

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC.,
Petitioner,

v.

COREPHOTONICS LTD.,
Patent Owner.

IPR2020-00905
Patent 10,255,479 B2

Before BRYAN F. MOORE, JOHN F. HORVATH, and
MONICA S. ULLAGADDI, *Administrative Patent Judges*.

HORVATH, *Administrative Patent Judge*.

DECISION
Granting Institution of *Inter Partes* Review
35 U.S.C. § 314

I. INTRODUCTION

A. *Background and Summary*

Apple, Inc. (“Petitioner”) filed a Petition requesting *inter partes* review of claims 1–16, 18, 23–38, and 40 (“the challenged claims”) of U.S. Patent No. 10,255,479 B2 (Ex. 1001, “the ’479 patent”). Paper 3 (“Pet.”), 9. Corephotonics Ltd. (“Patent Owner”) filed a Preliminary Response. Paper 8 (“Prelim. Resp.”). We have authority and jurisdiction under 35 U.S.C. §§ 6, 314 and 37 C.F.R. § 42.4.

Upon consideration of the Petition and Preliminary Response, we are persuaded that Petitioner has demonstrated a reasonable likelihood that it would prevail in showing the unpatentability of at least one challenged claim of the ’479 patent. Accordingly, we institute *inter partes* review of all challenged claims on all grounds raised.

B. *Real Parties-in-Interest*

Petitioner and Patent Owner identifies themselves, respectively, as the real parties-in-interest. Pet. 1; Paper 5, 1.

C. *Related Matters*

Petitioner and Patent Owner identify *Corephotonics Ltd. v. Apple Inc.*, 5:19-cv-04809 (N.D. Cal.), as a district court proceeding that can affect or be affected by this proceeding, and Petitioner also identifies IPR2020-00906 as in *inter partes review* that affect or be affected by this proceeding. Pet. 1; Paper 5, 1.

Our rules require both Petitioner and Patent Owner to identify “any other judicial or administrative matter that would affect, or be affected by, a decision in the proceeding.” 37 C.F.R. §§ 42.8(a), 42.8(b)(2). The ’479 patent is part of a family of patents and patent applications that include at least U.S. Patent Nos. 10,326,942 (“the ’942 patent”), 10,015,408 (“the ’408

patent”), 9,661,233 (“the ’233 patent”), and 9,185, 291 (“the ’291 patent”). Ex. 1001, code (63). Many of these patents either were or currently are involved in *inter partes* review proceedings between Petitioner and Patent Owner and, therefore, could affect or be affected by a decision in this proceeding. For example, claims of the ’291 patent were challenged in IPR2018-01348; claims of the ’233 patent were challenged in IPR2020-00487; and claims of the ’408 patent were challenged in IPR2020-00488 and are currently challenged in IPR2020-00489.

As noted above, our rules require both Petitioner and Patent Owner to identify these, and any other related proceedings, that could affect or be affected by a decision in this matter. *See* 37 C.F.R. §§ 42.8(a), 42.8(b)(2). The parties are reminded of this duty. Failure to comply with our rules may result in sanctions. *Id.* § 42.12 (a)(1).

D. The ’479 Patent

The ’479 patent is directed to “a thin (e.g., fitting in a cell-phone) dual-aperture zoom digital camera with fixed focal length lenses” that is configured to use “partial or full fusion to provide a fused image in still mode.” Ex. 1001, 3:18–23. Figure 1A, reproduced below, illustrates a dual-aperture zoom digital camera 100.

