

Paper No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION
Petitioner

v.

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

Case IPR2013-00219 (SCM)¹
Patent 7,477,284

Title: SYSTEM AND METHOD FOR CAPTURING AND VIEWING
STEREOSCOPIC PANORAMIC IMAGES

**PATENT OWNER'S RESPONSE
UNDER 37 C.F.R. § 42.120**

¹ The IPR2013-00327 proceeding has been joined with this proceeding.

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I. INTRODUCTION

Claims 1-4, 7, 10, 20, 27-29, and 36-38 of the '284 Patent are patentable over the challenges that were submitted by the Petitioner Sony Corporation ("Sony") and that were authorized by the Board. Specifically, the applied references fail to disclose or suggest at least the requirements relating to *a processor [to] generate a plurality of mosaics ...[that] provide a sense of depth 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.*² This is clear from the face of the Petition, which either glosses over such elements or makes bare assertions that the cited references do not support.

II. PETITIONER'S BURDEN OF PROOF

35 U.S.C. § 316(e) states "[i]nter partes review instituted under this chapter, the petitioner shall have the burden of providing a proposition of unpatentability by a preponderance of the evidence." (*See also* 37 C.F.R. § 42.1(d.))

III. UNDISPUTED MATERIAL FACTS

Under Board Rule 37 C.F.R. § 42.23, Patent Owner presents below its statement of material fact. The following facts have been confirmed by experts from both parties: Sony's expert Dr. Trevor Darrell during his November 6, 2013

² For the sake of reference, the following paper will present claim language in bold and italics.

deposition (“Darrell Dep.” YRD-2008) and Patent Owner’s expert Dr. Irfan Essa in his attached declaration (“Essa Decl.” YRD-2010.)

1. To a person of ordinary skill in the art, the term “stereoscopic image” is not by itself limited to an image that provides a perception of depth to a person. Instead, the term “stereoscopic image” is a broad term that includes images that are used by computers or machines to measure distance to an object. (Darrell Dep., YRD-2008 at 26:11-16, 28:25-29-2, 31:2-5, 31:14-17; *see also* Essa Decl. YRD-2010 at ¶ 48.) Further, for some academic fields, it is reasonable to use the term “stereoscopic image” solely for robotic vision. (Darrell Dep., YRD -2008 at 31:2-5; *see also* Essa Decl. YRD-2010 at ¶ 48.) Importantly, the Patent Owner agrees with Sony and the Board that, as used in the ’284 Patent claims and specification, the term “stereoscopic image” is limited to an image that provides a perception of depth to a person. (*See* Paper 16 at 7-8.)

2. In applications where a “stereoscopic image” is being used to provide a perception of depth, it is important that the items or elements in the image be at different depths. (Darrell Dep., YRD-2008 at 32:16-23; *see also* Essa Decl. YRD-2010 at ¶ 27.) If objects in the scene are roughly at the same distance from the camera, there would be no perception of depth because there would be no “depth differences.” (Darrell Dep., YRD-2008 at 47:9-21; *see*

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