#### UNITED STATES PATENT AND TRADEMARK OFFICE

#### BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., Petitioner

v.

## IMMERSION CORPORATION Patent Owner

U.S. Patent No. 8,773,356 Filing Date: January 31, 2012 Issue Date: July 8, 2014

Title: Method and Apparatus for Providing Tactile Sensations

Inter Partes Review No.: (Unassigned)

PETITION FOR INTER PARTES REVIEW OF U.S. PATENT NO. 8,773,356 UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. §§ 42.1-100, ET SEQ.



## TABLE OF CONTENTS

I.	INTF	RODUCTION	1		
II.	COM	IPLIANCE WITH FORMAL REQUIREMENTS	1		
	A.	Mandatory Notices Under 37 C.F.R. §§ 42.8(b)(1)-(4)			
		1. Real Party-In-Interest	1		
		2. Related Matters	1		
		3. Lead and Backup Counsel	2		
		4. Service Information	2		
	B.	Proof of Service on the Patent Owner	2		
	C.	Power of Attorney			
	D.	Standing	3		
	E.	Fees			
III.	STA	TEMENT OF PRECISE RELIEF REQUESTED	3		
IV.	FULL STATEMENT OF REASONS FOR REQUESTED RELIEF				
	A.	Technology Background			
	B.	Summary of the '356 Patent			
	C.	The '356 Patent Prosecution History	7		
		1. Prosecution History of the '356 Patent	7		
		2. Prosecution History of Earlier Applications	8		
	D.	No Claim of the '356 Patent is Entitled to the Effective Filing Date of The First Provisional Application			
	E.	Person of Ordinary Skill in the Art			
	F.	Products Accused of Infringing the '356 Patent			
	G.	Claim Construction	15		
		1. "determining"	16		
		2. "generating an actuator signal based at least in part on the interaction and haptic effect data in a lookup table"			
	H.	Ground 1: Claims 1-3, 9-13, 19-23, 25-26 Are Obvious Under 35 U.S.C. § 103(a) (pre-AIA) In Light Of Rosenberg 737 and Rosenberg 132	20		



## Table of Contents (continued)

				Page
		1.	Rosenberg 737 is § 102(a) and (b) Prior Art	20
		2.	Overview of Rosenberg 737	23
		3.	Rosenberg 281 is § 102(a) and (b) Prior Art	26
		4.	Detailed Analysis	26
	I.	U.S.	und 2: Claims 5, 7, 15 and 17 Are Obvious Under 35 C. § 103(a) (pre-AIA) In Light Of Rosenberg 737 in view osenberg 281 and further in view of Newton 2.0	61
V	CON	NCLU9	SION	64



### **EXHIBIT LIST**

Exhibit No.	Description
1001	U.S. Patent No. 8,773,356 (" <b>'356 patent</b> ")
1002	Declaration of Patrick Baudisch
1003	Immersion's Preliminary Proposed Constructions
1004	File History of U.S. Patent No. 8,773,356
1005	U.S. Provisional App. No. 60/335,493 ("First Provisional")
1006	U.S. Provisional App. No. 60/399,883 ("Second Provisional")
1007	Certified copy of U.S. Patent Application No. 09/487,737, as filed on January 19, 2000 and as published by the World Intellectual Property Organization on July 26, 2001 (" <b>Rosenberg 737</b> ")
1008	WO01/54109, as published by the World Intellectual Property Organization on July 26, 2001 ("WO 01/54109")
1009	U.S. Pat No. 6,429,846 (" <b>Rosenberg 846</b> ")
1010	File History of U.S. Patent No. 7,808,488 (the "'488 patent"), filed as U.S. Pat. App. No. 11/693,117 (the "'117 application")
1011	U.S. Pat. App. Pub. No. US2008/0068350 ("Rosenberg 350")
1012	U.S. Pat. App. No. 09/253,132 to Rosenberg (issued as 6,243,078), which is incorporated by reference by Rosenberg 737 (" <b>Rosenberg</b> 132")
1013	U.S. Pat. App. No. 09/103,281 to Rosenberg (issued as 6,088,019), which is incorporated by reference by Rosenberg 737 (" <b>Rosenberg 281</b> ")
1014	Newton 2.0 User Interface Guidelines, Apple Press, ISBN 0-201-48838-8, First Printing, May 1996 ("Newton 2.0")
1015	U.S. Provisional App. No. 60/160,401 to Braun et al., which is incorporated by reference by Rosenberg 737 (" <b>Braun 401</b> ")
1016	U.S. Pat. App. No. 09/585,741 to Shahoian (" <b>Shahoian 741</b> ")
1017	U.S. Pat. No. 5,977,867
1018	U.S. Pat. No. 6,088,019



1019	MPEP 8th ed. 2001, Appendix T Patent Cooperation Treaty
1020	MPEP 7 <sup>th</sup> ed. 1998, Appendix T Patent Cooperation Treaty
1021	MPEP 8 <sup>th</sup> ed. Revised 2004, Appendix T Patent Cooperation Treaty
1022	IPR2016-00807, Paper No. 15, Immersion Corporation's Corrected Patent Owner Preliminary Response
1023	IPR2016-00807, Exhibit 2009, Corrected Declaration of Nathan J. Delson, Ph.D.



# 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.