100

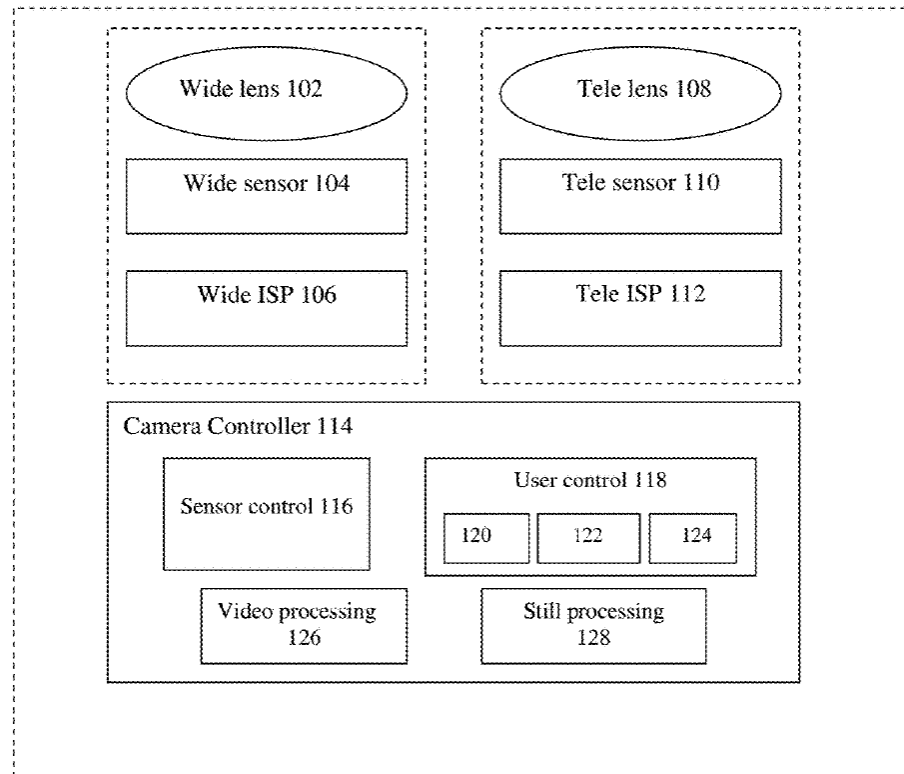


FIG. 1A

Figure 1A is a “block diagram illustrating a dual-aperture zoom” digital camera 100. *Id.* at 5:64–65. Camera 100 includes a wide imaging subsystem consisting of wide lens 102, wide sensor 104, and wide image signal processor (“ISP”) 106, and a tele imaging subsystem consisting of tele lens 108, tele sensor 110, and tele ISP 112. *Id.* at 6:24–29.

Camera 100 also includes controller 114, which includes sensor control 116, user control 118, video processing module 126 and still processing module 128. *Id.* at 6:33–37. User control 118 controls various camera functions, including, operational mode 120, region of interest (“ROI”) 122, and zoom factor (“ZF”) 124. *Id.* at 6:38–40. Zoom factor 124 allows a user “to choose a zoom factor.” *Id.* at 6:50–51. Sensor control 116 chooses “which of the sensors is operational” based on the selected zoom

factor. *Id.* at 6:41–45. ROI function 122 allows a user to “choose a region of interest,” i.e., a sub-region “on which both sub-cameras are focused.” *Id.* at 6:46–50.

The dual lenses allow camera 100 to take an image having a shallow depth-of-field (“DOF”) “by taking advantage of the longer focal length of the Tele lens.” *Id.* at 4:23–27. The image taken with the Tele lens can be enhanced “by fusing data from an image captured simultaneously with the Wide lens.” *Id.* at 4:27–30. For example, the Tele lens can focus “on a subject of the photo” and the Wide lens can focus on “a closer distance than the subject so that objects behind the subject appear very blurry.” *Id.* at 4:30–34. Then, a shallow depth-of-field image can be formed when “information from the out-of-focus blurred background in the Wide image is fused with the original Tele image background information, providing a blurrier background and even shallower DOF.” *Id.* at 4:34–38.

The process for fusing images taken with the Wide and Tele lenses is shown in Figure 5 of the ’479 patent, which is reproduced below.

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.