UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,
Petitioner,

v.

IMMERVISION, INC.,
Patent Owner

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IPR2023-00471
Patent 6,844,990 B2

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Record of Oral Hearing
Held: April 11, 2024

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Before JOHN D. HAMANN, STEVEN M. AMUNDSON, and STEPHEN
E. BELISLE, *Administrative Patent Judges*.

APPEARANCES:

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  The above-entitled matter came on for hearing on April 11, 2024, commencing at 1:00 p.m., via video teleconference.

1	P R O C E E D I N G S
2	- - - - -
3	JUDGE HAMANN: This is a hearing in IPR2023-00471, Apple
4	Inc. v. Immervision, Inc. I'm Judge Hamann. Also on the panel are Judges
5	Amundson and Belisle. I'd like to start with an introduction of the parties.
6	And so, who is here on behalf of Petitioner, please?
7	MR. HOLT: I'm David Holt, Your Honor, and I'm joined by my
8	colleagues Karl Renner and Karan Jhurani, on behalf of Petitioner.
9	JUDGE HAMANN: Thank you. And for Patent Owner, who is
10	appearing on its behalf?
11	MR. MURRAY: Good afternoon, Your Honor. On behalf of
12	Patent Owner, Stephen Murray. And with me is Dennis Butler, as well as
13	my colleague.
14	JUDGE HAMANN: Welcome to you all. I also want to point out
15	that we also have a public line today. So, the public may be joining,
16	listening in, or potentially watching it. And so I remind the parties not to
17	convey any confidential information. I don't believe we have protective
18	order in this proceeding, but I provide that reminder, nonetheless. Now, per
19	our hearing order, each side is going to have one hour to present. We're
20	going to begin with Petitioner as it bears the burden as to unpatentability,
21	followed by Patent Owner's response, followed by any time reserved for
22	rebuttal and sur-rebuttal.
23	I'd like to also remind the parties of a few things. Obviously, this
24	is a virtual hearing. So, when you're speaking, make certain you unmute
25	yourself, please. And then when you're also done presenting please make

1 certain to mute yourself, so we don't get any background noise that's not

2 needed. If during the course of the hearing you have any technical

3 problems, we expect you can let us know immediately. There's still some

4 level of connection during the hearing please do that. To the extent that

5 you've lost connection entirely or can't let us know otherwise, the

6 information that was provided in setting up for you all's connection to this

7 hearing, you should reach out to those folks.

8   We have a copy of all the relevant papers and exhibits here, so we

9 ask that, for if we're following along, as well as provide for a clearer record,

10 that you refer to a slide number or exhibit number or page number or

11 whatever is relevant in presenting your arguments as you present them.

12   Lastly, as I said, each side will have an hour to present their

13 arguments. I will try to give you time warnings towards the end, but you

14 may find it helpful to also track your own time. Therefore, you can better

15 pace the arguments you want to present. With that, before we turn to the

16 Petitioner and to be getting into the arguments, I just want to ask one quick

17 question of Patent Owner's counsel, Mr. Murray. Am I correct that Patent

18 Owner did not file or is not relying on demonstratives for today's hearing?

19   MR. MURRAY: That's correct, Your Honor.

20   JUDGE HAMANN: Okay. Thank you. With that, I turn to hear

21 Mr. Holt, and if you'd let me know how much time you would like to reserve

22 for rebuttal.

23   MR. HOLT: Thank you, Your Honor. We'd like to reserve 20

24 minutes, please.

25   JUDGE HAMANN: Okay. Thank you. You may begin when

26 you're ready.

1   MR. HOLT: May it please the board? Mr. Renner and I will be

2 discussing the case with Your Honors today. I will be starting with a brief

3 discussion of the relevant claim language and the overall technology, which

4 should take about 12 to 15 minutes. Thereafter, Mr. Renner will be focusing

5 on how the combination of Baker and Shiota renders the claims obvious.

6   If we turn to slide 4, we see Independent Claim 27, which is the

7 focus of this proceeding. Claim 27 has two main limitations. The first

8 relates to the capture of a panoramic image via a specific type of objective

9 lens. The lens is one of the primary purposes of Immervision's purported

10 invention. It's a panoramic lens with a nonlinear distribution function that

11 includes at least one excluded zone, and at least one compressed zone. We'll

12 talk a bit more about the nonlinear distribution function and the zones in a

13 moment.

14   The second limitation relates to displaying a corrected version of

15 the image obtained through the panoramic lens. In essence, the nonlinear

16 zones in the lens cause a type of distortion to the obtained image and this

17 step includes correcting for that distortion based on two things. First, the

18 nonlinear distribution function of the lens and second, the size L of the

19 obtained image. There are a fair number of words to these two limitations,

20 but you'll likely have noticed that this proceeding is focused in on only the

21 last eight words. There is no argument in this proceeding that the

22 combination of Baker and Shiota teaches everything that doesn't teach

23 everything recited other than those final eight words. Nor is there any

24 argument that a POSITA would not have been motivated to combine Baker

25 and Shiota, or whether they would have had a reasonable expectation of

26 success in doing so. With this in mind, I'd like to take a brief look through

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