

EXHIBIT 29

Defendant's Invalidation Contentions
Exhibit A19

Invalidity of U.S. Patent No. 6,748,317
by
U.S. Patent No. 6,067,502 to Hayashida ("Hayashida")

U.S. Patent No. 6,748,317 (the "'317 Patent") was filed May 5, 2003 and issued June 8, 2004. The '317 Patent claims priority to JP11-197010, filed July 12, 1999. For the purposes of these invalidity contentions, Defendant applies the July 12, 1999 priority date for the '317 Application. However, Defendant reserves the right to contest Plaintiff's reliance on the July 12, 1999 priority date should the priority date become an issue in this proceeding.

The excerpts cited herein are exemplary. For any claim limitation, Defendant may rely on excerpts cited for any other limitation and/or additional excerpts not set forth fully herein to the extent necessary to provide a more comprehensive explanation for a reference's disclosure of a limitation. Where an excerpt refers to or discusses a figure or figure items, that figure and any additional descriptions of that figure should be understood to be incorporated by reference as if set forth fully therein.

Except where specifically noted otherwise, this chart applies the apparent constructions of claim terms as used by Plaintiff in its infringement contentions; such use, however, does not imply that Defendant adopts or agrees with Plaintiff's constructions in any way.

U.S. Patent No. 6,067,502 to Hayashida ("Hayashida") was filed August 21, 1997 and issued May 23, 2000. Hayashida therefore qualifies as prior art with regard to the '317 patent under 35 U.S.C. § 102(e) (pre-AIA).

JPH05-264711 ("the '711 Patent") published on October 12, 1993 and therefore qualifies as prior art with regard to the '317 patent under 35 U.S.C. § 102(b).¹

JPH10-197277 to Maruyama et al. ("Maruyama") published on July 31, 1998 and therefore qualifies as prior art with regard to the '317 Patent under at least 35 U.S.C. § 102(a).

Upon information and belief, the Cyberguide system was made publicly available at least as early as September of 1996. The features and functionalities of the NavTalk product are described in A Mobile Context-Aware Tour Guide by Abowd et al. ("Abowd"). Because the Cyberguide product itself was known and used by others prior to the '317 Patent's priority date, it constitutes prior art under 35

¹ Defendant relies on a machine translation of this foreign reference, but will supplement these contentions upon receipt of a certified English translation.

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U.S.C. § 102(a) (pre-AIA). Defendant reserves the right to supplement its theories with additional discovered details describing the features and functionalities of the Cyberguide product that were known or used by others prior to the '317 Patent's priority date. Additionally, because Abowd published on September 23, 1996, it independently constitutes prior art under 35 U.S.C. § 102(b).

Upon information and belief, the Garmin NavTalk (the "NavTalk") was made publicly available in January of 1999. The features and functionalities of the NavTalk product are described in the NavTalk Owner's Manual and Reference Guide (Rev. A). Because the NavTalk product itself was known and used by others prior to the '317 Patent's priority date, it constitutes prior art under 35 U.S.C. § 102(a) (pre-AIA). Defendant reserves the right to supplement its theories with additional discovered details describing the features and functionalities of the NavTalk product that were known or used by others prior to the '317 Patent's priority date. Additionally, because the NavTalk Owner's Manual and Reference Guide is a printed publication that was publicly available prior to the '317 Patent's priority date, it independently constitutes prior art under 35 U.S.C. § 102(a) (pre-AIA).

Upon information and belief, the Seiko Epson Locatio (the "Locatio") was made publicly available in June of 1999. Therefore, the Locatio qualifies as prior art with regard to the '317 patent under 35 U.S.C. § 102(a).

U.S. Patent No. 5,781,150 to Norris ("Norris") was filed on October 13, 1995 and issued on July 14, 1998 and therefore qualifies as prior art with regard to the '317 patent under at least 35 U.S.C. § 102(e) and (a).

U.S. Patent No. 6,525,768 to Obradovich ("Obradovich") was filed on October 21, 1999 and issued February 25, 2003. Obradovich claims the benefit of Provisional Application 60/105/050 and therefore qualifies as prior art to the '317 Patent under 35 U.S.C. § 102(e).

Akiyama published on November 1, 1996. Akiyama therefore qualifies as prior art with regard to the '317 patent under 35 U.S.C. § 102(b) (pre-AIA).

Hayashida anticipates Claims 1, 2, 3, 5-9, 15, and 17 under 35 U.S.C. § 102.

