

Reply to Patent Owner's Preliminary Response
IPR2025-01521

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioners

v.

SNAPAID, LTD.
Patent Owner

U.S. PATENT NO. 11,252,325

Case IPR2025-01521

REPLY TO PATENT OWNER'S PRELIMINARY RESPONSE

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LIST OF EXHIBITS¹

Exhibit No.	Description
1001	U.S. Patent No. 10,944,325
1002	<i>Curriculum Vitae</i> of Dan Schonfeld
1003	Declaration of Dan Schonfeld in support of <i>Inter Partes</i> Review
1004	U.S. Patent No. 8,508,622 (“Anon”)
1005	AN-1057 Using an Accelerometer for Inclination Sensing
1006	U.S. Patent No. 5,831,670 (“Suzuki”)
1007	U.S. Pat. App. Pub. No. 2010/0149361 (“Takeuchi”)
1008	U.S. Pat. App. Pub. No. 2004/0012682 (“Kosaka”)
1009	U.S. Pat. App. Pub. 2009/0296989 (“Ramesh”)
1010	U.S. Pat. App. Pub. 2012/0201427A1 (“Jasinski”)
1011	U.S. Patent No. 8,009,198 (“Alhadeef”)
1012	U.S. Pat. App. Pub. 2012/0105662A1 (“Staudacher”)
1013	Hector Garcia-Molina <i>et al.</i> , “DATABASE SYSTEMS The Complete Book,” 2009 (“Garcia-Molina”)
1014	File History of U.S. Patent No. 11,252,325
1015	U.S. Pat. App. Pub. No. 2005/0270381 (“Owens”)
1016	Che-Hua Yeh <i>et al.</i> , “Personalized Photograph Ranking and Selection System,” 2010 (“Yeh”)
1017	Cavalcanti, <i>et al.</i> , “A Survey on Automatic Techniques for Enhancement and Analysis of Digital Photography,” 2013 (“Cavalcanti”)
1018	Excerpts from Infringement Claim Chart for U.S. Patent No. 11,252,325

¹ Unless otherwise specified, citations are to the original page, column, and line numbers in exhibits, and all emphasis is added unless otherwise noted.

I. INTRODUCTION

In its Preliminary Response, SnapAid argues that Samsung's simultaneous assertion of indefiniteness and anticipation/obviousness is inconsistent and should weigh against institution under the Director's guidance in *Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.* SnapAid's argument misapprehends both the law and the realities of patent litigation, particularly at this early procedural stage.

II. SAMSUNG HAS NOT TAKEN INCONSISTENT POSITIONS

Contrary to SnapAid's assertions, Petitioner has not taken inconsistent claim construction positions before the PTAB and the Eastern District of Texas court. The district court local rules require early and comprehensive disclosure of all potential invalidity theories, long before the parties or the court have resolved claim construction disputes. E.D. Tex. Pat. Rule 3-3. As Samsung explained in its invalidity contentions, those contentions were expressly made "without having proposed claim terms for construction and before disclosure of SnapAid's apparent interpretation of the Asserted Claims," and Samsung "takes no position on any matter of claim construction in these Contentions." Ex. 2038, 1. Thus, to the extent that Samsung's contentions reflect alternative and contingent invalidity positions, those positions were taken to ensure that all possible claim construction outcomes are addressed, and no defense is waived during the early stages of the litigation.

The timing of the petition highlights the critical importance of this approach. Petitioner filed its petition on September 5, before receiving SnapAid’s infringement contentions on September 15 and well before Samsung served its responsive invalidity contentions three months later. At this stage, claim construction issues raised by the parties’ contentions remain unresolved. Indeed, claim construction briefing is not even scheduled to be completed until September 10, 2026, with the claim construction hearing not scheduled until October 22, 2026. Ex. 2002.

Early and diligent IPR filings—such as Samsung’s submission of the Petition before the district court’s claim construction proceedings have even commenced—demonstrate the type of proactive strategy consistently endorsed by the Director. Nevertheless, filing before the district court has provided definitive claim constructions obligates petitioners to address all reasonable interpretations of the claims, ensuring that the Petition is both comprehensive and procedurally sound.

Accordingly, Petitioner has not taken inconsistent positions before the Board and the Eastern District of Texas, and SnapAid’s reliance on *Revvo* is misplaced.

