

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Singh et al.

U.S. Pat. No.: 6,400,376 B1

Attorney Docket No.: 30146-0017IP1

Issue Date: June 4, 2002

Appl. Serial No.: 09/217,400

Filing Date: Dec. 21, 1998

Title: DISPLAY CONTROL FOR HAND-HELD DATA PROCESSING DEVICE

Mail Stop Patent Board

Patent Trial and Appeal Board

U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION FOR *INTER PARTES* REVIEW OF UNITED STATES PATENT
NO. 6,400,376 PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42**

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	MANDATORY NOTICES UNDER 37 C.F.R § 42.8.....	2
	A. Real Parties-In-Interest Under 37 C.F.R. § 42.8(b)(1).....	2
	B. Related Matters Under 37 C.F.R. § 42.8(b)(2).....	2
	C. Lead And Back-Up Counsel Under 37 C.F.R. § 42.8(b)(3)	3
	D. Service Information.....	3
III.	PAYMENT OF FEES – 37 C.F.R. § 42.103	3
IV.	REQUIREMENTS FOR IPR UNDER 37 C.F.R. § 42.104	3
	A. Grounds for Standing Under 37 C.F.R. § 42.104(a)	3
	B. Challenge Under 37 C.F.R. § 42.104(b) and Relief Requested	3
V.	SUMMARY OF THE '376 PATENT	5
	A. Brief Description.....	5
	B. Summary of the Original Prosecution.....	6
VI.	Claim Construction under 37 C.F.R. §§ 42.104(b)(3)	7
VII.	THERE IS A REASONABLE LIKELIHOOD THAT AT LEAST ONE CLAIM OF THE '376 PATENT IS UNPATENTABLE	9
	A. Ground 1 [DeLorme in view of Yano] sets forth a reasonable likelihood to prevail on at least one of Claims 16 and 28	11
	B. Ground 2 [DeLorme in view of Yano and Allard] sets forth a reasonable likelihood to prevail on at least one of Claims 17 and 29-31	18
	C. Ground 3 [Needham] sets forth a reasonable likelihood to prevail on at least one of Claims 16 and 28.....	22
	D. Ground 4 [Obviousness based on Needham] sets forth a reasonable likelihood to prevail on at least one of Claims 16 and 28.....	25
	E. Ground 5 [Needham in view of Allard] sets forth a reasonable likelihood to prevail on at least one of Claims 17 and 29-31	27
VIII.	[GROUND 1 CLAIM CHART] – Obviousness of claims 16 and 28 under § 103 over DeLorme in view of Yano.....	30

IX. [GROUND 2 CLAIM CHART] – Obviousness of claims 17 and 29-31 under § 103 over DeLorme in view of Yano and Allard37

X. [GROUND 3 CLAIM CHART] – Anticipation of claims 16 and 28 under § 102(b) by Needham.....41

XI. [GROUND 5 CLAIM CHART] – Obviousness of claims 17 and 29-31 under § 103 over Needham in view of Allard45

XII. CONCLUSION48

EXHIBITS

APPLE1001	U.S. Pat. No. 6,400,376 to Singh et al. (“the ‘376 patent”)
APPLE1002	Prosecution History of the ‘376 patent (Serial No. 09/217,400)
APPLE1003	Declaration of Dr. Gregory Welch
APPLE1004	U.S. Pat. No. 6,321,158 to DeLorme et al. (“DeLorme”)
APPLE1005	U.S. Pat. No. 5,731,979 to Yano et al. (“Yano”)
APPLE1006	U.S. Pat. No. 5,615,384 to Allard et al. (“Allard”)
APPLE1007	U.S. Pat. No. 5,623,589 to Needham et al. (“Needham”)
APPLE1008	Patent Owner’s Infringement Contentions for <i>Ericsson Inc. et al v. Apple, Inc.</i> , Case No. 2:15-cv-289-JRG (E.D. Tex.)

I. INTRODUCTION

Apple Inc. (“Petitioner”) petitions for *Inter Partes* Review (“IPR”) under 35 U.S.C. §§ 311–319 and 37 C.F.R. § 42 of claims 16-17 and 28-31 of U.S. Patent 6,400,376 (“the ’376 patent”). The ’376 patent purports to describe an improvement to touch screen computing devices, and more specifically to presentation and navigation of information that has been divided into sub-pages. Ex. 1001 at 5:26-43; 7:1-55. The ’376 patent describes presenting information as a “virtual page” that is too large to display all at once on a display screen of a touch screen computing device. *Id.* at 2:12-29. The virtual page is divided into sub-pages, with portions of two or more of the sub-pages displayed on the screen. *Id.* at 7:1-16. When a user touches one of the sub-pages displayed on the touch screen, all or a portion of the selected sub-page is displayed on the touch screen. *Id.* at 7:17-55.

But the subject matter of claims 16-17 and 28-31 was not new. To the contrary, the ’376 patent was granted without full consideration to the more pertinent body of applicable prior art. For example, the DeLorme reference (Ex. 1004) discloses the exact limitation that was identified during prosecution of the ’376 as missing from the prior art, namely, “sensing a touch input in an area of said display screen *where one of said subpages is displayed.*” Ex. 1002 at 160 (emphasis original). Specifically, Delorme discloses displaying a map divided into “tiles” or “quadrangles” on a touch screen and “panning or shifting to recenter the map dis-

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.