Hayashida (or Hayashida in view of Want/the Cyberguide) renders Claims 6-9 obvious 35 U.S.C. § 103.

Hayashida (or Hayashida in view of Want/the Cyberguide) in view of the Cyberguide/Maruyama renders Claims 6-9 obvious 35 U.S.C. § 103.

Hayashida (or Hayashida in view of Want/the Cyberguide) renders Claims 1, 2, 3, 5, 15, and 17 obvious 35 U.S.C. § 103.

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Hayashida (or Hayashida in view of Want/the Cyberguide) in view of Akiyama renders Claim 5 obvious 35 U.S.C. § 103.

Hayashida (or Hayashida in view of Want/the Cyberguide) in view of the Locatio/Maruyama renders Claims 15 and 17 obvious 35 U.S.C. § 103.

Hayashida (or Hayashida in view of Want/the Cyberguide) in view of the Locatio/Maruyama in further view of the '711 Patent renders Claim 17 obvious 35 U.S.C. § 103.

Hayashida (or Hayashida in view of Want/the Cyberguide) in view of Norris/Maruyama/the Locatio/the Cyberguide/the NavTalk/Obradovich renders Claims 10, 11, 12, 13, 14, and 18 obvious 35 U.S.C. § 103.

Hayashida (or Hayashida in view of Want/the Cyberguide) in view of Norris/Maruyama/the Locatio/the Cyberguide/the NavTalk/Obradovich in further view of Akiyama renders Claim 14 obvious 35 U.S.C. § 103.

Hayashida (or Hayashida in view of Want/the Cyberguide) in view of Norris/Maruyama/the Locatio/the Cyberguide/the NavTalk/Obradovich in further view of the NavTalk/Maruyama renders Claim 18 obvious 35 U.S.C. § 103.

U.S. Patent No. 6,748,317	Hayashida
<i>Claim 1</i>	
1[P]. A portable terminal, comprising:	<p>To the extent the preamble is limiting, Hayashida discloses a portable terminal.</p> <p><i>This invention is related to a map display device to guiding and searching a movement route of a vehicle based on a map information, especially this invention is relate with the improvement of the display of the map information.</i></p> <p><i>Hayashida at 1:5-8.</i></p> <p><i>Then this navigation processing can be also executed by this computer device, if the device which can detect the present position by GPS reception device 25 and this information memory part 37 are connected with the carrying-type computer device. Moreover this invention can be applied as the vehicle except the car and the navigation device of the shipping, the aircraft and the map which is used for the navigation may be a chart and a submarine map and so on in addition to the road map. Moreover again this invention may be applied</i></p>

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	<p><i>to the carrying-type navigation device in addition to the navigation device which is attached to the movement bodies such as the car. In other words, this invention may be applied to the small navigation device which can be accompanied by the human and which is used in a cycling, a travel, a mountaineering, a hike, a fishing or so on.</i></p> <p><i>Hayashida at 76:5-20.</i></p>
<p>[1(a)] a device for getting location information denoting a present² place of said portable terminal;</p>	<p>To the extent this limitation is governed by 35 U.S.C. § 112(6), and based on Defendant's understanding of Plaintiff's infringement contentions, Hayashida discloses a device (i.e., CPU 2 and present position detector 20, including GPS receiver unit 25 and beacon receiver unit 26) that perform the claimed function of getting location information denoting a present place of said portable terminal.</p> <p><i>FIG. 1 illustrates the overall circuitry of the navigation device. A central processor 1 controls the operation of the whole navigation device. The central processor 1 is comprised with a CPU 2, a flush memory 3, a RAM 5, a ROM 4, a sensor input interface 7, a communication interface 8, an image (picture) processor 9, a image (picture) memory 10, a voice processor 11 and a clock (clock generator) 6. The CPU 2 and the devices through up to the clock 6 are connected together through a CPU local bus 15, and the data are exchanged among these devices.</i></p> <p><i>Hayashida at 2:46-55.</i></p> <p><i>The sensor input interface 7 comprises an A/D converter circuit or a buffer circuit. The sensor input interface 7 receives analog or digital sensor data from the sensors 21 to 24 of a present position detector 20. The present position detector 20 includes an absolute direction sensor 21, a relative direction sensor 22, a distance sensor 23 and a vehicle speed sensor 24.</i></p> <p><i>Hayashida at 7:24-30.</i></p>

² Based on Plaintiff's Infringement Contentions (p. 7) and subsequent claim limitations referring to a present place, Defendant understands this to mean "present."

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