UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

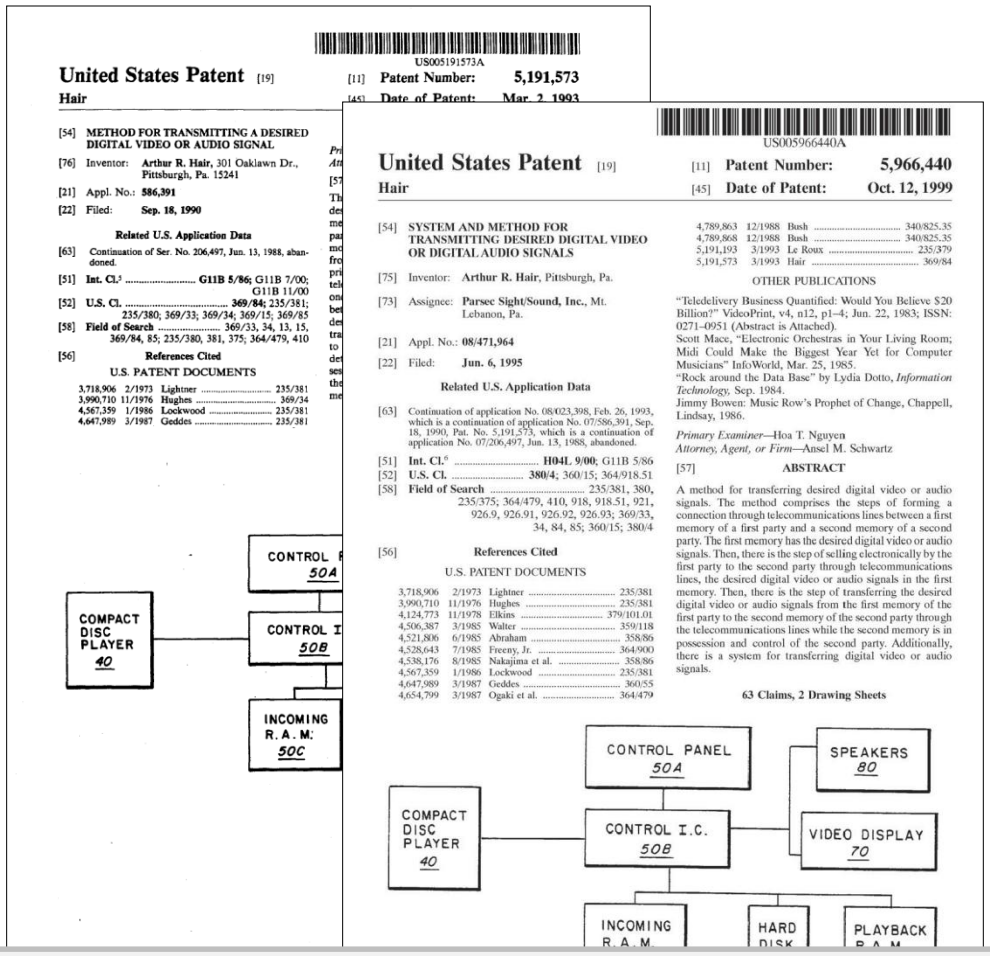
v.

SIGHTSOUND TECHNOLOGIES, LLC,
Patent Owner.

Cases CBM2013-00020 and CBM2013-00023
Patents 5,191,573 and 5,966,440

Patent Owner's Demonstrative Exhibits

The Hair Inventions



US005191573A

United States Patent [19]

Hair

[11] **Patent Number: 5,191,573**

[45] **Date of Patent: Mar. 2, 1993**

[54] **METHOD FOR TRANSMITTING A DESIRED DIGITAL VIDEO OR AUDIO SIGNAL**

[76] Inventor: **Arthur R. Hair**, 301 Oaklawn Dr., Pittsburgh, Pa. 15241

[21] Appl. No.: **586,391**

[22] Filed: **Sep. 18, 1990**

Related U.S. Application Data

[63] Continuation of Ser. No. 206,497, Jun. 13, 1988, abandoned.

[51] **Int. Cl.**[5] **G11B 5/86**; G11B 7/00; G11B 11/00

[52] **U.S. Cl.** **369/84**; 235/381; 235/380; 369/33; 369/34; 369/15; 369/85

[58] **Field of Search** 369/33, 34, 13, 15, 369/84, 85; 235/380, 381, 375; 364/479, 410

[56] **References Cited**

U.S. PATENT DOCUMENTS

3,718,906	2/1973	Lightner	235/381
3,990,710	11/1976	Hughes	369/34
4,567,359	1/1986	Lockwood	235/381
4,647,989	3/1987	Geddes	235/381

US005966440A

United States Patent [19]

Hair

[11] **Patent Number: 5,966,440**

[45] **Date of Patent: Oct. 12, 1999**

[54] **SYSTEM AND METHOD FOR TRANSMITTING DESIRED DIGITAL VIDEO OR DIGITAL AUDIO SIGNALS**

[75] Inventor: **Arthur R. Hair**, Pittsburgh, Pa.

