

Reply to Patent Owner's Preliminary Response
PGR2025-00083

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. 12,250,452

Case PGR2025-00083

REPLY TO PATENT OWNER'S PRELIMINARY RESPONSE

TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION	1
II. SAMSUNG’S <i>SOTERA</i> STIPULATION ELIMINATES ANY RISK OF INCONSISTENT POSITIONS.....	1
III. SAMSUNG HAS NOT TAKEN INCONSISTENT POSITIONS	3
IV. CONCLUSION.....	4

LIST OF EXHIBITS¹

Exhibit No.	Description
1001	U.S. Patent No. 12,250,452
1002	File History of U.S. Patent No. 12,250,452
1003	<i>Curriculum Vitae</i> of Dan Schonfeld
1004	Declaration of Dan Schonfeld in support of <i>Inter Partes</i> Review
1005	U.S. Patent No. 8,508,622 (“Anon”)
1006	U.S. Pat. App. Pub. No. 2010/0149361 (“Takeuchi”)
1007	U.S. Pat. App. Pub. No. 2004/0012682 (“Kosaka”)
1008	U.S. Pat. App. Pub. No. 2009/0296989 (“Ramesh”)
1009	U.S. Pat. App. Pub. No. 2011/0150447 (“Li”)
1010	U.S. Pat. App. Pub. No. 2012/0133746 (“Bigioi”)
1011	Tsung-Jung Liu and Wei Lin, “Image Quality Assessment Using Multi-Method Fusion,” <i>IEEE Transactions on Image Processing</i> , Vol. 22, No. 5, May 2013 (“Liu”)
1012	U.S. Pat. App. Pub. 2011/0222724 (“Yang”)
1013	Provisional Application No. 61/717,216, filed on October 23, 2012
1014	Provisional Application No. 61/759,643, filed February 1, 2013
1015	U.S. Pat. App. Pub. 2013/0076856 (“Wakabayashi”)
1016	Excerpts from Hector Garcia-Molina et al., “DATABASE SYSTEMS The Complete Book,” 2009 (“Garcia-Molina”)
1017	U.S. Pat. App. Pub. No. 2005/0270381 (“Owens”)

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

SnapAid's reliance on *Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.* based on alleged inconsistent claim construction or indefiniteness positions between this PGR and the Eastern District of Texas is misplaced. The core concern in *Revvo* is the risk of a petitioner advancing conflicting positions in parallel proceedings, thereby prejudicing the patent owner and undermining the integrity of the process. But that concern is not present here because Samsung has entered a *Sotera* stipulation in this proceeding. Ex. 2025.

II. SAMSUNG'S *SOTERA* STIPULATION ELIMINATES ANY RISK OF INCONSISTENT POSITIONS

Samsung has expressly agreed, via its *Sotera* stipulation, that if trial is instituted in this PGR, it will not pursue in the district court any grounds that were raised or reasonably could have been raised in the Petition, including all issues under 35 U.S.C. § 112, such as indefiniteness. This stipulation is binding and ensures that, if PGR is instituted, Samsung cannot take one position before the PTAB and a contrary position before the district court. The effect of the *Sotera* stipulation is to foreclose any validity-based defense in the district court that overlaps with the PGR, thereby eliminating the possibility of inconsistent positions or gamesmanship.

In the event that PGR is instituted, and the Eastern District of Texas issues a claim construction order or otherwise rules on indefiniteness with respect to any of the SnapAid patents asserted in that court (other than the '452 patent), such a

decision would not be binding on the Board here. Under 37 C.F.R. § 42.200(b), the Board is only required to “consider” a claim construction determination made in a related district court proceeding; it is not obligated to adopt or follow that court’s ruling. Under the statutory framework of the AIA, there is no estoppel or waiver effect in a PGR proceeding for issues that have been litigated solely in district court. *See* 35 U.S.C. § 325.

This scenario would not prejudice SnapAid because the Board retains independent authority to interpret the claims and to determine issues of claim scope based on the record before it. In resolving the prior art and indefiniteness issues raised in this PGR, the Board’s obligation is limited to considering, but not being bound by, the district court’s claim construction or indefiniteness determinations directed to related patents. As a result, SnapAid is not deprived of the opportunity to present its arguments regarding claim construction and indefiniteness before the Board, regardless of any district court rulings.

Furthermore, 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 PGR petition challenging the ’452 patent. 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 unless PGR is instituted here.

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 PGR petition, nor does it prejudice SnapAid's rights in either forum.

III. SAMSUNG HAS NOT TAKEN INCONSISTENT POSITIONS

In light of Samsung's *Sotera* stipulation, there is no risk of prejudice to SnapAid, and no basis for denial pursuant to *Revvo*. Regardless, Petitioner has not taken inconsistent claim construction positions before the PTAB and the Eastern District of Texas court. The local rules of the Eastern District of Texas require early and comprehensive disclosure of all potential invalidity theories, even 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 8, 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.

IV. CONCLUSION

The Director should reject SnapAid's *Revvo*-based argument and permit the PGR to proceed to trial.

Dated: December 31, 2025

Respectfully submitted,

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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)