

No. 23-1501, -1554

IN THE
United States Court of Appeals for the Federal Circuit

APPLE INC.,

Appellant,

LG ELECTRONICS INC., LG ELECTRONICS USA, INC., GOOGLE LLC,

Appellees,

v.

GESTURE TECHNOLOGY PARTNERS LLC,

Cross-Appellant.

On Appeal from the United States Patent and Trademark Office,
Patent Trial and Appeal Board
Nos. IPR2021-00921, IPR2022-00092, and IPR2022-00362

OPENING BRIEF OF APPELLANT APPLE INC.

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CLAIM LANGUAGE AT ISSUE

U.S. Patent No. 8,878,949, Claims 1, 4, 8, 11, 13, 18

1. A portable device comprising:

a device housing including a forward-facing portion, the forward facing portion of the device housing encompassing an electro-optical sensor ... and including a digital camera separate from the electro-optical sensor ...

4. The portable device of claim 1 wherein the electro-optical sensor is fixed in relation to the digital camera.

8. A computer implemented method comprising:

providing a portable device including a forward facing portion encompassing a digital camera and an electro-optical sensor ...

11. The method according to claim 8 wherein the electro-optical sensor includes first and second sensors in fixed relation relative to the digital camera.

13. An image capture device comprising:

a device housing including a forward facing portion, the forwarding facing portion encompassing a digital camera ... and encompassing a sensor ...

18. The image capture device of claim 13 wherein the sensor is fixed in relation to the digital camera.

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

CERTIFICATE OF INTEREST

Case Number 23-1501, -1554

Short Case Caption Apple Inc. v. Gesture Technology Partners, LLC

Filing Party/Entity Apple Inc.

Instructions:

1. Complete each section of the form and select none or N/A if appropriate.
2. Please enter only one item per box; attach additional pages as needed, and check the box to indicate such pages are attached.
3. In answering Sections 2 and 3, be specific as to which represented entities the answers apply; lack of specificity may result in non-compliance.
4. Please do not duplicate entries within Section 5.
5. Counsel must file an amended Certificate of Interest within seven days after any information on this form changes. Fed. Cir. R. 47.4(c).

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 08/07/2023

Signature: /s/ Robbie Manhas

Name: Robbie Manhas

FORM 9. Certificate of Interest

Form 9 (p. 2)
March 2023

1. Represented Entities. Fed. Cir. R. 47.4(a)(1).	2. Real Party in Interest. Fed. Cir. R. 47.4(a)(2).	3. Parent Corporations and Stockholders. Fed. Cir. R. 47.4(a)(3).
Provide the full names of all entities represented by undersigned counsel in this case.	Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities. <input checked="" type="checkbox"/> None/Not Applicable	Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities. <input checked="" type="checkbox"/> None/Not Applicable
Apple Inc.		

Additional pages attached

4. Legal Representatives. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

None/Not Applicable Additional pages attached

5. Related Cases. Other than the originating case(s) for this case, are there related or prior cases that meet the criteria under Fed. Cir. R. 47.5(a)?

Yes (file separate notice; see below) No N/A (amicus/movant)

If yes, concurrently file a separate Notice of Related Case Information that complies with Fed. Cir. R. 47.5(b). **Please do not duplicate information.** This separate Notice must only be filed with the first Certificate of Interest or, subsequently, if information changes during the pendency of the appeal. Fed. Cir. R. 47.5(b).

6. Organizational Victims and Bankruptcy Cases. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

None/Not Applicable Additional pages attached

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