[73] Assignee: **Parsec Sight/Sound, Inc.**, Mt. Lebanon, Pa.

[21] Appl. No.: **08/471,964**

[22] Filed: **Jun. 6, 1995**

Related U.S. Application Data

[63] Continuation of application No. 08/023,398, Feb. 26, 1993, which is a continuation of application No. 07/886,391, Sep. 18, 1990, Pat. No. 5,191,573, which is a continuation of application No. 07/206,497, Jun. 13, 1988, abandoned.

[51] **Int. Cl.**[6] **H04L 9/00**; G11B 5/86

[52] **U.S. Cl.** **380/4**; 360/15; 364/918.51

[58] **Field of Search** 235/381, 380, 235/375; 364/479, 410, 918, 918.51, 921, 926.9, 926.91, 926.92, 926.93; 369/33, 34, 84, 85; 360/15; 380/4

[56] **References Cited**

U.S. PATENT DOCUMENTS

3,718,906	2/1973	Lightner	235/381
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5,191,193	3/1993	Le Roux	235/379
5,191,573	3/1993	Hair	369/84

OTHER PUBLICATIONS

"Teledelivery Business Quantified: Would You Believe $20 Billion?" VideoPrint, v4, n12, p1–4; Jun. 22, 1983; ISSN: 0271–0951 (Abstract is Attached).

Scott Mace, "Electronic Orchestras in Your Living Room; Midi Could Make the Biggest Year Yet for Computer Musicians" InfoWorld, Mar. 25, 1985.

"Rock around the Data Base" by Lydia Dotto, *Information Technology*, Sep. 1984.

Jimmy Bowen: Music Row's Prophet of Change, Chappell, Lindsay, 1986.

Primary Examiner—Hoa T. Nguyen

Attorney, Agent, or Firm—Ansel M. Schwartz

[57] **ABSTRACT**

A method for transferring desired digital video or audio signals. The method comprises the steps of forming a connection through telecommunications lines between a first memory of a first party and a second memory of a second party. The first memory has the desired digital video or audio signals. Then, there is the step of selling electronically by the first party to the second party through telecommunications lines, the desired digital video or audio signals in the first memory. Then, there is the step of transferring the desired digital video or audio signals from the first memory of the first party to the second memory of the second party through the telecommunications lines while the second memory is in possession and control of the second party. Additionally, there is a system for transferring digital video or audio signals.

63 Claims, 2 Drawing Sheets

CompuSonics

What was CompuSonics?

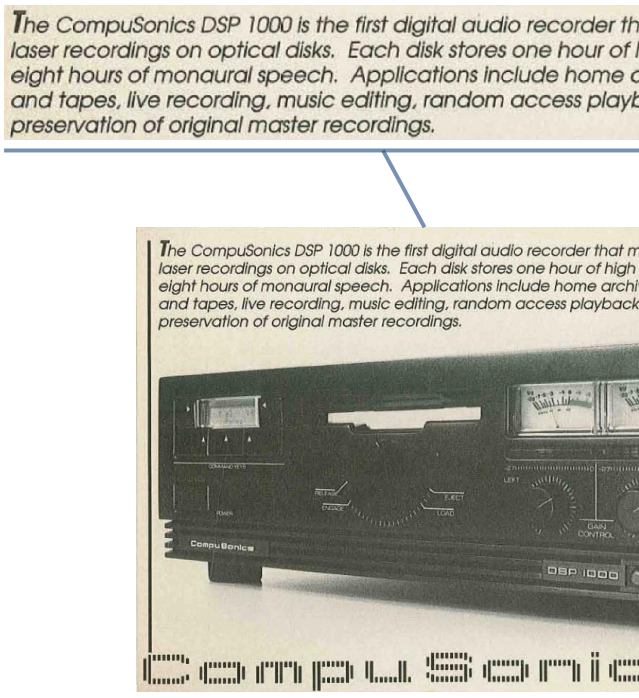
CompuSonics sold "DSPs" (Digital Signal Processors). DSPs were "digital stereo recorders that were chiefly intended to replace audio tape recorders in home stereo systems," and which recorded onto optical or floppy disks. Ex. 2121/2321 at ¶ 8.

"Telerecording capability never existed on any DSP that was sold or commercially available by CompuSonics." Ex. 2121/2321 at ¶ 15.

Telerecording was a "concept" that CompuSonics tested internally and demonstrated on one occasion. "CompuSonics did not plan the use of telerecording in any specific or particular type of transaction methodology." Ex. 2121/2321 at ¶ 20.

"Similarly, CompuSonics never developed a system or method for selling digital audio or video signals over telecommunications lines." Ex. 2121/2321 at ¶ 21.

All quotes from the undisputed testimony of John Stautner (Ex. 2121/2321), CompuSonics' second



The Board Instituted Review Based Upon A "CompuSonics system" Unsupported By The Rec

Petitioner asserted:

- "CompuSonics produced and sold a line of digital recording and playback devices . . of . . . receiving and storing a digital recording from another computer over a commu interface. The DSP-1000 Home Digital Disk Recorder is shown in Figure 3." Decla John Kelly (Ex. 4132/4334) at ¶ 33.

