

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Fatih M. Ozluturk
U.S. Patent No.: 10,389,944 Attorney Docket No.: 39843-0079IP2
Issue Date: August 20, 2019
Appl. Serial No.: 15/858,339
Filing Date: December 29, 2017
Title: METHOD AND APPARATUS TO CORRECT BLUR IN ALL OR
PART OF AN IMAGE

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**PETITION FOR *INTER PARTES* REVIEW OF UNITED STATES PATENT
NO. 10,389,944 PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42**

TABLE OF CONTENTS

I.	THE '944 PATENT	1
	A. Overview	1
	B. Prosecution History.....	1
II.	REQUIREMENTS FOR IPR	1
	A. Standing	1
	B. Challenge and Relief Requested.....	2
	C. Level of Ordinary Skill in the Art.....	3
	D. Claim Construction	3
III.	APPLICATION OF PRIOR ART	6
	A. 1A: Aizawa, Hyodo, and Mitsufumi render obvious claims 1, 3-6, 8-11, 13-16, 18-20.....	6
	B. Ground 1B: Aizawa, Hyodo, Mitsufumi, and Noriyuki render obvious claims 2, 7, 12, and 17	57
IV.	PTAB DISCRETION SHOULD NOT PRECLUDE INSTITUTION.....	67
V.	PAYMENT OF FEES	71
VI.	CONCLUSION.....	71
VII.	MANDATORY NOTICES UNDER 37 C.F.R § 42.8(a)(1).....	71
	A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1).....	71
	B. Related Matters Under 37 C.F.R. § 42.8(b)(2).....	71
	C. Lead And Back-Up Counsel Under 37 C.F.R. § 42.8(b)(3).....	71
	D. Service Information	72

EXHIBITS

- SAMSUNG-1001 U.S. Patent No. 10,389,944 to Ozluturk (“the ’944 Patent”)
- SAMSUNG-1002 Excerpts from the Prosecution History of the ’944 Patent (“the Prosecution History”)
- SAMSUNG-1003 Declaration of Dr. Irfan Essa
- SAMSUNG-1004 Reserved
- SAMSUNG-1005 Reserved
- SAMSUNG-1006 Reserved
- SAMSUNG-1007 Reserved
- SAMSUNG-1008 Certified Translation of Japanese Patent Publication No. 2002057933 (“Noriyuki”)
- SAMSUNG-1009 Unopposed Motion for Extension of Time to Move, Answer, or Otherwise Respond to Plaintiff’s Complaint (*Clear Imaging Research, LLC v. Samsung Electronics Co. Ltd.*, 2:19-cv-326-JRG (E.D. Tex. Oct. 15, 2019))
- SAMSUNG-1010 U.S. Patent Publication No. 2001/0013895 to Aizawa (“Aizawa”)
- SAMSUNG-1011 Certified Translation of Japanese Patent Publication No. 2003209727 (“Mitsufumi”)
- SAMSUNG-1012 Excerpt of The New Oxford American Dictionary (Second Edition, 2005)
- SAMSUNG-1013 U.S. Patent No. 7,034,881 to Hyodo (“Hyodo”)

- SAMSUNG-1014 Reserved
- SAMSUNG-1015 Reserved
- SAMSUNG-1016 Reserved
- SAMSUNG-1017 Joseph Guzman, “Fauci says second wave of coronavirus is ‘inevitable’”, TheHill.com (Apr. 29, 2020), available at: <https://thehill.com/changing-america/resilience/natural-disasters/495211-fauci-says-second-wave-of-coronavirus-is>
- SAMSUNG-1018 Peter Wells, et al. “Texas puts reopening on hold in face of new Covid-19 outbreak”, Financial Times (June 25, 2020), available at <https://www.ft.com/content/e35f3148-a797-4e6e-bf7a-1a7ce3181e97>
- SAMSUNG-1019 Order Granting Joint Motion to Amend the Docket Control Order and Time for Claim Construction Expert Disclosures (*Clear Imaging Research, LLC v. Samsung Electronics Co. Ltd.*, 2:19-cv-326-JRG (E.D. Tex. June 12, 2020))
- SAMSUNG-1020 Email to Clear Imaging counsel dated February 10, 2020
- SAMSUNG-1021 Email from Clear Imaging counsel dated July 3, 2020
- SAMSUNG-1022 Stipulation by Samsung
- SAMSUNG-1023 Reserved
- SAMSUNG-1024 P.R. 4-3 Joint Claim Construction and Prehearing Statement (*Clear Imaging Research, LLC v. Samsung Electronics Co. Ltd.*, 2:19-cv-326-JRG (E.D. Tex. July 23, 2020))
- SAMSUNG-1025 Plaintiff’s Disclosure of Asserted Claims and Infringement Contentions Pursuant to Patent Local Rules (*Clear Imaging Research, LLC v. Samsung Electronics Co. Ltd.*, 2:19-cv-326-JRG (E.D. Tex. Jan. 14, 2020))

Samsung petitions for *Inter Partes* Review (“IPR) of claims 1-20 (“the Challenged Claims”) of U.S. Patent No. 10,389,944 (“the ’944 Patent”).

I. THE ’944 PATENT

A. Overview

The ’944 Patent relates to correcting image blur in digital images by combining a plurality of captured images to create a combined image such that a main subject is blur free and other areas are blurred. SAMSUNG-1001, Abstract, 12:66-13:2; SAMSUNG-1003, [0010].

B. Prosecution History

In the first office action, the claim was rejected as “patentably indistinct from claim 1 of Application No. 15/231,332,” was subject to a statutory double patenting rejection over claim 1 of U.S. 9,860,450, and was rejected as anticipated by US 2003/0076408. SAMSUNG-1002, 260-267. In response, claim 1 was cancelled and new claims 2-21 were introduced. *Id.*, 216-228. Claims 2-21 were rejected on the ground of nonstatutory double patenting over U.S. 10,171,740 in view of U.S. 9,800,878. *Id.*, 171-183. The applicant filed a Terminal Disclaimer, and a Notice of Allowance followed. *Id.*, 112, 136.

II. REQUIREMENTS FOR IPR

A. Standing

Samsung certifies that the ’944 Patent is available for IPR. The present petition is being filed within one year of service of a complaint against Samsung in the

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