

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner

v.

GESTURE TECHNOLOGY PARTNERS LLC
Patent Owner

Case No. IPR2021-00923
U.S. Patent No. 8,194,924

PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE

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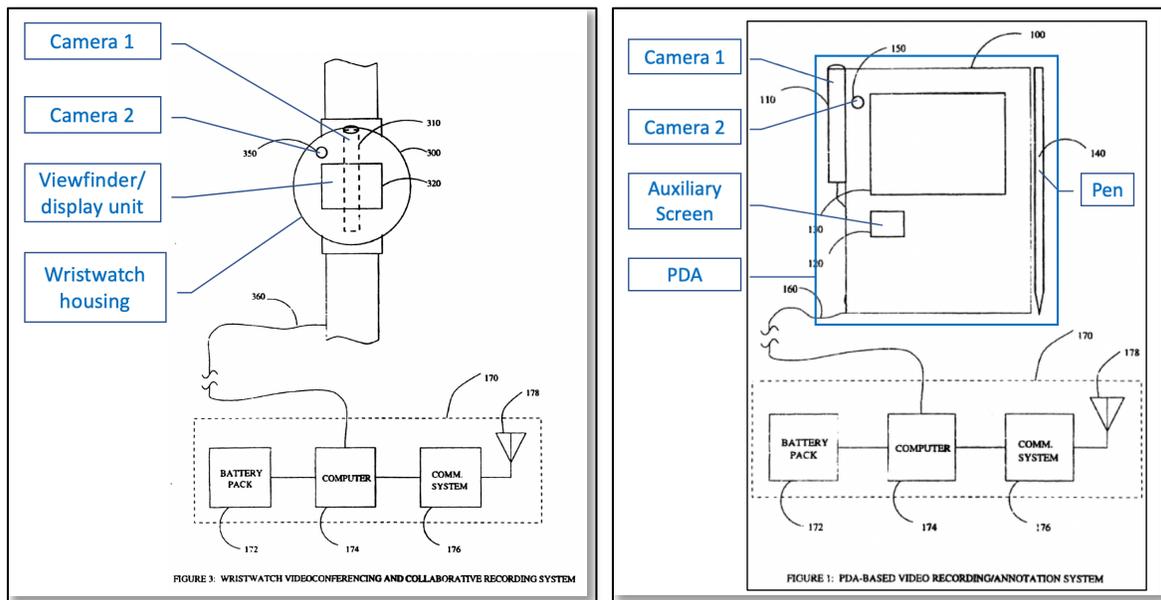
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I. INTRODUCTION

The Challenged Claims are directed to a handheld device with (1) a user-facing camera, (2) a subject/object-facing camera, and (3) the ability to perform a control function from the output of one camera.

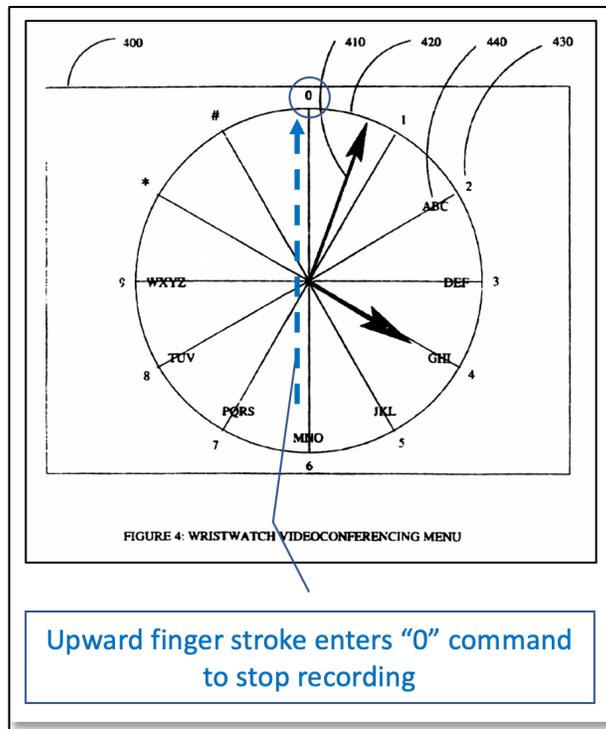
The Petition is based primarily on a combination of Mann (Ex. 1004) and Numazaki (Ex. 1005). Mann teaches wristwatch and PDA embodiments in which a first camera faces the user and a second camera faces a subject:



Ex. 1004, Figs. 3, 1 (annotated to indicate key components). Mann describes using these devices in covert applications such as investigative journalism in which the subject does not know whether the camera is recording. *Id.*, 2-3, 11-12. A first camera captures the subject and a second camera allows the user to be captured as well. *Id.* at 12-13. Important to these covert applications is appearing natural when

initiating a recording so the subject “cannot readily determine whether or not the apparatus is in use recording.” *Id.* at 1-3.

For device control, Mann teaches physical touch-based interactions such as the user physically swiping her finger across a portion of the watch face:



Id. at Fig. 4; *see also* Paper 1, 19-20. The PDA embodiment uses a traditional stylus to interact with and control the device. Paper 1, 20.

Physically interacting with the device risks drawing the subject’s attention. Namely, when a user physically interacts with the device, the subject recognizes this as conduct consistent with controlling a device—unwanted attention that runs contrary to Mann’s covert goals. As set forth in the petition, a POSITA would have recognized that replacing physical interactions with simple finger gestures over the

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