Board relied upon:

- "Petitioner contends that claims 1, 2, 4, and 5 are anticipated by a ***computer system*** d by CompuSonics Corp. and CompuSonics Video Corp. (collectively, 'CompuSonics' 1980s, which Petitioner refers to as the 'CompuSonics system.'" Decision to Institut CBM2013-00020 (Paper 14) at 17-18; *see also* Decision to Institute CBM2013-0002 12) at 19.
- "A DSP could 'download digital data from a remote source to a local disk' (a process CompuSonics called '[t]elerecording') and playback the stored digital data." Decisio Institute CBM 2013-00020 (Paper 14) at 19; *see also* Decision to Institute CBM2013 (Paper 12) at 20-21.

In fact:

- There was no single "CompuSonics system."

Exhibit 4131/4333 ("Figure 3") Is Not A DSP 10

back panel and a suggestion that CompuSonics would offer a converter for that port to accept data from compact disc output. However, this use of the parallel port, to my recollection, was never actually supported. Although connection to the AT&T Accunet using the parallel port is mentioned in the "Futurama City" context, there was no support for such functionality in the software of the DSP product. As mentioned above, while the DATI parallel port transmitter/receiver hardware or chip was populated on some earlier machines, it was never supported in software.

26. I have reviewed the document marked as exhibit 1131 submitted by Apple, which is an image of a box that appears to be a DSP-1000 with a button that reads "telerecord." I specifically recall that this box and the creation of this image were made for promotional purposes only. This box was a mock-up of what could have been a future product that was never created or produced. It's possible that we used that box at some point as part of a prototype to demonstrate recording to a floppy disk, however the button labeled "telerecord" did not work and was not actually connected to anything (it was merely a nonoperational button appearing on the box used in the image). An accurate image of the DSP-1000 as actually marketed and sold in late 1986 is attached hereto as exhibit 2122. This image was used in advertising and reflects the DSP1000 as it actually existed. Consistent with my recollection, there is no "telerecord" button on this machine.

I swear under penalty of perjury that the foregoing is true and correct. Signed this 20th day of December, 2013, at San Francisco, CA.

JOHN P. STAUTNER

- 11 -

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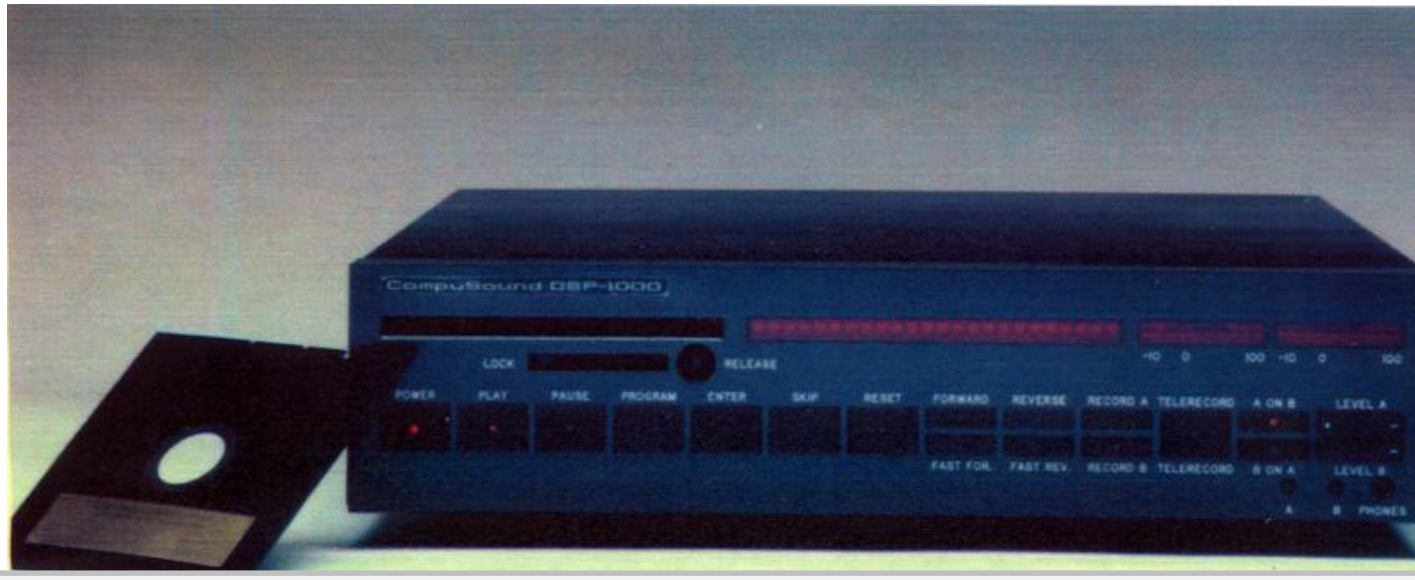
-- The Unrebutted Declaration Testimony of John Stautner (Ex. 2121/23



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