

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORP., DELL INC., and DELL TECHNOLOGIES INC.,

Petitioner,

v.

GENERAL VIDEO, LLC,

Patent Owner.

Case IPR2025-01037

Patent No. 9,843,786

**PATENT OWNER'S REPLY IN SUPPORT OF ITS REQUEST FOR
DISCRETIONARY DENIAL OF INSTITUTION**

EXHIBIT LIST

Exhibit #	Description
2001	Declaration of Matthew G. McAndrews
2002	Docket Report for <i>General Video, LLC v. Dell Inc. et al.</i> , Case No. 1-24-cv-01530 (W.D. Tex.)
2003	Docket Report for <i>General Video, LLC v. Lenovo Group Limited</i> , Case No. 5-24-cv-00122 (E.D. Tex.)
2004	Docket Report for <i>General Video, LLC v. HP Inc.</i> , Case No. 5-24-cv-00123 (E.D. Tex.)
2005	Docket Report for <i>General Video, LLC v. ASUSTeK Computer, Inc. et al.</i> , Case No. 5-24-cv-00126 (E.D. Tex.)
2006	Defendants' Preliminary Invalidity Contentions (without exhibits) (May 19, 2025) in <i>General Video, LLC v. Dell Inc. et al.</i> , Case No. 1-24-cv-01530 (W.D. Tex.)
2007	Unused.
2008	Defendant HP Inc.'s Invalidity Contentions (without exhibits) (June 26, 2025) in <i>General Video, LLC v. HP Inc.</i> , Case No. 5-24-cv-00123 (E.D. Tex.)
2009	Defendant's Preliminary Invalidity Contentions (without exhibits) (June 23, 2025) in <i>General Video, LLC v. ASUSTeK Computer, Inc. et al.</i> , Case No. 5-24-cv-00126 (E.D. Tex.)
2010	Statistics for Judge Albright on Contested Motions to Stay Pending IPR (taken from Docket Navigator on 8/1/25)
2011	Statistics for Judge Schroeder on Contested Motions to Stay Pending IPR (taken from Docket Navigator on 8/1/25)
2012	Docket Control Order (4/22/25) in consolidated cases of <i>General Video, LLC v. Lenovo Group Limited</i> , Case No. 5-24-cv-00122 (E.D. Tex.), <i>General Video, LLC v. HP Inc.</i> , Case No. 5-24-cv-00123 (E.D. Tex.), and <i>General Video, LLC v. ASUSTeK Computer, Inc. et al.</i> , Case No. 5-24-cv-00126 (E.D. Tex.)
2013	Scheduling Order (3/24/25) in <i>General Video, LLC v. Dell Inc. et al.</i> , Case No. 1-24-cv-01530 (W.D. Tex.)
2014	https://www.via-la.com/licensing-2/displayport/displayport-licensees/
2015	https://www.via-la.com/wp-content/uploads/Final-June-1-2025-DisplayPort-Attachment-1.pdf
2016	https://web.archive.org/web/20161031063754/http://

Exhibit #	Description
	www.mpegla.com:80/main/programs/DisplayPort/Pages/Licensees.aspx
2017	https://web.archive.org/web/20160305055247/http://www.mpegla.com/main/programs/DisplayPort/Documents/displayport-att1.pdf
2018	March 18, 2015 Ltr. from Dean Skandalis of MPEGLA to Chad Anson of Dell Inc.
2019	March 12, 2015 Ltr. from Dean Skandalis of MPEGLA to Ron Friedman of Intel Corp.
2020	Plaintiff General Video, LLC's Opposed Motion for Entry of Scheduling Order That "Generally Tracks" the Court's Exemplary Schedule (6/18/25) and Replacement Exhibit A (6/19/25) filed in <i>General Video, LLC v. Dell Inc. et al.</i> , Case No. 1-24-cv-01530 (W.D. Tex.)
2021	MPEGLA June 1, 2024 DisplayPort Attachment 1
2022	Defendants' Motion to Dismiss in Part Plaintiff's Complaint for Failure to State a Claim (December 12, 2024) in <i>General Video, LLC v. Dell Inc. et al.</i> , Case No. 1-24-cv-01530 (W.D. Tex.)
2023	Email Chain Between MPEGLA and Dell from April 3, 2015 to May 7, 2015
2024	Email Chain Between MPEGLA and Dell from July 13, 2015 to September 2, 2015
2025	July 2020 Emails from MPEGLA to Dell
2026	Email Chain Between MPEGLA and Dell from July 27, 2020 to October 30, 2020
2027	Email Chain Between MPEGLA and Dell from November 2, 2020 to December 9, 2020
2028	Email Chain Between MPEGLA and Dell from November 23, 2021 to February 1, 2022

