Filed on behalf of: Unified Patents Inc.
By: P. Andrew Riley
Yoonhee Kim
Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
901 New York Avenue, NW
Washington, DC 20001–4413
Telephone: 202-408-4000
E–mail: andrew.riley@finnegan.com

Jonathan Stroud
Unified Patents Inc.
1875 Connecticut Ave. NW, Floor 10
Washington, D.C., 20009
Telephone: 202-805-8931
E–mail: jonathan@unifiedpatents.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,
Petitioner

v.

JOHN L. BERMAN,
Patent Owner

U.S. Patent No. 5,523,791
Method and Apparatus for Applying Overlay Images

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT 5,523,791

DOCKET ALARM
Find authenticated court documents without watermarks at docketalarm.com.

TABLE OF CONTENTS

I. INTRODUCTION 1

II. MANDATORY NOTICES 2

A. Real Party-in-Interest 2

B. Related Matters 2

C. Lead and Back-Up Counsel, and Service Information 3

III. FEE PAYMENT 3

IV. GROUNDS FOR STANDING 3

V. THE LEVEL OF ORDINARY SKILL IN THE ART 4

VI. THE '791 PATENT 4

A. Overview of the Disclosure 4

B. Prosecution History 5

VII. STATEMENT OF PRECISE RELIEF REQUESTED FOR EACH CLAIM CHALLENGED 6

A. Claims for Which Review is Requested 6

B. Statutory Grounds of Challenge 6

C. Claim Construction 7

1. "video input means" (claims 2 and 3) 8

2. "synchronization means" (claims 2 and 3) 8

3. "viewer input means" (claim 2) and "operator input means" (claims 2 and 3) 8

4. "processor means" (claims 2 and 3) 9

5. "first memory means" (claims 2 and 3) 9

DOCKET ALARM

Find authenticated court documents without watermarks at docketalarm.com.

6. "address generator means" (claims 2 and 3).....9

7. "video output means" (claims 2 and 3).....9

8. "second memory means" (claim 3).....10

9. "first switching means" (claim 4).....11

10. "second switching means" (claim 5).....11

11. "video input means" (claim 9).....11

12. "synchronization means" (claim 9).....11

13. "operator input means" (claim 9).....12

14. "video output means" (claim 9).....12

15. "predetermined pattern" (claims 9 and 16).....12

VIII. CLAIMS 2–16 OF THE '791 PATENT ARE UNPATENTABLE UNDER 35 U.S.C. § 103(a) 13

A. *Russell* is Prior Art Under 35 U.S.C. § 102(b).....13

B. *Intel User's Manual* is Prior Art Under 35 U.S.C. § 102(b).....13

C. *Marlton* is Prior Art Under 35 U.S.C. § 102(e).....13

D. Ground 1: *Russell* alone or in view of *Intel User's Manual* renders claim 2 obvious.....13

1. video input means, for receiving a video signal corresponding to said background video image 14

2. synchronization means, coupled to said video input means, for generating synchronization signals from said background video signal 15

3. viewer input means, comprising selection means for receiving an input command from a viewer to select an overlay image and position input means for receiving a position input from a viewer and generating a position signal to position an image on a display.....15

DOCKET ALARM

Find authenticated court documents without watermarks at docketalarm.com.

4. processor means, coupled to said operator input means, for receiving said input command and generating overlay image data 17

5. first memory means, coupled to said processor means, for storing said overlay image data.....18

6. addressor generator means, coupled to said memory means, said processor means and said synchronization means for selectively generating memory addresses for said memory means in response to said processor means and in synchronization with said synchronization means.....19

7. video output means, coupled to said memory means, for selectively reading the overlay image data from said memory means in synchronization with said synchronization means and merging said overlay image with said background video image 22

E. Ground 2: *Russell* alone or in view of *Intel User's Manual* renders claims 3–8 and 10–15 obvious 33

1. second memory means, coupled to said processor means, for storing a plurality of overlay image data representing a plurality of overlay images (claim 3).....34

2. wherein said operator input means receives an input command from an operator to select an overlay image from said plurality of overlay images and said processor means receives selected overlay image data corresponding to a selected image from said secondmemory means and stores the selected overlay image data in said first memory means (claim 3) and the step thereof (claim 10) 35

3. first switching means, selectively actuatable by an operator, for generating a signal to sequentially display each of said plurality of overlay images when actuated (claim 4) and the step thereof (claim 11).....37

4. second switching means, selectively actuatable by an operator, for generating a signal to select a displayed

DOCKET ALARM Find authenticated court documents without watermarks at docketalarm.com.

overlay image as a selected overlay image (claim 5) and the step thereof (claim 12) 37

5. a start latch, coupled to said processor means and said address generating means, for storing a start address from said processor such that said address generating means selectively generates memory addresses for said memory means from said start address (claim 6) and the step thereof (claim 13).....37

6. wherein said processor means receives said position signal from said operator input means, and changes said start address in said start latch such that the selected image will overlay said background image in a position corresponding to said position signal (claim 7) and the step thereof (claim 14) 38

F. Ground 3: *Russell* in view of *Marlton* renders claims 9 and 16 obvious 42

1. video input means for receiving a video signal corresponding to said video image 43

2. synchronization means, coupled to said video input means, for separating vertical and horizontal synchronization signals from said video signal and generating horizontal and vertical synchronizing pulses.....43

3. operator input means, for receiving an input command from an operator for selecting a normal or distorted image.....44

4. video output means, coupled to said operator input means and said synchronization means, for selectively applying, in response to said input command and a predetermined pattern, said horizontal synchronizing signals and said horizontal synchronizing pulses to each horizontal line of said video signal and outputting a distorted video signal for generating a distorted video image 45

IX. CONCLUSION 55

DOCKET ALARM

Find authenticated court documents without watermarks at docketalarm.com.

DOCKET ALARM

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.