

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

LUXSHARE PRECISION INDUSTRY CO., LTD.,  
Petitioner,

v.

BING XU PRECISION CO., LTD.,  
Patent Owner.

---

Case IPR2017-01492  
Patent 8,758,044 B2

---

Before DEBRA K. STEPHENS, BRYAN F. MOORE, and  
STACEY G. WHITE, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*.

FINAL WRITTEN DECISION  
*35 U.S.C § 318(a)*

## I. INTRODUCTION

Luxshare Precision Industry Co., Ltd. (“Petitioner”) requests *inter partes* review of claims 1–20 of U.S. Patent No. 8,758,044 B2 (“the ’044 Patent,” Ex. 1001) pursuant to 35 U.S.C. §§ 311 *et seq.* Paper 1 (“Pet.”). Bing Xu Precision Co., Ltd. (“Patent Owner”) filed a Preliminary Response. Paper 15 (“Prelim. Resp.”). In a January 12, 2018, Institution Decision, we determined that Petitioner had a reasonable likelihood of prevailing only on following grounds:

Reference(s)	Basis	Instituted Claim(s)
Wu	§ 102	1
Wu	§ 103	1 and 3
Wu and the Array Interconnection Handbook	§ 103	8
Wu and Tang	§ 103	4

Paper 20, (“Inst. Dec.”). Accordingly, we instituted an *inter partes* review on those grounds only pursuant to 37 C.F.R. § 42.108. Inst. Dec. 34.

Patent Owner filed a Patent Owner Response (Paper 23, “PO Resp.”) to which Petitioner filed a Reply (Paper 33, “Pet. Reply”). Patent Owner also requested authorization to file and, receiving authorization, filed a Sur-Reply. Papers 37, 41 (“PO Sur-Reply”).

Subsequent to the Supreme Court’s decision in *SAS Institute, Inc. v. Iancu*, 138 S. Ct. 1348 (2018), we issued an Order, on May 1, 2018, modifying our Institution Decision to institute review of all challenged claims (1–20) and all grounds asserted in the Petition and instructed the parties to confer regarding any need for further briefing and changes to the schedule for trial. Paper 24 (“SAS Order”). Neither party requested additional briefing on the newly added claims.

IPR2017-01492  
Patent 8,758,044 B2

Both parties requested a hearing for oral argument (Paper 47) and a prehearing conference (Paper 36), and a pre-hearing was held January 24, 2018 and a hearing was held on October 9, 2018. *See* Paper 49 (“Tr.”).

As discussed below, upon consideration of the Petition and Patent Owner Response, the testimony of Dr. Pradeep Lall for Petitioner (Ex. 1002) and Dr. Michael G. Pecht for Patent Owner (Ex. 2002), Petitioner has not shown by a preponderance of the evidence that claims 1–20 are unpatentable.

#### *A. Related Matters*

We are informed that the ’044 Patent is presently the subject of the following: *Bing Xu Precision Co., Ltd. v. Acer Inc. and Acer America Corp.* Case No. 5:16-cv-02491-EJD (N.D. Cal.). *See* Pet. 2. Petitioner also has filed IPR petitions, that are currently pending, challenging related U.S. Patents 8,512,071 (IPR2017-01404) and 8,740,631 (IPR2017-01657).

#### *B. The ’044 Patent*

The ’044 Patent describes a connector assembly that allows easy inspection of the electrical connection between the PCB and the FFC. Ex. 1001, 1:47–52, 1:66–2:2. Figure 3 of the ’044 Patent is reproduced below.

