

**UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

APPLE INC.,
Petitioner,

v.

COREPHOTONICS, LTD.,
Patent Owner.

Case IPR2020-00906
U.S. Patent No. 10,225,479

**Petitioner's Motion to Submit APPL-1042
under 37 CFR § 42.123(b)**

PETITIONER'S EXHIBIT LIST

Updated: September 1, 2021

APPL-1001	U.S. Patent No. 10,225,479 to Shabtay et al. (the “’479 Patent”)
APPL-1002	Prosecution history of the ’479 Patent (the “’242 App”)
APPL-1003	Declaration of Dr. Fredo Durand Ph.D.
APPL-1004	CV of Dr. Fredo Durand
APPL-1005	U.S. Patent No. 7,859,588 to Parulski et al. (“Parulski”)
APPL-1006	JP Patent Application Publication No. 2007-259108 to Soga (“Soga”), English Translation, Declaration, and Original
APPL-1007	Jacobs et al., “Focal Stack Compositing for Depth of Field Control,” Stanford Computer Graphics Laboratory Technical Report 2012-1
APPL-1008	Prosecution history Morgan-Mar
APPL-1009	U.S. Patent No. 8,989,517 to Morgan-Mar et al. (“Morgan-Mar”)
APPL-1010	PCT Publication No. WO2013140359 to Shalon et al. (“Shalon”)
APPL-1011	U.S. Patent Application Publication No. 2008/0030592 to Border et al. (“Border”)
APPL-1012	JPS5862609A to Kawamura (“Kawamura”)
APPL-1013	Used in co-filed Petition
APPL-1014	U.S. Patent No. 6,259,863 to Maruyama (“Maruyama”)
APPL-1015	JP Pub. No. 2013-106289 to Konno et al. (“Konno”), Certified English translation and Original
APPL-1016	Ralph E. Jacobson et al., The Manual of Photography: photographic and digital imaging, 9 th Edition, 2000 (“Jacobson”)

APPL-1017	U.S. Patent App. Pub. No. 2010/0321511 to Koskinen et al. ("Koskinen")
APPL-1018	U.S. Patent No. 7,206,136 to Labaziewicz et al. ("Labaziewicz")
APPL-1019	Milton Katz, INTRODUCTION TO GEOMETRICAL OPTICS (2002) ("Katz")
APPL-1020	Warren J. Smith, MODERN LENS DESIGN (1992) ("Smith")
APPL-1021	Declaration of Dr. Jose Sasián, Ph.D.
APPL-1022	ZEMAX Development Corporation, ZEMAX Optical Design Program User's Manual, February 14, 2011 ("ZEMAX User's Manual")
APPL-1023	Used in co-filed Petition
APPL-1024	Used in co-filed Petition
APPL-1025	Used in co-filed Petition
APPL-1026	U.S. Patent No. 5,546,236 to Ogata et al. ("Ogata")
APPL-1027	Used in co-filed Petition
APPL-1028	Bae et al., "Defocus Magnification," EUROGRAPHICS 2007, ("Bae")
APPL-1029	Specification sheet for Sony ICX629 image sensor ("ICX629")
APPL-1030	Specification sheet for Sony ICX624 image sensor ("ICX624")
APPL-1031	Used in co-filed Petition
APPL-1032	Used in co-filed Petition
APPL-1033	Product manual for Kodak Easyshare V610
APPL-1034	Used in co-filed Petition
APPL-1035	Robert E. Fischer et al., OPTICAL SYSTEM DESIGN (2008)

APPL-1036	Email from Patent Owner's counsel authorizing electronic service
APPL-1037	Deposition transcript of John Hart, Ph.D., April 29, 2021
APPL-1038	Declaration of Dr. Fredo Durand, Ph.D. in support of Petitioner's Reply
APPL-1039	Declaration of Dr. José Sasián, Ph.D. in support of Petitioner's Reply
APPL-1040	Rob Bates, The Modern Miniature Camera Objective: An Evolutionary Design Path from the Landscape Lens, 2013 ("Bates")
APPL-1041	Deposition transcript of Duncan Moore, Ph.D., March 11, 2021
APPL-1042	Brief filed by Corephotonics in Korea on August 2, 2021 and certified translation

Admitting supplemental evidence in an IPR proceeding under 37 CFR 42.123(b) requires that the evidence “reasonably could not have been obtained earlier” and that considering it “would be in the interests-of-justice.” *Id.* APPL-1042 is a brief Patent Owner (“PO”) submitted on August 2, 2021 in a Korean Patent Court proceeding (“Korean Brief”), so it could not have been obtained before Petitioner’s fact discovery period ended. Consideration of PO’s Korean Brief is in the interests-of-justice because: (1) PO has taken opposite positions in this proceeding, and (2) Apple could not have presented this admission previously.

I. PO’s admissions in Korea directly contradict its positions here.

PO in its Korean Brief concede that its representations to the Board in this proceeding are untrue. More than merely show that PO’s arguments and expert in this proceeding are unreliable and cannot be given any weight (which PO’s statements certainly do show), PO’s statements are *party admissions*. Because they were made in a judicial proceeding concerning the validity of its own patent, the interests-of-justice demand that PO be held to its admissions.

Here, ¶79 of Dr. Moore’s declaration (Ex. 2015) parrots a paragraph from Patent Owner’s Response stating, word for word, that a POSITA: (1) “in or around 2013 simply would not have looked to a 200-mm lens designed in 1981 in selecting a design for Parulski’s narrow lens;” (2) “would look to *designs that were purpose-made for miniature cameras* and that took advantage of three decades of

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