## 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. 8,749,507 Filing Date: April 6, 2012 Issue Date: June 10, 2014

Title: Systems And Methods For Adaptive Interpretation Of Input From A Touch-Sensitive Input Device

Inter Partes Review No.: (Unassigned)

#### **DECLARATION OF DR. ANDY COCKBURN**

## **TABLE OF CONTENTS**

I.	INTRODUCTION		
	A.	Background and Qualifications	1
	B.	Information Considered	5
II.	LEGAL STANDARDS		6
	A.	Legal Standards for Prior Art	6
	B.	Legal Standards for Anticipation	7
	C.	Legal Standards for Obviousness	8
III.	OVERVIEW OF THE '507 PATENT		11
	A.	Summary of the '507 Patent	11
	B.	The '507 Patent Prosecution History	14
	C.	Person of Ordinary Skill in the Art	14
	D.	Apple Products Accused of Infringing the '507 Patent	15
	E.	Claim Construction	15
	F.	The '507 Patent Claims	24
IV.	THE PRIOR ART		
	A.	U.S. Patent No. 6,590,568 to Astala ("Astala")	
	B.	U.S. Pat. App. Pub. No. 2002/0033795 to Shahoian	
		("Shahoian")	27
	C.	Limitation-by-Limitation Analysis	28
V.	CONCLUSION		73

#### I. INTRODUCTION

1. I have been retained by counsel for Apple Inc. as an expert witness in the above-captioned proceeding. I have been asked to provide my opinion about the patentability of claims 1-18 of U.S. Patent No. 8,749,507 (the "507 patent").

2. I have been retained at my normal hourly rate of \$475 per hour. No part of my compensation is dependent upon the outcome of this investigation or the specifics of my testimony.

#### A. Background and Qualifications

3. My curriculum vitae ("CV") is attached as Appendix A. I am a Professor at the Department of Computer Science and Software Engineering at the University of Canterbury, New Zealand. I also currently head the HCI (Human-Computer Interaction) and Multi-Media research group at the University of Canterbury.

4. In 1988, I was awarded a Bachelor of Science with Honors in Computer Science from the University of York, England.

In 1993, I was awarded a Ph.D. from the University of Stirling,
Scotland. My thesis was on "Computer Supported Cooperative Work" which
relates to forms of group interaction supported on computers.

In 1993, I joined the University of Canterbury as a Lecturer in the
Department of Computer Science (now the Department of Computer Science and

Software Engineering). I was subsequently promoted to a Senior Lecturer, and then an Associate Professor, before my appointment as a Professor in 2010. I currently hold the title of Professor.

7. I have over 20 years of experience in the area of HCI (Human-Computer Interaction). The field of HCI generally is concerned with ways of understanding and improving the interaction between humans and computers, with a view to understanding, evaluating, designing, and building new styles of interactions that improve on one or more of the end goals of making computers faster to learn, more intuitive, more efficient to use, and more subjectively satisfying.

8. Throughout my career, I have published the results of many research projects that have involved building new user interfaces or reviewing existing user interfaces for performing a particular task, and evaluating their effectiveness. This includes publications relating to:

- (a) investigating user experiences with web navigation interfaces, for example when using the "back" button on web browsers;
- (b) reviewing and improving various interface schemes for traversing through documents in computer applications, including zooming, scrolling, and other techniques;

- (c) analyzing new interfaces for text entry on mobile and touch-sensitive devices;
- (d) addressing the problems arising from the small form factor of mobile devices with touch-sensitive displays;
- (e) examining the influence of haptic feedback on user performance with mouse and touchscreen input devices; and
- (f) evaluating the importance of spatially stable displays in user interfaces.

9. I also have extensive experience in designing and building new user interfaces and reviewing existing user interfaces. This includes a number of projects regarding the design, development and evaluation of user interfaces that I have undertaken with companies in the computing and HCI industry, such as:

- (a) working with Airbus SAS in 2016 on methods to assist pilot interaction with touchscreens in turbulent environments;
- (b) working with Hewlett-Packard Research Labs from 2010-2012 on the design and evaluation of pointing techniques for remote displays, such as interactive TVs;
- (c) a number of projects from 2006-2010 working with Logitech on the design, development, evaluation and improvement of user interfaces

## 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.