Petitioners' Opposition to Patent Owner's Request for Discretionary Denial ignores critical facts that undermine Petitioners' "settled expectations" argument and fails to show that the Examiner materially erred in issuing the 786 Patent.

First, regarding "settled expectations," as explained in Patent Owner's Request (Paper 7), in March 2015, MPEGLA – a patent pool administrator that licensed the 786 Patent as part of the DisplayPort ("DP") standard-essential patent ("SEP") portfolio – informed Dell that (i) it needed to license the DP SEP portfolio, (ii) use of DP technology infringed each DP SEP patent in the portfolio, and (iii) the list of DP SEP patents would be amended by the periodic posting of an updated list on a specific webpage for which the Internet address was provided. Ex. 2018 at 1-4. MPEGLA subsequently followed up with Dell on the license. *See* Ex. 2023. On March 1, 2016, the 010 Patent (a parent of the 786 Patent) was posted on that webpage, and on June 1, 2024, the 786 Patent was posted on the webpage. Ex. 2017; Ex. 2021. Dell, however, asserts that it responded to MPEGLA on July 13, 2015 saying it did not need the license, that Patent Owner then waited seven years to sue Dell for infringement of the 786 Patent, and that "Patent Owner's years of silence" created settled expectations for Dell that the 786 Patent would not be asserted against it. *See* Paper 8 at 8; Ex. 1041.

But this paints a false narrative. Dell's July 13, 2015 response was not the end of the story – far from it. MPEGLA immediately responded to Dell on July 17, 2015

explaining in detail why Dell did in fact need a license, that all the DP SEP patents were essential, and that, *if Dell believed any of the patents should be invalidated, it should “pursue appropriate action in the . . . patent office[].”* Ex. 2024. So MPEGLA made it clear that it disagreed with Dell’s position and challenged Dell to back up its assertion of invalidity at the patent office. Dell’s failure to rise to that challenge over the next seven years settled expectations in favor of validity.

And, contrary to Petitioners’ assertion that there were “years of silence,” there were many more subsequent communications between MPEGLA and Dell regarding the DP SEP license. At least between July 27, 2020 and February 1, 2022, MPEGLA and Dell exchanged dozens of emails and had multiple calls regarding the DP SEP license (which by March 1, 2016 included the 010 Patent, a parent of the 786 Patent). *See* Ex. 2025-2028. And on January 14, 2022, in response to Dell’s statement that it did not move forward with the license in 2015 because its component supplier was allegedly licensed, MPEGLA stated that its licenses do not cover upstream suppliers, so “Dell will need to conclude our DisplayPort License in order to be covered under all of the essential patents included in the agreement.” *See* Ex. 2028.

In view of these communications, Dell cannot credibly claim that it had settled expectations that it would not be sued or that there were “years of silence.” Indeed, MPEGLA told Dell it needed to take a license that included the 010 Patent, and that ultimately included the 786 Patent, for years after Dell’s July 2015 refusal and

through at least February 2022.¹

Second, Petitioners are incorrect in arguing that the Examiner erred materially in allowing the 786 Patent. Petitioners assert that the Examiner erred by overlooking Suzuki – which was before the Examiner – because the reason for allowance was that the prior art “does not disclose specifics about the interface having its known data carrying capacity operating in two different modes of transmitting 2D/3D image as claimed” – even though the claims do not require that the interface have “a known data carrying capacity” – but, if they did, Suzuki teaches those features. Paper 8 at 2-6, 11-12; Ex. 1002 at 16.

