

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE OFFICE OF THE UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE
UNITED STATES PATENT AND TRADEMARK OFFICE

VIZIO, INC.,
Petitioner,

v.

POLARIS POWERLED TECHNOLOGIES, LLC,
Patent Owner.

IPR2024-00073
Patent 7,843,148 B2

Before COKE MORGAN STEWART, *Acting Under Secretary of
Commerce for Intellectual Property and Acting Director of the United States
Patent and Trademark Office.*

ORDER

The Office has received a request for Director Review of the Final Written Decision and an authorized response in the above-captioned case.¹ *See* Papers 33, 35.

I have considered the request and response and determined that the Decision warrants review by a Delegated Rehearing Panel (“DRP”). Accordingly, I delegate Director Review of the Decision to a DRP to review the Decision and determine whether the panel misapprehended or overlooked any issue, including whether the panel: (1) should have explicitly construed the claim term “current set circuit,” *see* Paper 18, 8 (“The intrinsic and extrinsic evidence confirm that simple passive resistors . . . cannot satisfy the claimed ‘current set circuits.’”); Paper 20, 15 (“‘current set circuits’ refers to the portions of that LED driver that ‘control[s] a peak current through one or more LEDs connected in each parallel path’”); and (2) erred in determining that Petitioner had shown certain dependent claims unpatentable while simultaneously finding that Petitioner had not met its burden in showing the independent claims from which they depend to be unpatentable.

Absent good cause, the DRP shall issue a decision within 30 days of this Order.

Accordingly, it is:

ORDERED that the request for Director Review is delegated to a DRP.

¹ Petitioner sought to file additional evidence in support of its request, which was denied. *See* Ex. 3101.

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For PETITIONER:

Sheila Swaroop
Marko Zoretic
Daniel Kiang
KNOBBE, MARTENS, OLSON, & BEAR, LLP
2sns@knobbe.com
2mrz@knobbe.com
2dck@knobbe.com

For PATENT OWNER:

David Alberti
Russell Tonkovich
KRAMER ALBERTI LIM & TONKOVICH LLP
dalberti@krameralberti.com
rtonkovich@krameralberti.com

Jason Fitzsimmons
Richard Bemben
Jennifer Chagnon
Michael Specht
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
jfitzsimmons-ptab@sternekessler.com
rbemben-ptab@sternekessler.com
jchagnon-ptab@sternekessler.com
mspecht-ptab@sternekessler.com