

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

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 CompuSonics DSP 1000 is the first digital audio recorder that m laser recordings on optical disks. Each disk stores one hour of high eight hours of monaural speech. Applications include home arch and tapes, live recording, music editing, random access playback preservation of original master recordings.

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The Board Instituted Review Based Upon A “CompuSonics system” Unsupported By The Record

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 communication interface. The DSP-1000 Home Digital Disk Recorder is shown in Figure 3.” Declaration of 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* created by CompuSonics Corp. and CompuSonics Video Corp. (collectively, ‘CompuSonics’) in the 1980s, which Petitioner refers to as the ‘CompuSonics system.’” Decision to Institute Review CBM2013-00020 (Paper 14) at 17-18; *see also* Decision to Institute Review CBM2013-00020 (Paper 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.” Decision to Institute Review CBM 2013-00020 (Paper 14) at 19; *see also* Decision to Institute Review CBM2013-00020 (Paper 12) at 20-21.

In fact:

There was no single “CompuSonics system.”

Exhibit 4131/4333 (“Figure 3”) Is Not A DSP 1000

back panel and a suggestion that CompuSeries would offer a converter for that port to accept data from compact disc output. However, this use of the parallel port, in my recollection, was never actually supported. Although connection to the AT&T Account using the parallel port is mentioned in the “Future City” context, there was no support for such functionality in the software of the DSP product. As mentioned above, while the DAT1 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 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.

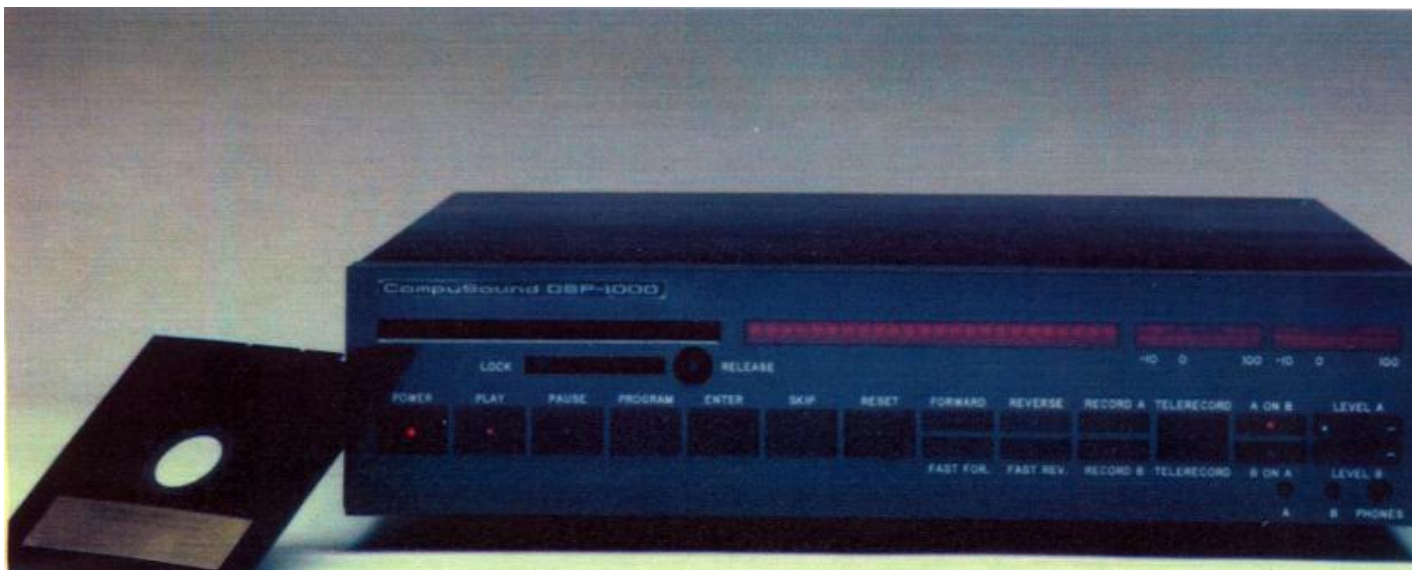
I swear under penalty of perjury that the foregoing is true and correct.
Signed this 29th day of December, 2013, at San Francisco, CA.


JOHN F. STAUTNER

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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 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.

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



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