

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Canon Inc., Canon U.S.A., Inc., and Axis Communications AB,

Petitioners,

v.

Avigilon Fortress Corporation,

Patent Owner.

Case No. IPR2019-00311

U.S. Patent No. 7,932,923

**DECLARATION OF DR. ALAN BOVIK IN SUPPORT OF PATENT
OWNER'S RESPONSES TO *INTER PARTES* REVIEW OF U.S. PATENT
NO. 7,932,923**

TABLE OF CONTENTS

I.	ASSIGNMENT	1
II.	QUALIFICATIONS AND EXPERIENCE	1
III.	MATERIALS CONSIDERED	7
IV.	PERSON OF ORDINARY SKILL IN THE ART.....	9
V.	UNDERSTANDING OF PATENT LAW	10
	A. Claim Construction	10
	B. Anticipation	11
	C. Obviousness.....	12
VI.	SUMMARY OF U.S. PATENT NO. 7,932,923.....	13
VII.	CLAIM CONSTRUCTION.....	15
	A. “attributes of the object” (Claims 1-7, 9-19, 22-28, 30-41); “attributes of each of the detected first and second objects” (Claims 8, 29); “attributes of the detected objects (Claims 20, 21)	15
	B. “new user rule” (Claims 1-41)	15
	C. The Independence-Based Claim Elements.....	17
	1. “applying” (Petitioners’ “Independence Argument (1)” Discussion) (Claims 1-41)	17
	2. “event” (Petitioners’ “Independence Argument (3)” Discussion) (Claims 1-41)	18
	3. “independent” (Petitioners’ “Independence Argument (2)” Discussion) (Claims 1-41)	19
	4. “wherein the applying the new user rule to the plurality of detected attributes comprises applying the new user rule to only the plurality of detected attributes” (Claims 1-9, 22- 29); “wherein the analysis of the combination of the	

attributes to detect the event comprises analyzing only the combination of the attributes” (Claims 20-21); “wherein the applying the selected new user rule to the plurality of attributes stored in memory comprises applying the selected new user rule to only the plurality of attributes stored in memory” (Claims 30-41)20

5. “a video device” (Claims 9, 20, and 30)22

VIII. PETITIONERS’ PROPOSED GROUNDS DO NOT DISCLOSE THE CLAIMS OF THE ’923 PATENT23

A. Background On Asserted References.....23

1. Kellogg23

2. Dimitrova24

3. Brill25

B. Motivation To Combine27

1. Kellogg and Brill.....27

2. Dimitrova and Brill30

C. Kellogg Does Not Anticipate Claims 1-4131

1. Kellogg does not disclose “detecting an object in a video from a single camera” (Claims 1-41).....31

2. Kellogg does not disclose “detecting a plurality of attributes of the object by analyzing the video from said single camera” (Claims 1-41)37

3. Kellogg does not disclose “identifying an event of the object that is not one of the detected attributes of the object by applying the new user rule to the plurality of detected attributes, wherein the applying the new user rule to the plurality of detected attributes comprises applying the new user rule to only the plurality of detected attributes” (Claims 1-41)37

4.	Kellogg does not disclose “the plurality of attributes that are detected are independent of which event is identified” (Claims 1-41)	42
5.	Kellogg does not disclose “selecting the new user rule comprises selecting a subset of the plurality of attributes for analysis” (Claims 2, 4, 7, 11, 12, 13, 14, 16, 23, 25, 28, 32, 33, 34, 35, 38)	44
6.	Kellogg does not disclose “a video device” (Claims 9, 20, and 30).....	45
D.	The Combination Of Kellogg And Brill Does Not Render Obvious Claims 1-41	46
1.	Neither Kellogg nor Brill discloses “detecting an object in a video from a single camera” (Claims 1-41)	46
2.	Neither Kellogg nor Brill discloses “detecting a plurality of attributes of the object by analyzing the video from said single camera” (Claims 1-41)	48
3.	Neither Kellogg nor Brill discloses “the plurality of attributes that are detected are independent of which event is identified” (Claims 1-41)	49
4.	Neither Kellogg nor Brill discloses “identifying an event of the object that is not one of the detected attributes of the object by applying the new user rule to the plurality of detected attributes; wherein the applying the new user rule to the plurality of detected attributes comprises applying the new user rule to only the plurality of detected attributes” (Claims 1-41).....	49
E.	The Combination Of Dimitrova And Brill Does Not Render Obvious Claims 1-41	51
1.	Neither Dimitrova nor Brill discloses “identifying an event of the object that is not one of the detected attributes of the object by applying the new user rule to the plurality of detected attributes; wherein the applying the new user rule to the plurality of detected attributes comprises applying	

the new user rule to only the plurality of detected attributes” (Claims 1-41).....	51
2. Neither Dimitrova nor Brill discloses “the plurality of attributes that are detected are independent of which event is identified” (Claims 1-41)	54
3. Neither Dimitrova nor Brill discloses “wherein selecting the new user rule comprises selecting a subset of the plurality of attributes for analysis” (Claims 2, 4, 7, 11, 12, 13, 14, 16, 23, 25, 28, 32, 33, 34, 35, 38)	59
IX. SECONDARY CONSIDERATIONS OF NON-OBVIOUSNESS.....	61
X. DECLARATION	63

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.