

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GoPro, Inc., Garmin Int'l, Inc. and Garmin USA, Inc.

Petitioners

v.

Cellspin Soft, Inc.

Patent Owner

CASE: IPR2019-01108

Patent No. 9,258,698

Title: AUTOMATIC MULTIMEDIA UPLOAD FOR PUBLISHING DATA
AND MULTIMEDIA CONTENT

DECLARATION OF DR. JOHN STRAWN IN SUPPORT OF PETITION

FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 9,258,698

TABLE OF CONTENTS

	<u>Page</u>
I. BACKGROUND AND QUALIFICATIONS.....	1
II. INFORMATION PROVIDED TO ME.....	4
A. MY UNDERSTANDING OF THE LAW REGARDING PRIOR ART	10
III. TECHNICAL BACKGROUND AND THE '698 PATENT	11
IV. THE LEVEL OF ORDINARY SKILL IN THE ART	13
V. THE SCOPE AND CONTENT OF THE PRIOR ART	14
A. MY OPINIONS REGARDING WHAT IS PRIOR ART TO THE CHALLENGED CLAIMS	14
B. MASHITA	15
C. ONISHI.....	19
D. HIRAISHI	25
E. OVERVIEW OF THE STATE OF THE ART AND THE KNOWLEDGE OF A PERSON OF ORDINARY SKILL IN THE ART.....	28
F. MOTIVATION TO COMBINE MASHITA, ONISHI, AND HIRAISHI..	30
VI. CLAIM CONSTRUCTION	33
VII. THE DIFFERENCES BETWEEN THE PRIOR ART AND THE CHALLENGED CLAIMS OF THE '698 PATENT.....	35
VIII. THE CHALLENGED CLAIMS WOULD HAVE BEEN OBVIOUS IN VIEW OF MASHITA, ONISHI, AND HIRAISHI.....	35
A. INDEPENDENT CLAIM 1.....	35
1. [CLAIM 1, A] ...METHOD... ..	35
2. [CLAIM 1, B] ...DIGITAL CAMERA ... CELLULAR PHONE ... ACCESS TO THE INTERNET	37
3. [CLAIM 1, C] ... SHORT-RANGE ... CONNECTION.....	40
4. [CLAIM 1, C1] ... CRYPTOGRAPHICALLY AUTHENTICATING	43
5. [CLAIM 1, D] ACQUIRING NEW-MEDIA	46
6. [CLAIM 1, D1] ... AFTER ESTABLISHING	48

7. [CLAIM 1, E] CREATING A NEW-MEDIA FILE	49
8. [CLAIM 1, F] STORING.....	51
9. [CLAIM 1, G] RECEIVING.....	52
10.[CLAIM 1, G1] CREATED BEFORE RECEIVING...	56
11.[CLAIM 1, H] TRANSFERRING.....	57
12.[CLAIM 1, H1] ... CELLULAR PHONE IS CONFIGURED TO STORE	59
13.[CLAIM 1, H2] ... HTTP	61
14.[CLAIM 1, H3] ... GUI.....	67
B. DEPENDENT CLAIM 3.....	75
C. DEPENDENT CLAIM 4.....	76
D. INDEPENDENT CLAIM 5.....	77
1. [CLAIM 5, A] ... CAMERA	77
2. [CLAIM 5, B] ... NON-VOLATILE MEMORY	77
3. [CLAIM 5, C] ... WIRELESS ... DEVICE	78
4. [CLAIM 5, C1] ... CRYPTOGRAPHICALLY AUTHENTICATING	80
5. [CLAIM 5, C2] ... DATA CAPTURE CIRCUITRY	80
6. [CLAIM 5, D] ... ACQUIRE NEW-MEDIA	81
7. [CLAIM 5, D1] ... AFTER ESTABLISHING	81
8. [CLAIM 5, E] ... CREATE A NEW-MEDIA FILE	82
9. [CLAIM 5, F] ... STORE	82
10.[CLAIM 5, G] ... RECEIVE	82
11.[CLAIM 5, G1] ... CREATED... BEFORE RECEIVING	83
12.[CLAIM 5, H] ... TRANSFER.....	84
13.[CLAIM 5, H1] ... MOBILE SOFTWARE APPLICATION...	84
14.[CLAIM 5, H2] ... RECEIVE	85
15.[CLAIM 5, H3] ... STORE	86
16.[CLAIM 5, H4] ... HTTP	87
17.[CLAIM 5, H5] ... GUI.....	88
E. DEPENDENT CLAIM 7.....	89

F.	INDEPENDENT CLAIM 8.....	90
1.	[CLAIM 8, A] ... SYSTEM	90
2.	[CLAIM 8, B] ... CAMERA	90
3.	[CLAIM 8, C] ... SHORT-RANGE ... CONNECTION.....	91
4.	[CLAIM 8, C1] ... CRYPTOGRAPHICALLY AUTHENTICATING	91
5.	[CLAIM 8, C2] ... DATA CAPTURE CIRCUITRY	92
6.	[CLAIM 8, D] ... ACQUIRE NEW-MEDIA	92
7.	[CLAIM 8, D1] ... AFTER ESTABLISHING	92
8.	[CLAIM 8, E] ... CREATE A NEW-MEDIA FILE	93
9.	[CLAIM 8, F] ... STORE	93
10.	[CLAIM 8, G] ... RECEIVE	93
11.	[CLAIM 8, G1] ... CREATED... BEFORE RECEIVING ...	94
12.	[CLAIM 8, H] ... TRANSFER ...	94
13.	[CLAIM 8, H1] ... SOFTWARE APPLICATION.....	95
14.	[CLAIM 8, H2] ... SEND	96
15.	[CLAIM 8, H3] ... RECEIVE	99
16.	[CLAIM 8, H4] ... STORE	100
17.	[CLAIM 8, H5] ... GUI	100
18.	[CLAIM 8, H6] ... STORE	101
G.	DEPENDENT CLAIM 10.....	101
H.	DEPENDENT CLAIM 11	102
I.	DEPENDENT CLAIM 12	106
J.	INDEPENDENT CLAIM 13.....	107
1.	[CLAIM 13, A] ... COMPUTER-READABLE MEDIUM	107
2.	[CLAIM 13, B] ... DIGITAL CAMERA	109
3.	[CLAIM 13, C] ... ACQUIRING NEW-MEDIA	110
4.	[CLAIM 13, D] ... AFTER ESTABLISHING	110
5.	[CLAIM 13, D1] ... CRYPTOGRAPHICALLY AUTHENTICATING	111
6.	[CLAIM 13, E] CREATING A NEW-MEDIA FILE	111

7. [CLAIM 13, F] STORING.....	112
8. [CLAIM 13, G] RECEIVING.....	112
9. [CLAIM 13, G1]... CREATED ... BEFORE RECEIVING	112
10.[CLAIM 13, H] TRANSFERRING	113
11.[CLAIM 13, H1] ... CELLULAR PHONE IS CONFIGURED TO STORE	113
12.[CLAIM 13, H2] ... GUI	113
13.[CLAIM 13, H3] ... HTTP	114
K. DEPENDENT CLAIM 15	114
L. DEPENDENT CLAIM 16.....	115
M. DEPENDENT CLAIM 17	115
N. DEPENDENT CLAIM 18.....	116
O. DEPENDENT CLAIM 19.....	116
P. DEPENDENT CLAIM 20.....	117

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.