Case: IPR2015-00396
Patent: 7,218,313

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY COMPUTER ENTERTAINMENT AMERICA LLC
Petitioner

v.

APLIX IP HOLDINGS CORPORATION
Patent Owner

Case No. IPR2015-00396

Patent No. 7,218,313

DECLARATION OF DR. KARON MACLEAN

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U.S. Patent & Trademark Office
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Alexandra, VA 22313-145

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D. It is not obvious to combine Pallakoff and Ishihara with respect to claims 1, 3, 5, 10 and 12 and therefore not obvious to combine Pallakoff, Ishihara, and Martin with respect to claims 1, 3, 5, 6, 8-10 and 12..... 24

1. Pallakoff teaches modifier buttons on the side, and teaches away from modifier buttons on the back, making implementation with Ishihara's rear touchpad incompatible 24

2. Ishihara does not teach use of a rear surface touchpad for modification of front-surface input elements or their functions, nor does Ishihara's touchpad implementation support such a use 29

3. Ishihara's invention, intended to facilitate selection from a displayed list, is not functionally compatible (using methods taught by Ishihara) with front-surface key function modification. It would need substantial modification to be combined 30

4. Pallakoff requires simultaneous activation of a combination of side-buttons, but multiple-touch sensing is not taught or available in Ishihara's invention 31

5. It is impractical to replace Pallakoff's side-located modifier buttons with Ishihara's back-surface touch pad due to user feedback needs 36

6. The 396 Petition does not propose a benefit for combination that is compelling enough to motivate a skilled artisan to consider it 42

E. Even if Combined, Pallakoff, Ishihara, and Martin do not disclose certain '313 limitations of the claims for which the proceeding has been instituted 43

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I. Background & Qualifications

1. I have summarized in this section my educational background, career history, and other relevant qualifications. I have also attached a current version of my Curriculum Vitae as **Ex. 2008**.

A. Educational background and career history

2. I am presently a Full Professor at the University of British Columbia, with a regular appointment in Computer Science in the Faculty of Science, and a courtesy appointment in Mechanical Engineering in the Faculty of Applied Science. I have recently been a Visiting Professor at the University of Colorado (Boulder, Colorado, USA) and at the University of Canterbury (Christchurch, NZ).

3. In 1986 I received a B.S. degree in Mechanical Engineering and Biological Sciences from Stanford University. In 1988 I received a M.S. in Mechanical Engineering from Massachusetts of Technology, and 1996 a Ph.D. in Mechanical Engineering from Massachusetts of Technology.

4. From 1989 to 1991 I worked as a project engineer at the University of Utah's Center for Engineering Design in Salt Lake City, UT. From 1996 to 2000 I was a Member of Research Staff and Project Lead at Interval Research Corporation in Palo Alto, CA.

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