilitate convenient substitution of LED-based light sources in lighting environments employing A.C. dimming devices and conventional light sources. In yet other aspects, methods and apparatus according to the present invention facilitate the control of one or more parameters relating to the light generated by LED-based light sources (e.g., intensity, color, color temperature, temporal characteristics, etc.) via operation of a conventional A.C. dimmer and/or other signals present on the A.C. power circuit.

Id. at 2:59–3:4.

Figure 1, below, shows an example operation of conventional A.C. dimming devices. *Id.* at 9:36–37.

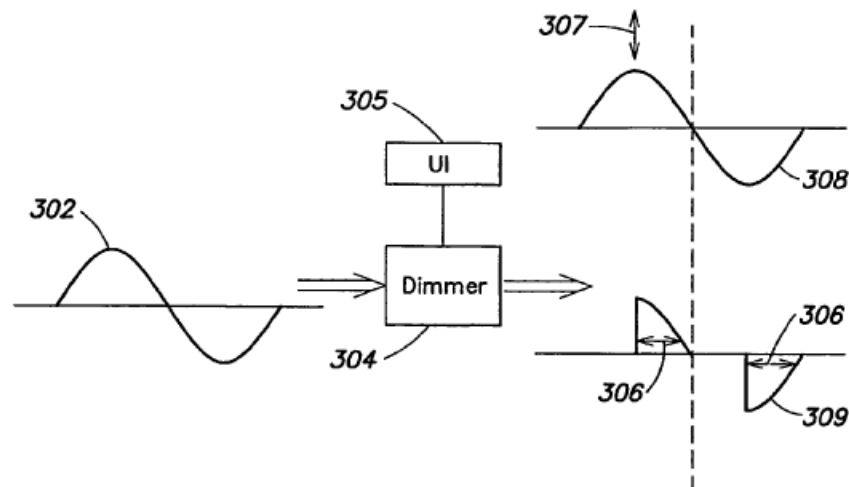


FIG. 1
(PRIOR ART)

Figure 1 “shows . . . voltage waveform 302 (e.g., representing a standard line voltage) that may provide power to one or more conventional light sources” and “a generalized A.C. dimmer 304 responsive to user interface 305.” *Id.* at 2:22–24. “[D]immer 304 is configured to output the waveform 308, in which the amplitude 307 of the dimmer output signal may be adjusted via the user interface 305.” *Id.* at 2:24–27. Dimmer 304 may also be “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.* at 2:27–30.

Figure 5, below, shows one embodiment of the invention using an LED-based light source. *Id.* at 9:46–48.

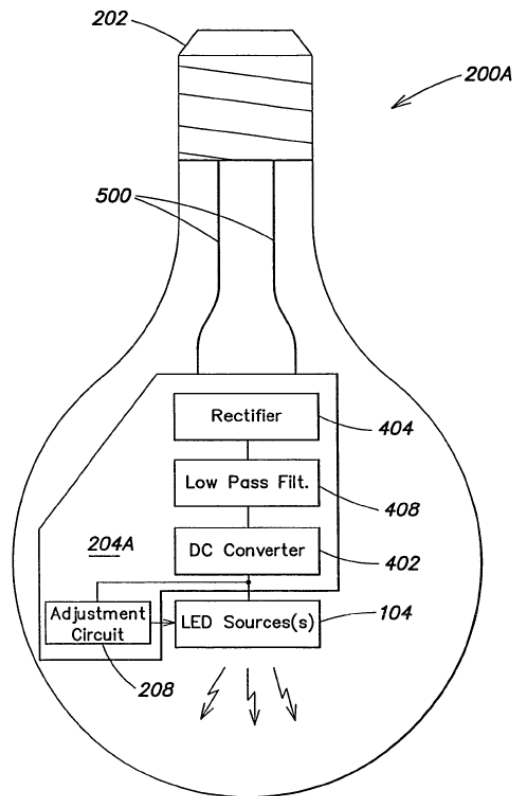


FIG. 5

Figure 5 illustrates an LED-based lighting unit 200A that is suitable for operation by a dimmer circuit. *Id.* at 15:35–38. Figure 5 shows adjustable light output that may be controlled via a dimmer, with controller 204A. *Id.* Figure 5 “includes an additional adjustment circuit 208 that further conditions a signal output from the DC converter 402. The adjustment circuit 208 in turn provides a variable drive signal to the LED-based light source 104, based on variations in the A.C. signal 500 (e.g., variations in the average voltage of the signal) in response to user operation of the dimmer.” *Id.* at 15:41–48.

The '679 patent also illustrates an LED-based lighting unit that resembles “a conventional MR16 bulb having a bi-pin base connector 202A configured to engage mechanically and electrically with a conventional MR16 socket.” *Id.* at 16:13–18. Figure 6A, below, shows an LED-based lighting unit. *Id.* at 9:53–54.

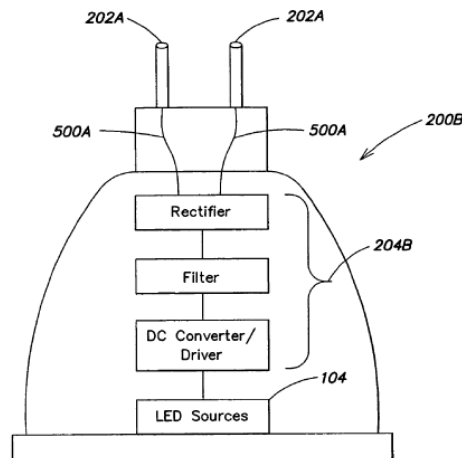


FIG. 6A

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