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. IPR2015-00476
Patent No. 7,218,313

PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 7,218,313

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I. INTRODUCTION

Petitioner Sony Computer Entertainment America LLC requests an *Inter Partes* Review ("IPR") of claims 21-24, 26-29, 52-56 and 58-60 (collectively, the "Challenged Claims") of U.S. Patent No. 7,218,313 ("the '313 Patent") issued on May 15, 2007 to Beth Marcus et al. ("Applicants"). **Exhibit 1001**, *'313 Patent*. The alleged point of novelty of the Challenged Claims relates to mapping an input element of a handheld electronic device to more than one function of a specific application. *Infra*. Due to the limited number of input elements on handheld devices such as PDAs, this feature was commonplace for many years prior to the '313 Patent. **Exhibit 1009**, *Declaration of Dr. Gregory F. Welch* at ¶¶ 27-30. Even the pocket-sized scientific calculators of the early 1970s, which are generally recognized as the first handheld computing devices, included this feature. *Id.* at ¶ 27. As shown below, the prior art clearly discloses all elements of the Challenged Claims, and this Petition should be granted.

II. SUMMARY OF THE '313 PATENT

A. Description of the Alleged Invention of the '313 Patent

The '313 Patent describes a user interface and input mechanisms for hand-held electronic devices, such as cell phones and Personal Digital Assistants (PDAs). **Ex. 1001** at 1:5-11; 7:7-11. The '313 Patent discloses an electronic device 100 having embedded software, firmware, or software applications that require input from the user in order to perform various functions. *Id.* at 7:12-19, 7:66-8:16. The applications may include, for example, word processing, e-mail, or game applications. *Id.* at 5:39-

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49; 7:12-19, 7:66-8:16. The user provides inputs via input elements such as keys, buttons, pressure sensor pads, touch pads, or other elements. *Id.* at 7:56-61; *see also, id.* at 9:5-13; 15:24-28. One or more input elements are grouped together in "input assemblies." *Id.* at 7:52-56. In one embodiment, the electronic device has a first and second input assembly with each input assembly having associated input elements. *Id.* at 8:47-62; Figs. 3A-3B. As shown in the figure below, the electronic device also includes an input controller 216 that receives raw electronic signals from the input elements associated with input assemblies 206 and 208 and converts them "into a form suitable to be received and interpreted by processor 104." *Id.* at 7:61-65; *see also, id.* at Fig. 2. A processor 104 subsequently interprets the signals output by the input controller 216 as specific input commands for a particular application. *Id.* at 7:66-8:16. For example, if a text application is running, then the input controller may map a key input to a particular character, or if a game application is running, then the key input may be mapped to a particular game function. *Id.* The input controller 216 also may map one or more of the input elements to functions specific to a particular application. *Id.* at 8:6-25. Additionally, the input functions of input elements may change depending on the application that is being executed. *Id.*

The '313 Patent discloses arranging the input assemblies in a way that increases data input efficiency based on thumb-finger opposition arrangement of the human user's hand. For example, in one disclosed embodiment, the first input assembly 340, which includes input elements such as keys or buttons 342 to be actuated by the user's

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thumbs, is located on the front-side surface of the device 312 and the second input assembly 350, which includes input elements such as a pressure sensor pad 354 to be actuated by the user's fingers, is located on the back-side surface of the device 314. *Id.* at Figs. 3A, 3B.

The pressure sensor pad 354 on the back-side surface 314 is divided into one or more "delineated active areas," which may be configured in the software to correspond to different programmable functions depending on the selected application. *Id.* at 9:24-40; Fig. 3d. The '313 Patent specification discloses that an active area can be "delineated" either because it is physically delineated from other active areas (e.g., the areas physically appear as rectangular, oblong, or other shapes) or the user is able to use their fingers to tactilely discriminate between the delineated active areas. *Id.* at 9:58-10:11. Use of a delineated active area on the back-side surface 314 may change the input function of an input element on the front-side surface 312. *Id.* at 10:50-11:28. For example, pressing a delineated active area corresponding to a "Shift" key on the back-side surface may cause a key press on the front-side surface 312 to result in an uppercase letter or a different symbol, for example. *Id.*

B. Summary of the Prosecution History of the '313 Patent

The U.S. patent application that resulted in the '313 Patent was filed on October 31, 2003. *See* **Exhibit 1002**, *'313 Patent File History* at pp. 274-318. For purposes of this proceeding, Petitioner assumes a priority date of October 31, 2003 for the Challenged Claims. The first substantive office action issued on October 5, 2006

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