UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
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ONE WORLD TECHNOLOGIES, INC.
d/b/a TECHTRONIC INDUSTRIES POWER EQUIPMENT,

Petitioner,

v.

THE CHAMBERLAIN GROUP, INC.,

Patent Owner.
_____

Case IPR2017-00214
Patent 7,196,611 B2
_____

Record of Oral Hearing
Held: January 18, 2018
_____

Before JONI Y. CHANG, JUSTIN T. ARBES, and JOHN F. HORVATH,
Administrative Patent Judges.

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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    The above-entitled matter came on for hearing on Thursday, January 18, 2018, at 2:42 p.m., at the U.S. Patent and Trademark Office, Madison Building East, 600 Dulany Street, Alexandria, Virginia, before Walter Murphy, Notary Public.

P R O C E E D I N G S

 1   -   -   -   -   -

 2   JUDGE ARBES: This is the second oral hearing of the day in case

 3   IPR2017-00214 involving Patent 7,196,611. As per the Trial Hearing Order,

 4   in this case as well each party will have 40 minutes of total time to present

 5   arguments, and we'll proceed in the order as set forth in the Trail Hearing

 6   Order. Counsel for Petitioner, you may proceed and would you like to

 7   reserve --

 8   MR. BREGMAN: Yes. I can I reserve the same, seven minutes if

 9   you can give maybe a ten or fifteen minute warning, that'd be great. Thank

10   you.

11   All right. So now we're turning to the second IPR for the '611 patent.

12   Alex, can you jump to slide 2 here for me. So the first set of claims that we

13   looked at were apparatus claims that dealt with diagnostics, and this set of

14   claims are method claims that deal with the learning mode. Slide 2 shows

15   the road map again. We're going to talk about the '611 patent, we're going

16   to talk about the primary reference which is Schindler, the instituted

17   grounds, the claim construction, and then really focus most of our attention

18   on the dispute.

19   Slide 4 is the patent. You've already seen that, we can skip it. Slide 6

20   is from the abstract again, and we're referring to a different figure here. You

21   can see the figure, it's got -- this is what's on the head unit that you normally

22   see on the top of your garage and this allows an installer or user to perform

23   certain functions -- and for these claims the functions are teaching the

24   controller to do things. So, a learn mode, and you can see a couple of

1   different LED's on the right side that we have highlighted that display

2   different various things to the user.

3   The second part of the highlighted text here, that I have, the controller

4   cooperates with the user to learn operating parameters, the controller guides

5   and corrects the necessary actions by the user. And then the patent on slide

6   7, the '611 patent, describes one example with respect to these particular

7   claims. It's setting a max run timer. You can see the citation there if you

8   want to read it in detail, but the way that it works is to set the max run -- and

9   that's how long the motor runs for before an error condition is displayed --

10   so you need to set how long the motor's return for its travel to be to the

11   bottom of the door and to the top of the door. What it does is it first

12   determines -- it needs the door to be in a closed position for this learn mode

13   to work. It determines -- is the door in the closed position? If it's not it

14   flashes some lights to tell the user to close it. If it is in the closed position, it

15   tells the user to open it and that's it, that's how it sets these different

16   parameters.

17   Now the prior art, the Schindler patent, just like the Crimmins patent

18   we mentioned earlier, is another Chamberlain patent, another patent that

19   they failed to disclose to the Patent Office during prosecution. This one is a

20   lot earlier. This goes back to 1984, almost two decades earlier. It teaches

21   the same thing as the '611 patent.

22   If we look at slide 9 it's got this head unit that we're talking about a

23   little bit earlier. There's a switch on that, we circled that in red reference

24   numeral 38. After, and I'm reading from the text,

25   "After the garage door opener has been installed, it is placed in a

26   program mode by moving the switch 38 to the program position."

1   So that's how you put the Schindler garage door opener into its learn

2   mode or program mode.

3   Slides 10, 11 and 12, I'm really just going to show you the figures

4   here. The text is on the slides, and the citations are on the slides if you want

5   to look at in more detail, but in essence Schindler has this wall-control unit.

6   It's got three buttons on it. It's got a down switch, an up switch and the

7   switch that's shown in orange is the command switch. It's got two different

8   LED's on it, the vacation light 28 and work light 31, and once you put it into

9   the learn mode or the program mode, if you go to slide 11, it flashes one of

10   the LED's to tell the user now you're going to set the down limit, and down

11   limit is a little bit different to the max run timer. The max run timer is how

12   long the motor should run for, I think it's revolutions of the motor, whereas

13   the down limit is at what position must the door be for it to close, and you've

14   got to program it, at what position should it be for it to be up. Every garage

15   door may have a slightly different opening, it may be installed differently so

16   you need to set these two parameters.

17   And it flashes this light as we've shown here on slide 11 to tell the

18   user okay, we're now going to program the down limit. The user uses the up

19   and down buttons to move the garage door into the position that they would

20   like it to be for the down, and then they hit the switch 25 and then that

21   toggles it to the other one. Now it says okay, we've got to program the up

22   limit and it flashes the up limit to tell the user that that's what's being

23   programmed and the user uses these up and down buttons until the door is in

24   a satisfactory position and it can then hit button 25 or just exit the program

25   mode. So you can see they're very similar. They flash different LED's to

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