

NOTE: This disposition is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**GUI GLOBAL PRODUCTS, LTD., DBA GWEE,**  
*Appellant*

v.

**SAMSUNG ELECTRONICS CO., LTD., SAMSUNG  
ELECTRONICS AMERICA, INC.,**  
*Appellees*

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2022-2156, 2022-2157, 2022-2158, 2022-2159

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Appeals from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in Nos. IPR2021-  
00335, IPR2021-00336, IPR2021-00337, IPR2021-00338.

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Decided: April 11, 2024

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JOHN J. EDMONDS, Edmonds & Schlather, PLLC, Hou-  
ston, TX, argued for appellant. Also represented by  
STEPHEN F. SCHLATHER; ALISTAIR B. DAWSON, PARTH GEJJI,  
Beck Redden LLP, Houston, TX.

ALI REZA SHARIFAHMADIAN, Arnold & Porter Kaye  
Scholer LLP, Washington, DC, argued for appellees. Also  
represented by JIN-SUK PARK.

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Before PROST, SCHALL, and REYNA, *Circuit Judges*.

PROST, *Circuit Judge*.

Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Samsung”) petitioned for inter partes review (“IPR”) of all claims of U.S. Patent Nos. 10,259,020 (“the ’020 patent”), 10,259,021 (“the ’021 patent”), 10,562,077 (“the ’077 patent”), and 10,589,320 (“the ’320 patent”). In four final written decisions, the Patent Trial and Appeal Board (“Board”) determined that all claims were unpatentable over the asserted prior art. *Samsung Elecs. Co. v. GUI Glob. Prods., Ltd.*, No. IPR2021-00335, 2022 Pat. App. LEXIS 3359 (P.T.A.B. June 29, 2022) (“’335 Decision”); *Samsung Elecs. Co. v. GUI Glob. Prods., Ltd.*, No. IPR2021-00336, 2022 WL 2252459 (P.T.A.B. June 22, 2022) (“’336 Decision”); *Samsung Elecs. Co. v. GUI Glob. Prods., Ltd.*, No. IPR2021-00337, 2022 WL 2252561 (P.T.A.B. June 22, 2022) (“’337 Decision”); *Samsung Elecs. Co. v. GUI Glob. Prods., Ltd.*, No. IPR2021-00338, 2022 WL 2252461 (P.T.A.B. June 22, 2022) (“’338 Decision”). GUI Global Products, Ltd. d/b/a Gwee (“Gwee”) appeals each final written decision. We affirm.

## BACKGROUND

### I

The ’020, ’021, ’077, and ’320 patents share a specification.<sup>1</sup> These patents disclose, among other things, a “functionality of being able to activ[ate] magnetic switches on devices having such switches.” ’020 patent col. 11 ll. 54–56. One embodiment “is a switching device for use [with] a portable electronic device having a view screen, a switch for turning the portable device off and on that can be

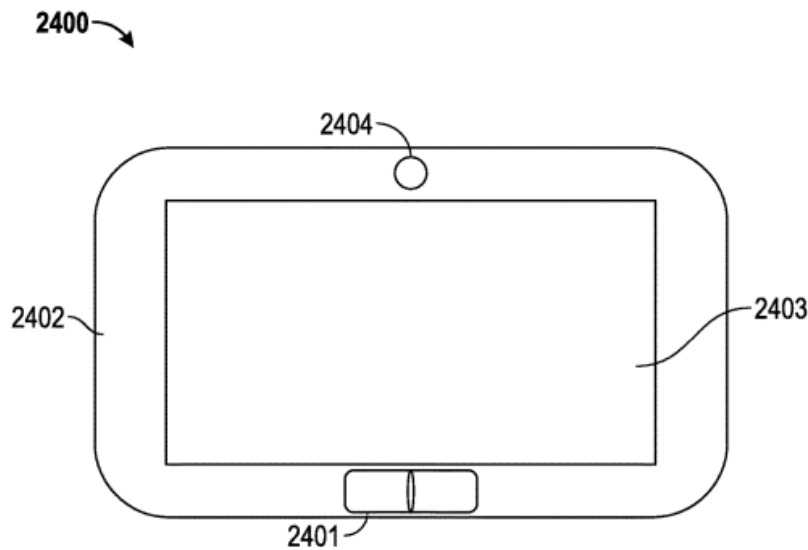
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<sup>1</sup> For convenience, we cite only the ’020 patent specification.

