

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SATCO PRODUCTS, INC.,
Petitioner,

v.

LIGHTING SCIENCE GROUP CORP.,
Patent Owner.

Case IPR2017-01638 (Patent 8,201,968 B2)

Case IPR2017-01639 (Patent 8,967,844 B2)

Record of Oral Hearing
Held: September 19, 2018

Before KEVIN F. TURNER, PATRICK M. BOUCHER, and JOHN A.
HUDALLA, *Administrative Patent Judges*.

IPR2017-01638 (Patent 8,201,968 B2)

IPR2017-01639 (Patent 8,967,844 B2)

APPEARANCES:

ON BEHALF OF THE PETITIONER:

ROBERT S. RIGG, ESQUIRE

SUDIP K. MITRA, ESQUIRE

Vedder Price

222 North LaSalle Street

Chicago, Illinois 60601

ON BEHALF OF PATENT OWNER:

ERIC D. HAYES, ESQUIRE

KYLE M. KANTAREK, ESQUIRE

Kirkland & Ellis, LLP

300 North LaSalle Street

Chicago, Illinois 60654

The above-entitled matter came on for hearing on Wednesday, September 19, 2018, commencing at 1:00 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

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P R O C E E D I N G S

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1 JUDGE HUDALLA: Okay. Good afternoon, everyone. We are
2 here today for argument in IPR2017-01638 concerning U.S. patent
3 8,201,968 and IPR2017-01639 concerning U.S. patent 8,967,844. I'm Judge
4 Hudalla, and we have joining us remotely Judges Turner and Boucher. Why
5 don't we start off with some introductions, starting with petitioner, please.

6 MR. RIGG: Good morning, Your Honors. Robert Rigg on behalf
7 of the petitioner, Satco Products, Inc. I have with me Sudip Mitra and
8 Mr. Bob Lynn.

9 JUDGE HUDALLA: Good afternoon. For patent owner?

10 MR. HAYES: Good afternoon. Eric Hayes and my colleague,
11 Kyle Kantarek, from Kirkland & Ellis on behalf of patent owner, Lighting
12 Science.

13 JUDGE HUDALLA: Good afternoon. Thank you. Okay. Well,
14 we issued an order about this, maybe a little bit late, but the order stated that
15 each of you will get 30 minutes to argue each case, and we'll start with the
16 38 case first. We will have petitioner go first and then patent owner --
17 petitioner can reserve some rebuttal time; we'll have patent owner go, and
18 patent owner may also reserve a very brief sur-rebuttal time.

19 I want to remind everybody that petitioner has the burden at all
20 times of proving unpatentability by a preponderance of the evidence. I
21 remind you also that this is a public hearing and a full transcript of the
22 hearing will become part of the record. And just a reminder as well that we

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1 have these judges joining us remotely, so as you go through your
2 presentation, please be sure to say what slide you are on and what you are
3 referring to so they can follow along as well.

4 I think that's everything I have. Mr. Rigg, if you want to go ahead
5 and start, please.

6 MR. RIGG: If I understand, we are going 30 minutes for the '968,
7 and I would like to reserve 10 minutes for rebuttal.

8 JUDGE HUDALLA: Yes.

9 MR. RIGG: Thank you.

10 JUDGE HUDALLA: You can begin whenever you are ready.

11 MR. RIGG: Thank you, Your Honors. I am Bob Rigg and I'm
12 here on behalf of the petitioner, Satco Products, Inc. I will be talking about
13 both the 1638 and the 1639, but I will limit the original discussion here to
14 the 1638. And I may have to jump around a little bit. I think I have my
15 slides combined, but I think we'll do okay.

16 Obviously, we all know the patents at issue. The '968 patent, just
17 as a reminder, is a low-profile light. It issued on June 9, 2012, and has a
18 priority date because of a provisional application of October 5, 2009.

19 JUDGE HUDALLA: Just as a reminder, Mr. Rigg, if you could
20 mention the slide numbers.

21 MR. RIGG: I apologize. Turning to slide 3, I have set forth the
22 representative claim of the '968 patent, and I wanted to point out a few
23 sections of the claims just as a reminder for when we talk about some of the
24 other features that I'm going to refer back to. In particular, in the first

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1 element there is a luminaire comprising a heat spreader and a heat sink
2 thermally coupled to the heat spreader, and this next section is what I think
3 is more important: The heat sink being substantially ring-shaped and being
4 disposed around and coupled to an outer periphery of the heat spreader. I
5 think later on when we are talking about the height-to-diameter ratio
6 elements in the claims, that definition of a heat sink becomes important.

7 I would also like to point out that the third element on slide 3
8 referring to the light source towards the end of it, it says that the LEDs are
9 disposed on the heat spreader such that the heat spreader dissipates heat
10 from the LEDs. Again, I think that comes into play later on, but I just
11 wanted to point those out at the beginning.

12 So essentially, the '968 patent, in sort of summary format, teaches
13 using a fixture's own trim as the heat sink in order to keep the fixture cool
14 and low profile. Obviously, there are other elements involved, but that is the
15 general way in which they do it. And they do it using a heat spreader and a
16 ring-shaped heat sink around its outer periphery.

17 The claim also includes an optic and an LED light source, and one
18 of the issues that we're going to talk about is the combined
19 height-to-diameter ratio of .25 is also going to be covered here shortly.

20 Looking at slide number 5, you see a Figure 12 from the '968
21 patent, and this generally describes the features of the patent. You have the
22 heat spreader 105. You have the light source 120. Those are the LED
23 arrays. You have the outer optic (which is one of the elements of the
24 claim) 115, and the heat sink 110 which you can see is coupled to the heat

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