

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Michael J. Koss
U.S. Patent No.: 10,491,982 Attorney Docket No.: 50095-0019IP2
Issue Date: November 26, 2019
Appl. Serial No.: 16/528,701
Filing Date: August 1, 2019
Title: SYSTEM WITH WIRELESS EARPHONES

DECLARATION OF DR. JEREMY COOPERSTOCK

TABLE OF CONTENTS

I. INTRODUCTION.....1

II. QUALIFICATIONS2

III. BACKGROUND4

IV. SUMMARY OF MY OPINIONS6

V. OVERVIEW OF THE '982 PATENT6

A. Brief Description.....7

B. Summary Of The Prosecution History..... 13

C. Interpretations of Claim Terms..... 13

D. Person of Ordinary Skill in the Art..... 14

VI. OVERVIEW OF PRIOR ART15

A. The Rosener-Hankey-Haupt-Seshadri And Rosener-Hankey-Dyer-Haupt-Seshadri Combinations 15

 1. Overview of References..... 15

 2. Combinations of References33

B. The Rosener-Hankey-Price/Rosener-Hankey-Dyer-Price Combinations49

 1. Price49

 2. Combinations With Price51

VII. ANALYSIS OF THE PRIOR ART54

A. The Rosener-Hankey-Haupt-Seshadri and Rosener-Hankey-Dyer-Haupt-Seshadri Combinations Make Claims 6, 8, 10, 11 Obvious54

 1. Overview of Claims 1, 4, and 554

 2. Claims 6 And 11 84

 3. Claims 8 And 1094

B. The Rosener-Hankey-Haupt-Seshadri-Price And Rosener-Hankey-Dyer-Haupt-Seshadri-Price Combinations Make Claims 7, 9, 12, And 13 Obvious97

 1. Claims 7, 9, 12, And 1397

VIII. LEGAL PRINCIPLES100

 A. Perspective of One of Ordinary Skill in the Art100

 B. Anticipation100

 C. Obviousness.....101

ADDITIONAL REMARKS.....103

1. I, Jeremy Cooperstock, of Montreal, Canada, declare that:

I. INTRODUCTION

2. I have been retained by Fish & Richardson, P.C., on behalf of Apple Inc. (“Petitioner”), 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 Petitioner’s counsel (“Counsel”) to consider whether certain references teach or suggest the features recited in Claims 1-5, and 14-20 of U.S. Patent No. 10,491,982 (“the ’982 patent”) (APPLE-1001). My opinions and the bases for my opinions are set forth below. My opinions are based on my education and experience.

4. In writing this Declaration, I have considered the following: my own knowledge and experience, including my teaching and work experience in the above fields; and my experience of working with others involved in those fields.

5. I have no financial interest in either party or in the outcome of this proceeding. I am being compensated for my work as an expert on an hourly basis, for all tasks involved. My compensation is not dependent on the outcome of these proceedings or on the content of my opinions.

II. QUALIFICATIONS

6. I am a professor in the Department of Electrical and Computer Engineering at McGill University. My curriculum vitae is provided as Appendix A.

7. I received my B.Sc. in Electrical Engineering from the University of British Columbia, my M.Sc. in Computer Science from the University of Toronto in 1992, and my Ph.D. in Electrical and Computer Engineering from the University of Toronto in 1996.

8. I am a member of the Centre for Intelligent Machines, and a founding member of the Centre for Interdisciplinary Research in Music Media and Technology at McGill University. I also direct the Shared Reality Lab at McGill, which focuses on computer mediation to facilitate high-fidelity human communication and the synthesis of perceptually engaging, multimodal, immersive environments. I led the development of the Intelligent Classroom, the world's first Internet streaming demonstrations of Dolby Digital 5.1, multiple simultaneous streams of uncompressed high-definition video, a high-fidelity orchestra rehearsal simulator, a simulation environment that renders graphic, audio, and vibrotactile effects in response to footsteps, and a mobile game treatment for amblyopia.

9. My work on the Ultra-Videoconferencing system was recognized by an award for Most Innovative Use of New Technology from ACM/IEEE

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.