This argument has no merit. First, Petitioners ignore other language from the reasons for allowance. The reasons referenced “signaling information comprises information with respect to a multiplexing scheme used in a second mode for enabling a second audio-visual device to determine a decoding scheme to be used to decode a stereoscopic image format being used in the second mode.” Ex. 1002 at 16. In their Opposition, Petitioners do not point to this language or argue that Suzuki teaches it. There is good reason for that. As shown in Patent Owner’s Preliminary Response, Suzuki, alone or in combination with the Petition’s other art, does not

¹ Discovery is ongoing in the parallel Dell litigation, and Patent Owner expects to uncover more MPEGLA/Dell communications related to the DP SEP license.

teach or suggest that limitation. *See* Paper 9 at 5-16.

Petitioners also ignore the statement in the reasons for allowance that “the prior art fails to teach or render obvious these limitations *taken within the others in the claim.*” Ex. 1002 at 16 (emphasis added). In other words, the Examiner correctly found that the claims *as a whole* were not anticipated by or obvious over Suzuki or any other art of record. *See Para-Ordnance Mfg. v. SGS Importers Int'l*, 73 F.3d 1085, 1087 (Fed. Cir. 1995) (“when determining obviousness, the claimed invention should be considered as a whole; there is no legally recognizable ‘heart’ of the invention”). Indeed, the Board has squarely rejected the idea – in the context of the second part of the *Advanced Bionics* framework – of limiting the patentable distinctions of a claim to those noted in a Notice of Allowance. *See BMW of N.A. v. Stragent, LLC*, IPR2021-00419, Paper 21 at 10 (P.T.A.B. Mar. 21, 2022) (“Petitioner does not direct us to any authority that would limit the scope of patentable material based on the Examiner’s statement in the notice of Allowance. To the contrary, the Federal Circuit ‘has recognized that an Examiner’s Statement of Reasons for Allowance will not necessarily limit a claim.’”) (citation omitted).

And as shown in Patent Owner’s Preliminary Response, Suzuki, alone or in combination with the Petition’s other art, simply does not teach or render obvious certain limitations of the challenged independent claims, including the “signaling information” limitation discussed above and recited in claims 1, 13, 17, 19, and 21

and the limitation of “a processor arranged to extract said image data . . . being operable in: a first mode in which the processor extracts pixel image data for a 2D image from a stream of first data elements” recited in claim 13. *See* Paper 9 at 5-21.

Thus, Petitioners have failed to demonstrate that “previously presented art² teaches the limitations of the challenged claims, and that no reasonable examiner could have found otherwise.” *Ecto World, LLC v. RAI Strategic Holdings, Inc.*, IPR2024-01280, Paper 13 at 6 (P.T.A.B. May 19, 2025). Indeed, at a bare minimum, “reasonable minds can disagree” regarding the Examiner’s purported treatment of Suzuki, so “it cannot be said that the Office erred in a manner material to patentability.” *Advanced Bionics, LLC v. Med-El Elektromedizinische Geräte GmbH*, IPR2019-01469, Paper 6 at 9 (P.T.A.B. Feb. 13, 2020).

Lastly, the district court’s recent denial of Patent Owner’s request to modify the scheduling order in the parallel Dell litigation is not significant under *Fintiv* because the other parallel cases in the Eastern District of Texas will get to trial almost three months before any final decision here, and the Dell litigation will be essentially trial ready by then. *See* Paper 7 at 12-16; Ex. 1047 at 1; Ex. 1042 at 7.

² The Examiner considered art substantially the same as that relied on by Petitioners. The Examiner considered Suzuki, and Tu and Lida are cumulative of art considered by the Examiner (*i.e.*, Ha and Wolf). *See* Paper 7 at 30-39.

Dated: October 3, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that the Patent Owner's Reply in Support of its Request for Discretionary Denial in connection with *Inter Partes Review* Case IPR2025-01037 and Exhibits 2023-2028 were served on October 3, 2025 by electronic mail to:

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