

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.
Petitioner

v.

MOJO MOBILITY INC.
Patent Owner

Patent No. 11,201,500

**PETITIONER'S NOTICE
REGARDING MULTIPLE PETITIONS**

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I. INTRODUCTION

Petitioner is concurrently filing three petitions challenging different claims of U.S. Patent No. 11,201,500 (“the ’500 patent”) (Ex. 1001). “To aid the Board in determining” why “more than one petition is necessary,” Petitioner provides the information below. PTAB Consolidated Trial Practice Guide (“TPG”) (November 2019) at 59-60. As explained below, the Board should institute all three petitions.

II. RANKING

While the petitions are meritorious and justified as explained below, Petitioner requests that the Board consider the petitions in the following order:¹

Rank	Petition	Challenged Claims	Grounds
1	Petition 1	1, 3, 9, 11-13, 20	<u>Ground 1</u> : Claims 1, 3, 9, and 12 obvious over <i>Okada</i> , <i>Odendaal</i> , <i>Berghegger</i> , and <i>Black</i> <u>Ground 2</u> : Claim 11 obvious over <i>Okada</i> , <i>Odendaal</i> , <i>Berghegger</i> , <i>Black</i> , and <i>Shima</i> <u>Ground 3</u> : Claims 12-13 obvious over <i>Okada</i> , <i>Odendaal</i> , <i>Berghegger</i> , <i>Black</i> , and <i>Takagi</i> <u>Ground 4</u> : Claim 20 obvious over <i>Okada</i> , <i>Odendaal</i> , <i>Berghegger</i> , <i>Black</i> , and <i>Chen</i>
2	Petition 2	23-31	<u>Ground 1</u> : Claims 23, 25, 28, and 29 obvious over <i>Okada</i> , <i>Odendaal</i> , <i>Cho</i> , <i>Berghegger</i> , and

¹ While this ranking is provided in accordance with the TPG, Petitioner believes ranking here is inappropriate/unnecessary since different claims are challenged in the Petitions.

Rank	Petition	Challenged Claims	Grounds
			<i>Black</i> <u>Ground 2</u> : Claim 24 obvious over <i>Okada, Odendaal, Cho, Berghegger, Black, and Calhoon</i> <u>Ground 3</u> : Claim 26 obvious over <i>Okada, Okada, Odendaal, Cho, Berghegger, Black, and Meadows</i> <u>Ground 4</u> : Claim 27 obvious over <i>Okada, Odendaal, Cho, Berghegger, Black, and Shima</i> <u>Ground 5</u> : Claim 30 obvious over <i>Okada, Odendaal, Cho, Berghegger, Black, and Takagi</i> <u>Ground 6</u> : Claim 31 obvious over <i>Okada, Odendaal, Cho, Berghegger, Black, and Labrou</i>
3	Petition 3	2, 4, 18	<u>Ground 1</u> : Claim 2 obvious over <i>Okada, Odendaal, Berghegger, Black, and Masias</i> <u>Ground 2</u> : Claim 4 obvious over <i>Okada, Odendaal, Berghegger, Black, and Calhoon</i> <u>Ground 3</u> : Claim 18 obvious over <i>Okada, Odendaal, Berghegger, Black, and Kazutoshi</i>

III. MATERIAL DIFFERENCES AND REASONS FOR INSTITUTION

As the Board has recognized, “there may be circumstances in which more than one petition may be necessary.” *See* PTAB Consolidated TPG at 59-60. This is such a circumstance.

The ’500 patent includes, *inter alia*, independent claims 1 and 23 (and corresponding dependent claims 2-4, 9, 11-13, 18, 20, 24-31 challenged here), which recite various combinations of numerous features that Petitioner addresses. (*See* Ex.

