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. IPR2019-00314 U.S. Patent No. 7,932,923

PATENT OWNER'S RESPONSE



TABLE OF CONTENTS

I.	INTRODUCTION1					
II.	BACKGROUND					
	A.	Proposed Grounds	2			
	В.	Overview of the '923 Patent	2			
III.	CLAIM CONSTRUCTION					
	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)	6			
	В.	"new user rule" (Claims 1-41)				
	C.	"applying" (Petitioners' "Independence Argument (1)" Discussion) (Claims 1-41)	8			
	D.	"event" (Petitioners' "Independence Argument (3)" Discussion) (Claims 1-41)	10			
	Е.	"independent" (Petitioners' "Independence Argument (2)" Discussion) (Claims 1-41)	11			
	F.	"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)	12			
	G.	"a video device" (Claims 9, 20, and 30)	14			
	Н	Means-Plus-Function Claims	15			



IV.	PETITIONERS HAVE NOT ESTABLISHED BY A PREPONDERANCE OF THE EVIDENCE THAT ANY OF CLAIMS 1-41 OF THE '923 PATENT IS UNPATENTABLE16						
	A.		nd 1: <i>Dimitrova</i> In Combination With <i>Brill</i> Does Not er Claims 1-41 Obvious	6			
		1.	Dimitrova in combination with Brill 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)	.6			
		2.	Dimitrova in combination with Brill does not "the plurality of attributes that are detected are independent of which event is identified" (Claims 1-41)	24			
		3.	Dimitrova in combination with Brill does not disclose "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)	0			
		4.	No Motivation Exists to Combine <i>Dimitrova</i> and <i>Brill</i> 3	2			
		5.	Objective Evidence Establishes Non-Obviousness of the '923 Patent	4			
V.	PET DIM		NERS HAVE FAILED TO DEMONSTRATE THAT OVA AND BRILL ARE PRINTED PUBLICATIONS3	6			
	A.	Flori	Florio Declaration Is Insufficient Evidence Because Ms. o Does Not Have Personal Knowledge Of The Relevant ries' Shelving Practices.	6			
	B. Petitioners' Explanation Of The Alleged Printed Publi Status Of <i>Dimitrova</i> And <i>Brill</i> Is Deficient						
		1.	Petitioners fail to show that <i>Dimitrova</i> was publicly accessible.	1			
		2.	Petitioners fail to show that <i>Brill</i> was publicly accessible4	.9			



Patent Owner's Response IPR2019-00314

 CON	ICLUSION	~ 1
C.	The Deficiencies In The Petition Cannot Be Overcome With Information Submitted As Supplemental Information	50



TABLE OF AUTHORITIES

Page(s)

Cases
ABS Global, Inc. v. Inguran, LLC, IPR2016-00927, Paper 33 (PTAB Oct. 2, 2017)passim
Acceleration Bay, LLC v. Activision Blizzard Inc., 908 F.3d 765 (Fed. Cir. 2018)
Am. Innotek, Inc. v. United States, 128 Fed. Cl. 135 (2016)
Arista Networks, Inc. v. Cisco Sys., Inc., IPR 2016-00303
Bruckelmyer v. Ground Heaters, Inc., 445 F.3d 1374 (Fed. Cir. 2006)
Cisco Sys., Inc. v. C-Cation Techs., LLC, IPR2014-00454, Paper 12 (PTAB Aug. 29, 2014)
Crystal Semiconductor Corp. v. TriTech Microeletronics Int'l, Inc., 246 F.3d 1336 (Fed. Cir. 2001)
Ecolochem, Inc. v. S. Cal. Edison Co., 227 F.3d 1361 (Fed. Cir. 2000)
Ford Motor Co. v. Cruise Control Techs. LLC, IPR2014-00291, Paper 44 (PTAB Jun. 29, 2015)
Ford Motor v. Versata Dev. Grp., IPR2016-01019, Paper 9 (PTAB Oct. 4, 2016)39, 49, 50
Graham v. John Deere Co. of Kansas City, 383 U.S. 1 (1966)
In re Cronyn, 890 F.2d 1158 (Fed. Cir. 1989)
<i>In re Hall</i> , 781 F.2d 897 (Fed. Cir. 1986)



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