

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SONY COMPUTER ENTERTAINMENT AMERICA LLC  
Petitioner

v.

APLIX IP HOLDINGS CORPORATION  
Patent Owner

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

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**PATENT OWNER APLIX IP HOLDINGS CORPORATION'S  
MOTION FOR OBSERVATION ON DECEMBER 17, 2015  
DEPOSITION OF GREGORY F. WELCH**

Pursuant to 77 Fed. Reg. 48756, 48768 (Aug. 14, 2012), Patent Owner Aplix IP Holdings Corporation submits the following observations on the December 17, 2015 deposition of Gregory Welch (exhibit 2051).

1. In Exhibit 2051 ('313 Welch 12-17-15 deposition), on page 6, line 22 through page 8, line 24, Dr. Welch testified about his supplemental declaration's discussion of the Rekimoto reference, including his understanding that with respect to the 00396 and 00476 IPRs relating to the '313 patent, the Board was presented with the Rekimoto reference but opted not to include it in the instituted proceeding. This testimony is relevant to Dr. Welch's testimony arguing points about Rekimoto in exhibit 1042 (00476 Welch supplemental declaration), ¶ 15. The testimony is relevant because it shows that the example on which Dr. Welch relies is not prior art upon which this proceeding was instituted.

2. In Exhibit 2051 ('313 Welch 12-17-15 deposition), on page 16, line 20, through page 17, line 25, Dr. Welch testified that he found no disclosure in the Itaya patent (exhibit 1028) implementing multi-touch on the scale of a hand-held device, but rather that the document was not specific about size or scale. This testimony is relevant to Dr. Welch's testimony about Itaya in exhibit 1042 (00476 Welch supplemental declaration), ¶ 13. The testimony is relevant because it shows the limited significance of Dr. Welch's testimony about Itaya.

3. In Exhibit 2051 ('313 Welch 12-17-15 deposition), on page 18, line 19, through page 19, line 12, Dr. Welch testified that exhibit 1051, which he had cited in disagreeing with Mr. Lim's testimony regarding a processor, shows that the processor "integrate[d] all of the common logic and I/O functionality associated with a PC/AT computing system." This testimony is relevant to Mr. Lim's testimony regarding small handsets supporting limited external peripherals in exhibit 2009 (00476 Lim declaration), ¶ 78. The testimony is relevant because it supports Mr. Lim's opinion.

4. In Exhibit 2051 ('313 Welch 12-17-15 deposition), on page 20, line 11, through page 21, line 14, Dr. Welch testified about a patent issued to Aebli, et al. (exhibit 1024), but could not point to anything in that patent showing an input controller inside a mobile phone. This testimony is relevant to Dr. Welch's testimony (responding to Mr. Lim's opinions) in exhibit 2042 (00476 Welch supplemental declaration), ¶ 21. The testimony is relevant because it shows the limited significance of Dr. Welch's testimony about Aebli.

Dated: December 23, 2015.

By:           /Sybil L. Dunlop/          

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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6, I hereby certify that on this 23rd day of December 2015, the foregoing Patent Owner Aplix IP Holdings Corporation's Motion for Observation is being served via email on the following counsel of record for petitioner.

<b>Lead Counsel</b>	<b>Back-Up Counsel</b>
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