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. IPR2015-00729

Patent No. 7,280,097

DECLARATION OF PENG LIM

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

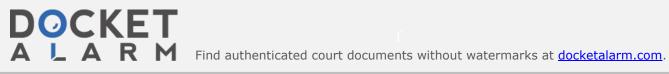
			P	age	
I.	Background & Qualifications				
	A.	Executive Summary1			
	B.	Education1			
	C.	Rele	evant Industry Experience	2	
	D.	Mate	erials Considered	9	
II.	Lega	Legal Framework11			
	A.	Construing Claims			
	B.	Obviousness			
		1.	Scope and Content of the Prior Art	13	
		2.	Differences Between the Art and the Invention	14	
		3.	The Level of Skill in the Art	17	
		4.	Objective Indicia	18	
III.	Opin	Opinion			
	A.	Back	kground of the Technology	19	
		1.	Electronic Console Games	20	
		2.	Electronic Handheld Gaming	22	
	B.	Person Having Ordinary Skill in the Art			
	C.	The '097 Patent25			
	D.	Claim Construction			



	1.	All Independent Claims: "hand-held host device"					
	2.	All Independent Claims: an "input controller [being] configured to generate an input signal to control execution of the one or more functions of the software application "					
	3.	Claims 2, 16, 28 and All Dependents: an "input element on [a] surface[]"					
	4.	Dependent Claims 5, 19, and 30: "configured to optimize a biomechanical effect of the human user's thumb and fingers."32					
E.		Summary of Prior Art Analyzed In Relation to Claims 1-4, 7, 8, 13, 14, 16-18, 21, 23-29, 31, and 34-38					
	1.	WO 2004/007041 to Mollinari et al. ("Mollinari")32					
	2.	U.S. Patent No. 5,903,257 to Nishiumi et al. ("Nishiumi")34					
F.		Mollinari in View of Nishiumi Does Not Render Obvious Any Claim of the '097 Patent					
	1.	Nishiumi is not analogous art35					
	2.	Nishiumi Should Not be Combined With Mollinari37					
	3.	Even if combined, Mollinari and Nishiumi would not teach the limitations of the independent claims of '097 Patent37					
G.		na Does Not Anticipate Claim 1, 5, 9, 19, and 30 of the '097 nt					
	1.	Shima Does Not Anticipate Independent Claim 1 of the '097 Patent					
	2.	Shima Does Not Anticipate Dependent Claims 5, 19 and 3051					
H.		inari In View of Nishiumi in Further View of Tu does Not					
	Kend	ler Obvious Claims 6, 22, and 3256					



		1.	Tu is not analogous to the '097 Patent	56
		2.	Tu should not be combined with Mollinari and Nishiumi	59
	I.		In View of Lum Would Not Teach the Limitations of ms 10-12 of the '097 Patent	62
IV	Con	clusior	1	66



I. BACKGROUND & QUALIFICATIONS

A. Executive Summary

- 1. I have twenty-five years of senior level executive experience in

 Fortune 500 and startups. I served as a member of the board of directors, CEO and
 senior-level executive in mobile computing, consumer electronics, wireless
 communications, green technology, instrumentations and ODM (Original Design
 Manufacturer) industries.
- 2. During my career, I have been responsible for developing many of the best-selling handheld devices, tablet and laptop computers in the world. Some of these products helped my companies capture number-one worldwide market shares in PDA, pen-based computing and handheld operating systems, and others are within the top ten in the wireless device and portable computer industries.
- 3. My expertise is in breakthrough new product development, engineering management, ODM, global partnerships, and domestic and international product/business development.
- 4. My educational background, relevant industry experience and qualifications are summarized as follows.

B. Education

I received my BS and MS in Electrical Engineering from the
 University of Windsor in Canada in 1985 and 1987 respectively. I received a



DOCKET

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.

