

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**APPLE, INC.,
SAMSUNG ELECTRONICS LTD, AND
SAMSUNG ELECTRONICS AMERICA, INC.
Petitioner**

v.

**E-WATCH, INC.
Patent Owner**

Case: IPR2015-00414¹

Patent No. 7,643,168

**Title: Apparatus For Capturing, Converting And Transmitting A Visual Image
Signal Via A Digital Transmission System**

**PATENT OWNER E-WATCH INC.'S RESPONSE
UNDER 37 C.F.R. §42.120**

e-Watch, Inc.
Petitioner – Apple, Inc. et al.
Patent Owner – e-Watch, Inc.
IPR2015-00414

¹ Case IPR2015-00611 has been joined with this proceeding.

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EXHIBIT LIST**Currently Filed – Patent Owner**

- [EXH. 2002] Specification of U.S. Patent Application 10/336,470 (“the ‘470 Specification”)
- [EXH. 2003] Declaration of U.S. Patent Application 11/617,509 (“the ‘509 Declaration”)
- [EXH. 2004] Petition in Proceedings of IPR2014-00439 for U.S. Patent No. 7,365,871 (“the ‘439 Petition”)
- [EXH. 2005] U.S. Patent No. 6,122,526 (“the Parulski ‘526 Patent”)
- [EXH. 2006] U.S. Patent No. 5,943,603 (“the Parulski ‘603 Patent”)
- [EXH. 2007] U.S. Patent No. 5,666,159 (“the Parulski ‘159 Patent”)
- [EXH. 2008] Institution Decision for Proceedings in IPR2014-00439 (“the ‘439 Institution Decision”)
- [EXH. 2009] Declaration of U.S. Patent Application 10/336,470 (“the ‘470 Declaration”)

Previously Filed – Patent Owner

- [EXH. 2001] Table Showing Other *Inter Partes* Review Petitions With Prior Art And/Or Issues That Overlap With IPR2015-00414

Previously Filed – Petitioner

- [EXH. 1001] U.S. Patent No. 7,643,168 (“the ‘168 Patent”)

- [EXH. 1002] Application Data Sheet filed December 28, 2006
- [EXH. 1003] Specification filed December 28, 2006
- [EXH. 1004] Preliminary Amendment filed December 28, 2006 (“the ‘509 Preliminary Amendment”)
- [EXH. 1005] Filing Receipt mailed February 2, 2007
- [EXH. 1006] WO 1999/035818 (“the Monroe ‘818 Publication”)
- [EXH. 1007] Notice of Publication mailed May 17, 2007 (from the File History of the ‘168 patent) (“the ‘509 Publication Notice”)
- [EXH. 1008] Patent Application Publication No. US 2007/0109594 (“the ‘594 Publication”)
- [EXH. 1009] U.S. Patent No. 7,365,871 (“the ‘871 Patent”)
- [EXH. 1010] Declaration of Steven J. Sasson (“Sasson Declaration”)
- [EXH. 1011] Office Action dated October 4, 2007 (“the ‘509 Office Action”)

Previously Filed – Board

- [EXH. 3001] Microsoft Computer Dictionary 332 (2d ed. 2002) – (“Media” Definition)

I. STATEMENT OF MATERIAL FACTS IN DISPUTE

Petitioner did not submit a statement of material facts in its Petition for *Inter Partes* review (“Petition”). Accordingly, no response to a statement of material facts is necessary pursuant to 37 C.F.R. §42.23(a), and no facts are admitted.

II. INTRODUCTION

Patent Owner e-Watch, Inc. (hereinafter “Patent Owner”) respectfully submits this Patent Owner Response under 35 U.S.C. §§311–319 and 37 C.F.R. §42.120. It is being timely filed by September 22, 2015.

“In an inter partes review instituted under this chapter, the petitioner shall have the burden of proving a proposition of unpatentability by a preponderance of the evidence.” 35 U.S.C. §316(e). Petitioner’s propositions of unpatentability fail to meet that burden with respect to any of the claims of U.S. Patent No. 7,643,168 (“’168 Patent”).

A. Statement of Relief Requested

Pursuant to 35 U.S.C. §316, Patent Owner respectfully requests that the Patent Trial And Appeal Board (“Board” or “PTAB”) find that originally issued claims 1-31 of the ‘168 Patent are not invalid and, specifically, that claims 1-31 of the ‘168 Patent are patentable in view of the instituted grounds of unpatentability.

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