

### Exhibit 13

#### U.S. Patent No. 8,526,767 (“767 Patent”)

#### **Invalidity Chart Based On Primary Reference U.S. Patent Application Publication No. 2008/0036743 (“767 Patent”)**

WESTERMAN qualifies as prior art to U.S. Patent No. 8,526,767 (“767 Patent”) at least under 35 U.S.C. § 102 and, alone or with other references, renders obvious one or more of claims 1-3, 6, and 11-14. To the extent WESTERMAN discloses one or more limitations of the claims, it would have been obvious to combine the teachings of WESTERMAN with the knowledge of one of ordinary skill in the art and with one or more of the references below to render the claims of U.S. Patent No. 8,526,767 Patent invalid.

- U.S. Patent Application Publication No. 2009/0284478 (“BALTIERRA”)
- U.S. Patent Application Publication No. 2007/0247435 (“BENKO”)
- U.S. Patent No. 8,519,965 (“CADY”)
- U.S. Patent Application Publication No. 2009/0325643 (“HAMADENE”)
- Japanese Laid-Open Patent Application Gazette H09-231004 (“KATOU”)
- U.S. Patent Application Publication No. 2009/0213084 (“KRAMER”)
- U.S. Patent Application Publication No. 2010/0020025 (“LEMORT”)
- U.S. Patent Application Publication No. 2008/0046425 (“PERSKI”)
- International Patent Publication No. WO 00/63874 (“STRINGER”)
- U.S. Patent Application Publication No. 2007/0176906 (“WARREN”)
- U.S. Patent Application Publication No. 2009/0225039 (“WILLIAMSON”)
- U.S. Patent Application Publication No. 2007/0046643 (“HILLIS”) (prior art under at least 35 U.S.C. § 102)
- U.S. Patent Application Publication No. 2006/0066582 (“LYON”) (prior art under at least 35 U.S.C. § 102)
- U.S. Patent Application Publication No. 2007/0152984 (“ORDING”) (prior art under at least 35 U.S.C. § 102)
- U.S. Patent Application Publication No. 2007/0291009 (“WRIGHT”) (prior art under at least 35 U.S.C. § 102)
- Admitted Prior Art

The excerpts cited herein are exemplary. For any claim limitation, Samsung may rely on excerpts cited for any claim limitation and on additional excerpts not set forth fully herein to the extent necessary to provide a more comprehensive explanation of the claim limitation. Where an excerpt refers to or discusses a figure or figure items, that figure and any additional figures of that figure should be understood to be incorporated by reference as if set forth fully herein. Similarly, where a claim limitation refers to a particular text referring to a figure, the citation should be understood to include the figure and related figures as well as the text.

These invalidity contentions are not an admission by Samsung that the accused products or components, including any version of these products or components, are covered by, or infringe the asserted claims, particularly when these claims are construed and applied. These invalidity assertions are also not an admission that Samsung concedes or acquiesces to the claim construction(s) implied or suggested by Plaintiff in its Complaint or the associated infringement claim charts. Samsung is not asserting any claim construction positions through these charts, including whether the preamble is a limitation. Samsung does not concede or acquiesce that any asserted claim satisfies the requirements of 35 U.S.C. §§ 112 or 101 and submits these contentions only to the extent Plaintiff's assertions may be understood.

