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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Case IPR2023-00471

Patent No. 6,844,990

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PATENT OWNER'S RESPONSE UNDER 37 C.F.R. § 42.120

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<u>TABLE OF AUTHORITIES</u>

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EXHIBIT LIST

Exhibit No.	Description
2001	Declaration of James F. Munro
2002	Excerpt from Tinku Acharya & Ajoy K. Ray, *Image Processing Principles and Applications* (2005) (pp. 23-25)
2003	EV76C560 CMOS Image Sensor Datasheet from e2v Semiconductors SAS (2011)
2004	Excerpt from Michael P. Keating, *Geometric, Physical, and Visual Optics* (2nd Ed. 2002) (pp. 347-350)
2005	U.S. Patent Application Publication No. 2004/0201764

I.   INTRODUCTION

Petitioner fails to meet its burden to show unpatentability of the challenged claims of the '990 Patent. To demonstrate independent claim 27 would have been obvious, Petitioner must show the combination of Baker and Shiota taught or suggested a step of "displaying the obtained panoramic image by correcting the non-linearity of the initial image, performed by retrieving image points on the obtained image…using at least…a size L of the obtained image." Petitioner admitted that Baker fails to disclose such a feature and relied entirely on Shiota.

But Shiota does not expressly indicate that it retrieves image points for correcting distortion using the size of the obtained image. Petitioner and its expert, Dr. Kessler, improperly read this feature into Shiota's discussion of "magnification" by ignoring the surrounding context and established understandings in the field. As Patent Owner's expert, Mr. James Munro, explains in his declaration (attached as Exhibit 2001), Dr. Kessler himself links together multiple references to "magnification" and other synonyms (*i.e.*, "scale factor" and "zoom ratio") but omits description showing these terms actually relate to operator selections for final display, not a size of the initial captured image. Dr. Kessler's conclusion that "magnification" merely leads to the same use of the size L of the obtained image as stated in claim 27 is without any substantial explanation or support and is contrary to a reasoned reading of the text.

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