III. SAMSUNG’S INVALIDITY CONTENTIONS ARE JUSTIFIED

To the extent that Samsung’s positions in the district court can be alleged to differ from those it presents in the PTAB, SnapAid’s infringement contentions independently justify any such differences. In its contentions served after the Petition was filed, SnapAid, for the first time, implicitly raised issues under 35 U.S.C. §

112—including potential indefiniteness—by providing detailed claim charts that attempt to map each claim element to specific features in the accused Samsung products. Ex. 1018 (’325 infringement contentions), 52 (presenting a screenshot of a YouTube video indicating that “The last shot might be blurred.”). Moreover, the indefiniteness arguments presented in district court are not inconsistent with the prior art grounds before the PTAB. The indefiniteness at issue in the district court relates to discerning the extent of the metes and bounds of the claims, rather than indefiniteness so severe that the claims are wholly incapable of being construed. Accordingly, Samsung is fully justified in advancing indefiniteness positions before the Eastern District of Texas that were not raised in the earlier filed Petition. These positions are now warranted by SnapAid’s evolving infringement theories and the record developed through its contentions, rather than the vague and conclusory assertions in the Complaint (Ex. 2001).

IV. THE BOARD SHOULD APPLY THE PLAIN AND ORDINARY MEANING TO THE CHALLENGED CLAIMS

It is well established that IPR proceedings are limited to grounds of unpatentability under 35 U.S.C. §§ 102 and 103 (applying patents and printed publications), and do not permit challenges based on indefiniteness under § 112. Arguments regarding whether a potential infringer is informed of the metes and bounds of a claim—i.e., whether the claim is indefinite—are not necessarily pertinent to the Board’s analysis in IPR. As the Federal Circuit explained in

Cochlear Bone Anchored Sols. AB v. Oticon Med. AB, 958 F.3d 1348, 1360 (Fed. Cir. 2020), “indefiniteness of a claim does not always imply inability to conduct a prior-art analysis needed for an inter partes review.” The relevant inquiry is whether the claims can be meaningfully compared to the prior art for purposes of §§ 102 or 103, not whether they are indefinite under § 112. *Id.* Petitioner's prior art contentions in both this IPR and the district court demonstrate that the claims of the '325 patent are sufficiently clear to permit a meaningful comparison to the prior art. Therefore, the Board should proceed to evaluate the patentability of the '325 claims based on the plain and ordinary meaning of the claims, without regard to any § 112 issues that may be raised in district court.

V. SNAPAID IS NOT PREJUDICED

SnapAid is not prejudiced by Samsung's indefiniteness contentions. The issue of indefiniteness is reserved for resolution in the district court, not the PTAB in IPR. Any arguments or contentions Samsung raises regarding indefiniteness are directed solely to the district court, where the court is the proper forum to adjudicate such issues. This procedural separation ensures that SnapAid's ability to defend its patents against prior art patents and printed publications in IPR is not impacted by any Samsung indefiniteness arguments in district court.

No prejudice to SnapAid arises from the timing of Samsung's indefiniteness contentions. Samsung raised its indefiniteness arguments in the district court after

filing the IPR petition challenging the '325 patent. This sequence is both proper and expected: the IPR petition addresses patentability under §§ 102 and 103 (limited to patents and printed publications), while the district court litigation encompasses all other invalidity defenses, including indefiniteness under § 112. SnapAid has had, and continues to have, a full and fair opportunity to respond to Samsung's indefiniteness contentions in the district court, where that issue will be decided. Moreover, Samsung's broad *Sotera+* stipulation further prevents any potential prejudice, as it ensures that Samsung is estopped from pursuing in district court any grounds that could have been raised in the IPR, including any ground based on a combination of system prior art and the references asserted as part of a ground raised in the Petition, thereby protecting SnapAid from duplicative or inconsistent invalidity arguments.

Finally, there is no gamesmanship in Samsung's approach. It is routine for parties to advance different arguments in different forums, consistent with the statutory framework. Samsung's assertion of indefiniteness in the district court does not undermine the PTAB's ability to adjudicate the IPR petition, nor does it prejudice SnapAid's rights in either forum.

VI. CONCLUSION

The Petition should proceed to institution.

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Respectfully submitted,

/s/ Robert A. Appleby

Robert A. Appleby
Counsel For Petitioner
Reg. No. 40,897

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CERTIFICATE OF COMPLIANCE

This Reply to Patent Owner's Preliminary Response complies with the 5-page limitation required by the Director's December 29, 2025 email message.

/s/ Robert A. Appleby

Robert A. Appleby (Reg. No. 40,897)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was served on December 31, 2025, via electronic service.

December 31, 2025

/s/ Robert A. Appleby
Robert A. Appleby (Reg. No. 40,897)