<u>Asserted Claims</u>	<u>Exemplary Disclosures</u>
<b>Claim 1</b>	
[1.pre] A touch sensor device comprising:	<p>WESTERMAN, alone or in combination with the knowledge of a person of art, discloses and/or renders obvious the touch sensor device recited in claim 1.</p> <p>WESTERMAN at Abstract:  “Methods and systems for implementing gestures with sensing devices are disclosed, particularly, methods and systems related to gesturing with multipoint sensing devices are disclosed.”</p> <p>WESTERMAN at [0025]-[0026]:  “With touch pads, the movement of the input pointer corresponds to the relative movement of the user's finger (or stylus) as the finger is moved along a surface of the touch screen. Touch screens, on the other hand, are a type of display screen that has a touch-sensitive panel covering the screen. When using a touch screen, a user makes a selection on the screen by pointing directly to GUI objects on the screen (usually with a stylus). In general, the touch device recognizes the touch and position of the touch and interprets the touch and thereafter performs an action based on the touch event. In order to provide additional functionality, gestures have been implemented using these input devices. By way of example, in touch pads, selections may be made by one or more taps are detected on the surface of the touch pad.”</p> <p>WESTERMAN at [0029]:  “The invention relates, in one embodiment, to an electronic system. The electronic system includes a multipoint sensing device that provides a multipoint sensing area that can be used to detect input from one or more objects. The electronic system also includes a gesture module that is configured to determine a gesture set for a given input arrangement received by the multipoint sensing device, to monitor the given input arrangement for one or more events included in the gesture set, and to initiate input actions associated with the events.”</p>

<u>Asserted Claims</u>	<u>Exemplary Disclosures</u>
	<p>when the gesture event is performed with the input arrangement. The input arrangement may, for example, be an arrangement of fingers and/or other parts of the hand.”</p> <p>WESTERMAN at [0030]:  “The invention relates, in another embodiment, to a gestural control method. The method includes detecting multiple points within a sensing area at the same time. The method also includes determining a chord when one or more points are detected within the sensing area. The chord is a specific arrangement of points within the sensing area. The method further includes determining a gesture set associating commands to one or more gesture events. The method additionally includes monitoring points for gesture events. Moreover, the method includes performing a command associated with a gesture event if a gesture event is received.”</p> <p>WESTERMAN at [0031]:  “The invention relates, in another embodiment, to a control operation. The operation includes detecting a touch or near touch. The operation also includes determining a gesture set for the touch. The gesture set includes one or more gesture events for providing a command. The operation further includes monitoring the touch for a gesture event. The operation additionally includes initiating a command when a gesture event associated with the gesture set is performed.”</p> <p>WESTERMAN at [0032]:  “The invention relates, in another embodiment, to a gesture operation. The operation includes monitoring a touch motion. The operation also includes differentiating the touch motion into a first and second state. The operation further includes performing a first action when the touch motion is associated with the first state. The operation additionally includes performing a second action when the touch motion is associated with the second state.”</p> <p>WESTERMAN at [0033]:  “The invention relates, in another embodiment, to a control operation. The operation includes providing a first input device and a second input device that is different from the first input device. The first input device includes an object sensing device such as a camera.”</p>

<u>Asserted Claims</u>	<u>Exemplary Disclosures</u>
	<p>device for providing input events. The operation also includes monitoring the device for input events. The operation further includes simultaneously monitoring the device for input events. The operation additionally includes performing input operations in accordance with input events associated with first input device. Moreover, the operation includes simultaneously performing input operations in accordance with input events associated with second input device.”</p> <p>WESTERMAN at [0034]:  “The invention relates, in another embodiment, to a control operation. The operation provides a list of input functions. The input functions have commands and gestures linked to the commands. The commands are related to the input functions. The operation includes assigning input functions to chords. The operation additionally includes performing an input function to a chord when the chord is recognized.”</p> <p>WESTERMAN at [0037]:  “The invention relates, in another embodiment, to a gesture operation. The operation includes detecting a first finger. The gesture operation also includes determining the state of the first finger. The state of the finger may for example be moving or stationary. The operation further includes detecting one or more additional fingers. For example, a second finger is detected. The gesture operation additionally includes determining the state of the additional fingers. The state of the additional fingers may for example be that they are moving or stationary. Moreover, the method includes implementing different input modes based on the state of the first and additional fingers relative to one another. The different modes may include pointing modes, dragging modes and the like.”</p> <p>WESTERMAN at [0093]-[0095]:  “Gestures and methods of implementing gestures with sensing devices are disclosed, particularly, gestures and methods of implementing gestures with multipoint sensing devices disclosed. Multipoint sensing devices have a number of advantages over conventional single point devices in that they can distinguish more than one object (finger) simultaneously. In most cases, multipoint sensing devices and systems that u</p>

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