IPR2021-00144 ('879 Patent) Bederson Decl. ISO Reply

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC., AND APPLE INC.,

Petitioners

v.

NEONODE SMARTPHONE LLC Patent Owner.

> Case IPR2021-00144 U.S. Patent No. 8,095,879

SUPPLEMENTAL DECLARATION OF DR. BENJAMIN B. BEDERSON IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,095,879

EXHIBIT 1051 Samsung et al. v. Neonode IPR2021-00144

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1. I, Dr. Benjamin B. Bederson, declare as follows:

I. INTRODUCTION

2. I have been retained by Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Apple Inc. (collectively, "Petitioners") as an independent expert consultant in this *inter partes* review ("IPR") proceeding before the United States Patent and Trademark Office ("PTO").

3. I have been asked by Petitioners' counsel ("Counsel") to consider whether certain references teach or suggest the features recited in Claims 1-6, and 12-17 of U.S. Patent No. 8,095,879 ("the '879 Patent") (EX1001).

4. I previously submitted a Declaration in this proceeding that I signed on November 5, 2020, and I understand that Declaration was marked as Exhibit 1002. That Declaration contained my opinions and the bases for them. Since submitting my Declaration (EX1002) I have considered the Board's institution decision (Paper 24), Petitioners' Request for Rehearing (Paper 25), the Board's decision granting Petitioners' Request for Rehearing (Paper 26), Patent Owner's Response (Paper 37) and the exhibits identified therein, and the Second Declaration of Dr. Craig Rosenberg (EX2007) in support of Patent Owner's Response. My opinions from my previous declaration have not changed.

II. BACKGROUND AND QUALIFICATIONS

5. My background and qualifications are set forth in my November 5,

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2020 declaration. I incorporate that section of my previous declaration here by reference.

III. INFORMATION CONSIDERED

6. In preparing this declaration, I have considered the materials discussed in this declaration, including, for example, the '879 Patent, the references cited by the '879 Patent, the prosecution histories of the '879 Patent and the application from which it derives (including the references cited therein), various background articles and materials referenced in this declaration, and the prior art references identified in this declaration. In addition, my opinions are further based on my education, training, experience, and knowledge in the relevant field.

Exhibit No.	Description
1001	U.S. Patent No. 8,095,879 ("the '879 patent")
1002	Declaration of Benjamin B. Bederson
1003	File History for U.S. Patent No. 8,095,879
1004	Xiangshi Ren & Shinji Moriya, "Improving Selection on Pen-
	Based Systems: A Study of Pen-Based Interaction for Selection
	Tasks," ACM Transactions on Computer-Human Interaction,
	Vol. 7, No. 3, September 2000, pp. 384-416 ("Ren")
1005	U.S. Patent No. 5,249,296 ("Tanaka")
1006	U.S. Patent No. 5,406,307 ("Hirayama307")
1007	U.S. Patent No. 5,949,418 ("Shields")
1008	CV of Benjamin B. Bederson
1009	U.S. Patent No. 6,100,878 ("Hirayama878")
1010	U.S. Patent No. 5,615,384 ("Rubine ")
1011	IBM Simon User's Manual (1994)
1012	Andrew Sears, et al., "A new era for touchscreen applications:
	High precision, dragging icons, and refined feedback,"

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