UNITED STAT	TES PATENT AND T	RADEMARK OFFICE
BEFORE THE	E PATENT TRIAL A	ND APPEAL BOARD

SONY COMPUTER ENTERTAINMENT AMERICA LLC Petitioner

v.

APLIX IP HOLDINGS CORPORATION Patent Owner

.....

Case No. IPR2015-00476

Patent No. 7,218,313

PATENT OWNER APLIX IP HOLDINGS CORPORATION'S RESPONSE TO THE PETITION

Mail stop PATENT BOARD Patent Trial and Appeal Board U.S. Patent & Trademark Office P.O. Box 1450 Alexandra, VA 22313-145



TABLE OF CONTENTS

Page

			1 ugc
TAB	LE OI	F AUTHORITIES	iII
EXH	IBIT]	LIST	V
I.	FAC	CTUAL BACKGROUND	1
II.		E PETITION CITES NO EVIDENCE OF OBVIOUSNESS OAIMS 21-22 and 52-54	
III.	PER	SON OF ORDINARY SKILL IN THE ART	5
IV.		TITIONER'S OBVIOUSNESS CASE RESTS ON NON-ALOGOUS ART	6
V.		TITIONER'S PROPOSED PRIOR-ART COMBINATIONS NOT RENDER THE '313 PATENT'S CLAIMS OBVIOUS.	14
	A.	PALLAKOFF AND LIEBENOW do not render claims 21-24, 26, 52-56, and 58 obvious	17
	В.	PALLAKOFF AND HEDBERG do not render claims 28, 29, 59, and 60 obvious	25
VI.	~	CONDARY CONSIDERATIONS SHOW THAT THE '313 TENT'S CLAIMS ARE NOT OBVIOUS	26
VII	CON	NCI LISION	20



TABLE OF AUTHORITIES

Page Cases
Cases
Advanced Display Sys., Inc. v. Kent State Univ. 212 F.3d 1272 (Fed. Cir. 2000) 29, 30
Apple Inc. v. ITC 725 F.3d 1356 (Fed. Cir. 2013)
Boehringer Ingelheim Vetmedica, Inc. v. Schering–Plough Corp. 320 F.3d 1339 (Fed. Cir. 2003)
Circuit Check Inc. v. QXQ Inc. No. 2015-1155, 2015 WL 4603797 (Fed. Cir. July 28, 2015)
Cohesive Techs., Inc. v. Waters Corp. 543 F.3d 1351 (Fed. Cir. 2008)
<i>Graham v. John Deere Co.</i> 383 U.S. 1 (1966)6
<i>In re Bigio</i> 381 F.3d 1320 (Fed. Cir. 2004)
<i>In re Clay</i> 966 F.2d 656 (Fed. Cir. 1992)
In re Cyclobenzaprine Hydrochloride Extended- Release Capsule Patent Litig. 676 F.3d 1063 (Fed. Cir. 2012)
<i>In re Klein</i> 647 F.3d 1343 (Fed. Cir. 2011)
KSR Int'l Co. v. Teleflex Inc. 550 U.S. 398 (U.S. 2007)
K-Tec, Inc. v. Vita-Mix Corp. 696 F.3d 1364 (Fed. Cir. 2012)



Leapfrog Enter. Inc. v. Fisher-Price Inc. 485 F.3d 1157 (Fed. Cir. 2007)
Leo Pharm. Prods., Ltd. v. Rea 726 F.3d 1346 (Fed. Cir. 2013)
Mintz v. Dietz & Watson, Inc. 679 F.3d 1372 (Fed. Cir. 2012)
MEHL/Biophile Int'l Corp. v. Milgraum 192 F.3d 1362 (Fed. Cir. 1999)4
Ortho-McNeil Pharm., Inc. v. Mylan Labs, Inc. 520 F.3d 1358 (Fed. Cir. 2008)
Ruiz v. A.B. Chance Co. 357 F.3d 1270 (Fed. Cir. 2004)
State Contracting & Eng'g Corp. v. Condotte America, Inc. 346 F.3d 1057 (Fed. Cir. 2004)
Transocean Offshore Deepwater, Inc. v. Maersk Drilling USA, Inc. 699 F.3d 1340 (Fed. Cir. 2012)
Wang Labs., Inc. v. Toshiba Corp. 993 F.2d 858 (Fed. Cir. 1993)
Other References
Janice M. Mueller, <i>Patent Law</i> (4th ed. 2013)7



EXHIBIT LIST

EXHIBITS FILED BY SONY COMPUTER ENTERTAINMENT AMERICA LLC (SELECTED)		
Exhibit 1001	U.S. Patent 7,218,313	
Exhibit 1002	File History of U.S. Patent No. 7,218,313	
Exhibit 1004	U.S. Patent Publication No. 2002/0163504 to Pallakoff	
Exhibit 1005	U.S. Patent Application Publication No. 2002/0118175 to Liebenow et al.	
Exhibit 1007	U.S. Patent No. 6,469,691 to Armstrong	
Exhibit 1008	International Publication No 1999/18495 to Hedberg	
Exhibit 1009	Expert Declaration of Dr. Gregory F. Welch	
Exhibit 1014	Michael McCandless, <i>The PalmPilot and the handheld revolution</i> , IEEE Expert pp. 6-8 (November/December 1997)	

EXHIBITS FILED BY APLIX IP HOLDINGS CORPORATION		
Exhibit 2001	Declaration in support of motion for <i>pro hac vice</i> admission of Sherman W. Kahn	
Exhibit 2002	Declaration in support of motion for <i>pro hac vice</i> admission of Sybil L. Dunlop	
Exhibit 2003	Declaration in support of motion for <i>pro hac vice</i> admission of Robert J. Gilbertson	
Exhibit 2004	Declaration in support of motion for <i>pro hac vice</i> admission of X. Kevin Zhao	
Exhibit 2005	Amended Complaint in Aplix IP Holdings Corporation v. Sony Computer Entertainment Inc. and Sony Computer Entertainment America LLC, Case No. 1:14-cv-12745	



DOCKET A L A R M

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

