

**UNITED STATES PATENT AND TRADEMARK OFFICE**

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

APPLE INC.,  
Petitioner,

v.

IMMERSION CORPORATION,  
Patent Owner.

---

Case IPR2017-00896  
Patent No. 8,659,571

---

**IMMERSION CORPORATION'S  
PATENT OWNER PRELIMINARY RESPONSE**

*Mail Stop "PATENT BOARD"*  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TABLE OF CONTENTS**

I. INTRODUCTION ..... 1

II. THIS ENTIRE PETITION SHOULD BE DENIED UNDER 35 U.S.C. § 325(d)..... 4

III. IN THE ALTERNATIVE AT LEAST GROUNDS 4 AND 5 SHOULD DENIED UNDER 35 U.S.C. § 325(d)..... 7

IV. THE INVENTION OF THE ‘571 PATENT..... 10

V. LEVEL OF ORDINARY SKILL IN THE ART ..... 12

VI. CLAIM CONSTRUCTION ..... 12

    A. “gesture signal” (claims 1-7, 23-29) ..... 12

    B. “dynamic interaction parameter” (claims 1, 4-7, 12, 15-18, 23, 26-29) ..... 13

    C. “vector signal” (claims 2, 13, 24)..... 14

VII. GROUND 1: CLAIMS 1-4, 7, 23-26 AND 29 ARE NOT OBVIOUS OVER POUPLYREV ..... 14

    A. Poupyrev Does Not Disclose or Render Obvious Claim 1 ..... 14

        Poupyrev Does..... 14

    B. Poupyrev Does Not Disclose or Render Obvious Claim 2 ..... 21

    C. Poupyrev Does Not Disclose or Render Obvious Claim 3 ..... 23

    D. Poupyrev Does Not Disclose or Render Obvious Claim 4 ..... 23

    E. Poupyrev Does Not Disclose or Render Obvious Claim 7 ..... 24

    F. Poupyrev Does Not Disclose or Render Obvious Claims 23-26 or 29 ..... 26

VIII. GROUNDS 2-3: CLAIMS 5-6 AND 27-28 ARE NOT OBVIOUS IN VIEW OF POUPLYREV AND OTHER REFERENCES. .... 26

IX. CONCLUSION..... 27

**TABLE OF AUTHORITIES**

|   | <b>Page(s)</b>   |
|---|------------------|
| <b>Cases</b>  |                  |
| <i>Akamai Technologies, Inc. v. Limelight Networks, Inc.</i> ,<br>IPR2017-00358 (PTAB May 2, 2017).....   | 2, 4, 5, 6, 7, 8 |
| <i>Immersion Corp. v. Apple et al.</i> ,<br>Nos. 1-16-cv-00077 and 1:16-cv-00325 (D. Del.) .....  | 1                |
| <i>In the Matter of: Certain Mobile and Portable Electronic Devices<br/>Incorporating Haptics (Including Smartphones and Laptops) and<br/>Components Thereof</i> ,<br>ITC Investigation Nos. 337-TA-990 and -1004 ..... | 1                |
| <b>Statutes</b>   |                  |
| 35 U.S.C. § 314(a) .....  | 4, 7             |
| 35 U.S.C. § 325(d) .....  | 1, 4, 7, 10, 27  |
| <b>Other Authorities</b>  |                  |
| 37 C.F.R. § 42.108(a).....  | 7                |

**EXHIBIT LIST**

|                       |   |
|-----------------------|---|
| Immersion<br>Ex. 2001 | Notice of Filing Transcript of April 6, 2017 Telephonic Hearing                 |
| Immersion<br>Ex. 2002 | Respondents' Joint Notice of Prior Art, dated May 25, 2016                      |
| Immersion<br>Ex. 2003 | Board Institution Decision in IPR2016-01372, January 11, 2017,<br>Paper No. 7   |
| Immersion<br>Ex. 2004 | Deposition Transcript of Dr. Patrick M. Baudisch, May 18, 2017                  |
| Immersion<br>Ex. 2005 | August 2, 2012 Applicant Remarks in Prosecution of U.S. Patent<br>No. 8,279,193 |
| Immersion<br>Ex. 2006 | Curriculum Vitae of Yon Visell, Ph.D.   |
| Immersion<br>Ex. 2007 | Declaration of Yon Visell, Ph.D.  |

# 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.