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activated or deactivated by the application of a magnetic field and at least one case.” *Id.* at col. 17 ll. 45–49. Examples of the portable electronic device include “tablet computers, laptop computers, portable DVD players, and the like.” *Id.* at col. 17 ll. 51–52. Figure 24 provides an illustration of one such portable electronic device (tablet computer 2400) with a switching device (2401):



**FIG. 24**

*Id.* at Fig. 24; *see also id.* at col. 17 ll. 63–67.

Claim 1 of the '020 patent is independent and recites:

1. A system comprising:

a portable switching device coupled to a portable electronic device;

wherein:

the *switching device* and the electronic device are configured to selectively couple to each other employing magnetic force from a first magnet disposed within the switching device;

the switching device comprises a first case;

the electronic device comprises a second case and an electronic circuit that is responsive to the switching device;

the electronic device comprises at least one element selected from the group consisting of beveled edges, ridges, recessed areas, grooves, slots, indented shapes, bumps, raised shapes, and combinations thereof; configured to correspond to complementary surface elements on the switching device;

the portable switching device is configured to activate, deactivate, or send into hibernation the portable electronic device; and

when coupled, the second case functions to protect the first case.

*Id.* at claim 1 (emphasis added). Claim 1 of the '077 and '320 patents also recites an additional limitation that “the electronic device plays . . . a remote device.” '077 patent claim 1; '320 patent claim 1. Claim 1 of each of the four patents does not otherwise have relevant differences for the purposes of these appeals. All patents also have dependent claims that recite the switching device or the electronic device being “wireless earplugs.” '020 patent claim 10; '021 patent claim 10; '077 patent claim 11; '320 patent claim 11.

## II

In each IPR, Samsung presented obviousness grounds based on Kim.<sup>2</sup> Samsung relied on what it referred to as “Figure A,” a schematic representation of Kim’s combined

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<sup>2</sup> U.S. Patent App. Pub. No. 2010/0227642 (“Kim”).

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teachings that Samsung drew, as the primary basis for obviousness. The Board found that Kim teaches “Figure A” and also that “Figure A” would have been an obvious variation of Kim’s disclosures. *’335 Decision*, 2022 Pat. App. LEXIS 3359, at \*11–26.<sup>3</sup> For the claims with the “wireless earplug” limitation, Samsung relied on a combination of Kim and Koh.<sup>4</sup> The Board found that a skilled artisan would have been motivated to combine Kim and Koh. *Id.* at \*42–47. For the “switching device” limitation, the Board found that Kim teaches one device switching, or causing a change in the operation of, another device. *Id.* at \*27–28. The Board also found that Kim teaches the “plays . . . a remote device” limitation in claim 1 of the ’077 and ’320 patents. *’337 Decision*, 2022 WL 2252561, at \*18; *’338 Decision*, 2022 WL 2252461, at \*19.

Gwee timely appealed each final written decision. We have jurisdiction under 28 U.S.C. § 1295(a)(4)(A).

#### DISCUSSION

On appeal, Gwee argues that the Board lacked substantial evidence for certain findings underlying its obviousness conclusions and committed several Administrative Procedure Act (“APA”) violations. We take up Gwee’s obviousness arguments and then address its APA arguments.

#### I

What the prior art discloses and whether a person of ordinary skill in the art would have been motivated to combine prior-art references are both factual questions that we review for substantial evidence. *Intel Corp. v. PACT XPP Schweiz AG*, 61 F.4th 1373, 1378 (Fed. Cir. 2023). “Substantial evidence is such relevant evidence as a reasonable

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<sup>3</sup> Unless the Board’s treatment of the issues differs, for simplicity we cite only the *’335 Decision*.

<sup>4</sup> Korean Patent Pub. No. 10-2008-0093178 (“Koh”).

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