

Exhibit D

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Paper 14
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION
Petitioner

v.

YISSUM RESEARCH DEVELOPMENT COMPANY OF THE HEBREW
UNIVERSITY OF JERUSALEM
Patent Owner

Case IPR2013-00327 (SCM)
Patent 7,477,284 B2

Before SALLY C. MEDLEY, KARL D. EASTHOM, and
JAMES B. ARPIN, *Administrative Patent Judges*.

ARPIN, *Administrative Patent Judge*.

DECISION
Institution of *Inter Partes* Review
37 C.F.R. § 42.108

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I. INTRODUCTION

Petitioner, Sony Corporation, filed a petition requesting an *inter partes* review of claims 4, 7, and 38 of Patent No. US 7,477,284 B2 (the “’284 Patent” or Ex. 1101). Paper 10 (“Pet.”). Patent Owner, Yissum Research Development Company of the Hebrew University of Jerusalem, filed a patent owner preliminary response. Paper 13 (“Prelim. Resp.”). We have jurisdiction under 35 U.S.C. § 314.

The standard for instituting an *inter partes* review is set forth in 35 U.S.C. § 314(a):

THRESHOLD – The Director may not authorize an *inter partes* review to be instituted unless the Director determines that the information presented in the petition filed under section 311 and any response filed under section 313 shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.

Pursuant to § 314(a), the Board institutes an *inter partes* review of claims 4, 7, and 38 of the ’284 Patent.

Petitioner separately moved to join this proceeding with IPR2013-00219 (the “’219 proceeding”). Paper 4. In a separate decision entered today, we grant Petitioner’s motion and join this proceeding with the ’219 proceeding.

A. Related Proceedings

The ’284 Patent and another related patent, Patent No. US 6,665,003 B1 (the “’003 Patent” or Ex. 1103), are involved in litigation in the U.S. District Court for the District of Delaware. *See* Pet. 1 (citing *HumanEyes Technologies Ltd. v. Sony Electronics Inc. et al.*, 1-12-cv-00398 (D. Del. March 29, 2012)). Petitioner describes the Delaware litigation as an infringement action currently based on at least claims 1-4, 7, 10, 20, 27-29, and 36-38 of the ’284 Patent. Paper 10, 2-3; *see also* Paper 11, 11. In addition to the ’219 proceeding, related *inter partes* review

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proceedings before the Patent Trial and Appeal Board (the “Board”) involving the same parties and the related patent include IPR2013-00218 and IPR2013-00326.

B. The '284 Patent

The '284 Patent describes methods and apparatus for generating mosaics of a scene from image data of the scene and displaying the mosaics to provide a sense of depth. *See* Ex. 1101, Abstract, Figs. 3, 5. The '284 Patent is described more fully in the IPR2013-00219 Decision to Institute, Paper 16 (Sept. 23, 2013) (the “'219 Decision”), in which the Board institutes *inter partes* review for claims 1-3, 5, 10, 20, 27-29, 36, and 37 in the '284 Patent. For purposes of this Decision to Institute (“Decision”), we adopt and rely upon the '219 Decision, including the description of the '284 Patent in the '219 Decision at 3-7.

C. Claims

Claims 4 and 7 depend from independent claim 1 via intervening claim 3. Independent claim 1 and dependent claim 3 (not challenged here), challenged claims 4 and 7, and challenged, independent claim 38 are reproduced below, with some additional indentation and line spacing for clarity:

1. Imaging apparatus comprising:

at least one imager that moves relative to a scene so as to acquire a plurality of optical images of at least portions of the scene, each of at least two of said optical images being viewed from a different respective viewing position;

a processor that receives image data representative of said at least two of the optical images and processes the data to divide each image into a plurality of segments and to generate a plurality of mosaics of the scene, such that:

each mosaic contains segments taken from different ones of said optical images;

segments relating to at least one part of the scene are derived from at least two optical images and appear in at least two mosaics;

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the different segments of the two optical images in a given mosaic represent different parts of the scene; and

a display that receives a plurality of the mosaics and displays them so as to provide a sense of depth of the scene.

3. Imaging apparatus according to claim 1 and comprising communication apparatus that transmits image data from the imaging apparatus.

4. Imaging apparatus according to claim 3 wherein the communication apparatus is housed in a housing that also accommodates the at least one imager, the processor and the display.

7. Imaging apparatus according to claim 3 wherein the communication apparatus comprises [an] apparatus for transmitting the data over a wireless communication channel.

38. A method for processing image data representative of at least portions of a scene acquired by at least one imager that moves relative to a scene so as to acquire a plurality of optical images of the scene, each of at least two of said optical images being viewed from a different respective viewing position, the method comprising:

dividing each image into a plurality of segments and generating a plurality of mosaics of the scene, such that:

each mosaic contains segments taken from different ones of said optical images;

segments relating to at least one part of the scene are derived from at least two optical images and appear in at least two mosaics;

the different segments of the two optical images in a given mosaic represent different parts of the scene; and

in respect of any two of said optical images that both contribute at least two different segments to each of any two mosaics, the segments contributed by both optical images to a first one of the mosaics are all to the left of the segments contributed by both optical images to a second

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