

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

MAXELL, LTD.,

Plaintiff,

vs.

APPLE INC.,

Defendant.

Civil Action No. 5:19-cv-00036-RWS

**OPENING EXPERT REPORT OF DR. ALAN C. BOVIK
REGARDING INVALIDITY OF U.S. PATENT NO. 8,339,493**

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Apple v. Maxell

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123. Below are images I took of the Casio QV-8000SX, Apple QuickTake 200, Sony MVC-FD83, and Sony MVC-FD88 cameras that I used and tested. See Appendix C.





2. U.S. Patent Nos. 5,444,482 (“Misawa”)

124. Misawa, titled “Digital Electronic Camera for Selectively Recording a Frame of Still Image and Movie Fields of Image in a Recording Medium,” was filed on April 28, 1994, and it issued on August 22, 1995. Misawa issued over four years before the alleged priority date for the ’493 patent (i.e., January 11, 2000). *See* Section V.A. Misawa names Takashi Misawa and Takeshi Ohta as inventors, and is assigned to Fuji Photo Film Co., Ltd. *See* Misawa at Cover. Misawa was not considered during the original prosecution of the ’493 patent. Misawa was presented in an IPR petition filed by Olympus (as discussed above in Section V.C), but the parties settled and dismissed the petition before the PTAB instituted review. I understand that Misawa qualifies as prior art under at least 35 U.S.C. §§ 102(a), (b), and (e). *See* Section IV.C.

125. Misawa discloses “a digital electronic camera for photographing the image of an object, and more particularly to a digital electronic camera for capturing the image of an object

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