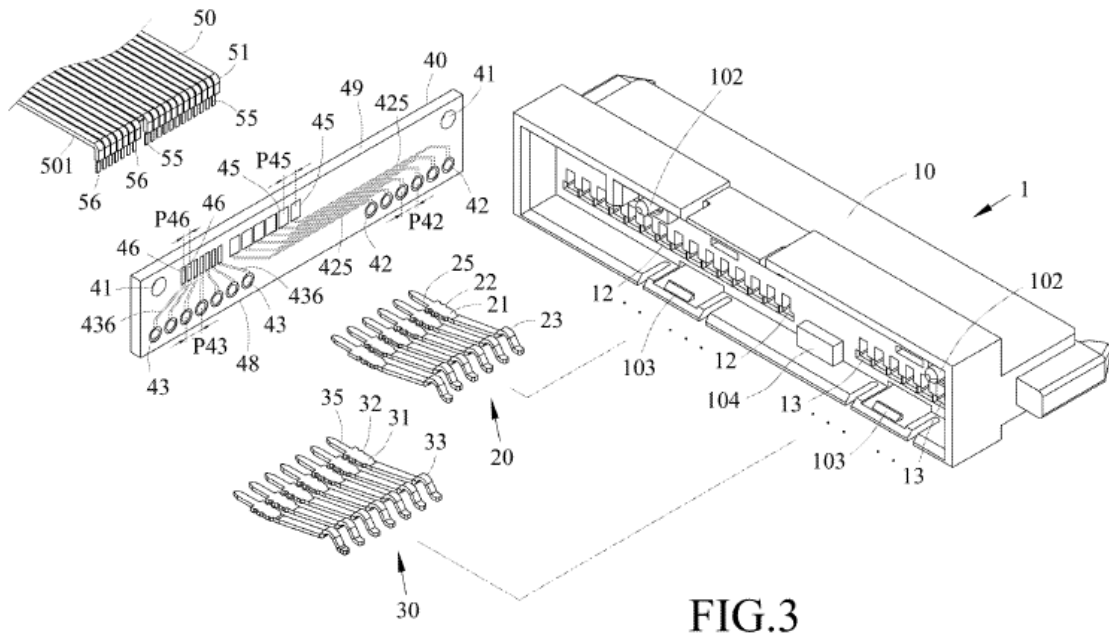


Figure 3 depicts an exploded diagram of the connector components. The connector assembly includes FFC 50, terminals 20, 30, PCB 40, and insulated housing 10. Figure 7, reproduced below, shows a side view of the connector.

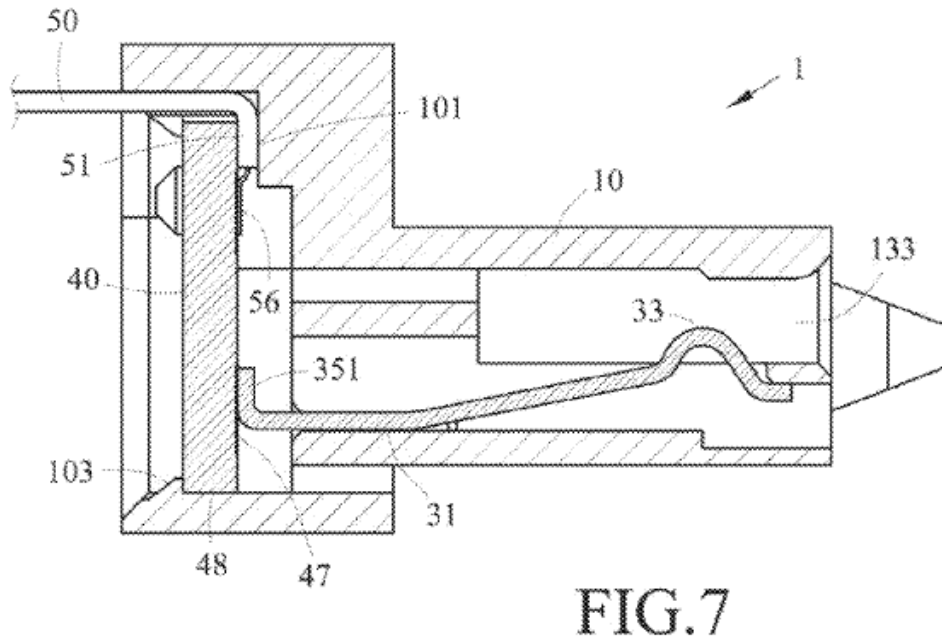


FIG.7

Figure 7, above, shows the connector includes a design where the PCB includes two sides where a rear facing side faces away from the insulated housing 10. Ex. 1001, Fig. 7.

*C. Illustrative Claim*

Independent claim 1, reproduced below, is illustrative of the claimed subject matter:

1. An electrical connector assembly comprising:
  - an insulating housing having a plurality of grooves, a plurality of data terminal holes, and a plurality of power terminal holes;
  - a PCB (printed circuit board) having a plurality of first soldering holes, a plurality of second soldering holes, a plurality of first contacts electrically connected to the first soldering holes, and a plurality of second contacts electrically connected to the second soldering holes;
  - a plurality of power terminals fastened in the grooves of the insulating housing respectively, the power terminals each having a mating portion inserted into each of the power terminal holes, and the power terminals each having a soldering portion soldered in each of the first soldering holes;
  - a plurality of data terminals fastened in the grooves of the insulating housing respectively, the data terminals each having a mating portion inserted into each of the data terminal holes, and the data terminals each having a soldering portion soldered in each of the second soldering holes;
  - an FFC (flexible flat cable) having an insulating layer for enclosing a plurality of conductors; and
  - wherein exposed ends of the conductors are electrically connected to the first contacts and the second contacts.

*Id.* at 8:4–28.

*D. Instituted Grounds of Unpatentability*

Petitioner asserts that claims 1–20 are unpatentable based on the following grounds (Pet. 15–63):

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.