

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

COREPHOTONICS, LTD.
Patent Owner

IPR2018-01133
U.S. Patent No. 9,538,152

DECLARATION OF OLIVER COSSAIRT, PH.D.
UNDER 37 C.F.R. § 1.68
IN SUPPORT OF PETITIONER'S REPLY

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Declaration of Oliver Cossairt, Ph.D. in Support of
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I. Introduction

1. I am Oliver Cossairt who previously submitted a declaration as APPL-1004 in this proceeding. The terms of my engagement, my background, qualifications and prior testimony, and the legal standards and claim constructions I am applying are set forth in my previous CV and declaration. *See* APPL-1004; APPL-1005. I offer this declaration in reply to the Response the Patent Owner filed in this proceeding. In forming my opinion, I have considered the materials noted in my previous declaration, as well as the following additional materials:

- (1) Additional Excerpt from Richard Szeliski, *Computer Vision: Algorithms and Applications*, 2011 (“Szeliski II”), APPL-1012; and
- (2) Dr. Kosmach’s declaration, Ex. 2005.
- (3) Paper No. 15 – Patent Owner’s Corrected Response to Petition.

II. Claim Construction

A. No construction is necessary for the term “*point of view*.”

2. Patent Owner “believes that the term ‘point of view’ requires no construction,” but proposes that “[s]hould the Board conclude that it is necessary to construe ‘point of view,’ that term should be construed as ‘camera angle.’”

Response, 13. Because Patent Owner fails to explain why construing the term “*point of view*” is necessary and believes that the term ‘point of view’ requires no construction, no construction is necessary for the term “*point of view*.”

3. As explained in my previous declaration, a POSITA would have understood that prior art's description of "viewpoint" is consistent with the plain and ordinary meaning of "*point of view*." APPL-1004, ¶¶114, 148. Patent Owner does not explain any difference between "camera angle" and "viewpoint," or how such difference affects the claim analysis. Further, Patent Owner and its expert Dr. Kosmach use "point of view" and "viewpoint" interchangeably in the Response and the expert's declaration. *See, e.g.*, Response, 23-24 (citing Kosmach Decl., ¶36) (explaining "[a]n example of the differences that can occur with a change in camera point of view" using Fig. 4.24 of Jacobson with images labeled as "Distant central viewpoint" and "Closer oblique viewpoint" respectively). Accordingly, to the extent "*point of view*" is construed to mean "camera angle," my analysis in my previous declaration and this declaration remains unchanged.

III. The combination of Border with Parulski

4. Patent Owner alleges that the Petition "fails to explain why or how a POSITA would combine Border with Parulski's teaching of modifying a primary image with a non-primary image." Response, 31-33. The allegation seeks to manufacture incompatibility based on mischaracterizations of the Border and Parulski teachings of Petition's reliance on Parulski for the combination.

A. Patent Owner mischaracterizes Border's image stitching and image registration

5. Patent Owner asserts that Border cannot be combined with Parulski

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