1001, 70:14-74:48.) Petition 1 challenges independent claim 1 based on *Okada*, in combination with *Odendaal*, *Berghegger*, and *Black*, and dependent claims 3, 9, 11-13, and 20 based on those same references and *Shima*, *Takegi*, and ***Chen***; Petition 2 challenges independent claim 23 and dependent claims 24-31 based on combinations of *Okada*, *Odendaal*, *Cho*, *Berghegger*, and *Black* (claim 23) and ***Calhoon***, ***Meadows***, *Shima*, *Takegi*, and ***Labrou***; Petition 3 challenged dependent claims 2, 4, and 18 based on combinations of *Okada*, *Odendaal*, *Berghegger*, *Black*, ***Masias***, ***Calhoon***, and ***Kazutoshi***. The grounds challenge different claims, and based on in part, different prior art combinations, and were specifically tailored to address the different combinations of features in the claims.

There was no practicable way to fit the challenges in a single petition. Claim 1 (Petitions 1, 3) and claim 23 (Petition 2) are exacting and each take up about one column. (Ex. 1001, 70:14-71:20, 72:60-73:49.) Coupled with their challenged dependent claims (Petitions 1-3), the space required to address all of those limitations made it nearly impossible to fully/properly address them in a single, or even two, petitions. Indeed, although some dependent claims are less exacting, they include new and often substantially different features from their respective independent claims from which they depend. As such, addressing those claims involved additional references, including those not addressed in the other two petitions (*e.g.*, *Chen*, *Calhoon*, *Meadows*, *Labrou*, *Masias*, *Kazutoshi*), or sometimes

in one other petition. Petitioner had to separate the challenges into three petitions—each which **challenge different claims** of the '500 patent—in order to ensure the grounds associated with each challenged claim contain the necessary specificity as to how the prior art meets the recited limitations within the word limit applicable to IPR petitions, consistent with similar previously instituted proceedings. *See, e.g., Samsung Elecs. Co. v. Hardin*, IPR2022-01335, Paper No. 13 at 22 (P.T.A.B. Feb. 8, 2023) (recognizing long claims); *ASSA ABLOY AB v. CPC Patent Technologies Pty Ltd.*, IPR2022-01089, Paper 21 at 3-5 (P.T.A.B. Jan. 3, 2023).

Moreover, the challenged claims recite varying limitations that are only addressed in one petition (except that the claim 1 analysis is necessarily presented in Petitions 1 and 3 because the challenged dependent claims depend from claim 1). For example, independent claim 1, and dependent claims 3, 9, 11-13, 20 (Petition 1) are directed to an inductive powering/charging system, including drive, sense, and communication/control circuits that, *inter alia*, involve Zero Voltage Switching, and use a metallic layer. (Ex. 1001, 70:14-72:48.) Claims 23-31 (Petition 2), in contrast, are directed to a portable device with receiver coil and circuitry, a ferrite material layer, and a receiver communication/control circuit that periodically communicates information (claim 23) including ID, algorithm profile, and power requirement information (claim 24), and also includes a disconnect switch (claim 26). Dependent claims 2, 4, and 18 (from claim 1) (Petition 3) add voltage regulator circuits (claim

2), and a Proportional-Integral-Derivative control technique (claim 18). Since the claims recite multiple (*albeit* conventional) different features with others, it would have been impractical (and prejudicial to Petitioner) to challenge all claims in one/two petitions to the detriment of detail and supporting arguments and evidence.

The overlapping prior art references (e.g., *Okada*, the sole primary reference) and concurrent filing of the petitions also weigh in favor of institution. Petitioner believes a relatively small amount of effort is required by the parties and Board to address the prior art and limitations across the multiple petitions. *See, e.g., Hardin*, IPR2022-01335 at 22-23. And Petitioner has filed its petitions concurrently, and thus “did not gain a timing advantage,” which further supports institution. *Id.*

Given that it is Petitioner’s burden, the level of detail included in the petitions is appropriate, and Petitioner should not be penalized via discretionary denial under 35 U.S.C. § 314, especially given the space needed address other issues under current PTAB practice in light of PO’s litigation against Petitioner. (*See* Petitions 1-3, §X.) Petitioner would not oppose consolidation of the proceedings upon institution.

IV. CONCLUSION

For the reasons given above, the Board should institute all three petitions.

Respectfully submitted,

Dated: June 28, 2023

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CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2023, I caused a true and correct copy of the foregoing Petitioner's Notice Regarding Multiple Petitions to be served via express mail on the Patent Owner at the following correspondence address of record as listed on Patent Center:

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