

# **EXHIBIT A-4**



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/012,304	05/23/2012	7,469,381	P4304USREX2/120730-002US	4807

108491                      7590                      01/16/2013  
 Apple Inc. and Goldberg, Lowenstein  
 & Weatherwax LLP  
 11400 W. Olympic Blvd.  
 Suite 400  
 Los Angeles, CA 90064

EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
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3992

MAIL DATE	DELIVERY MODE
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01/16/2013

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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**EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO. 90/012,304.

PATENT NO. 7,469,381.

ART UNIT 3992.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

<b>Ex Parte Reexamination Interview Summary</b>	<b>Control No.</b>	<b>Patent Under Reexamination</b>
	90/012,304	7,469,381
	<b>Examiner</b>	<b>Art Unit</b>
	DENNIS BONSHOCK	3992
All participants (USPTO personnel, patent owner, patent owner's representative):		
(1) <u>DENNIS BONSHOCK</u>	(3) <u>ADAM BASEHOAR</u>	
(2) <u>ALEXANDER KOSOWSKI</u>	(4) <u>KENNETH WEATHERWAX</u>	
<p>Date of Interview: <u>08 January 2013</u></p> <p>Type: a) <input type="checkbox"/> Telephonic b) <input type="checkbox"/> Video Conference  c) <input checked="" type="checkbox"/> Personal (copy given to: 1) <input type="checkbox"/> patent owner 2) <input type="checkbox"/> patent owner's representative)</p> <p>Exhibit shown or demonstration conducted: d) <input checked="" type="checkbox"/> Yes e) <input type="checkbox"/> No.  If Yes, brief description: <u>Patent Owner's Representative presented a animation of how bounce back / ruber banding occurs in the '381 Patent and how they believe it occurs in the LIRA reference.</u></p> <p>Agreement with respect to the claims f) <input type="checkbox"/> was reached. g) <input type="checkbox"/> was not reached. h) <input checked="" type="checkbox"/> N/A.  Any other agreement(s) are set forth below under "Description of the general nature of what was agreed to..."</p> <p>Claim(s) discussed: <u>1, 19 and 20.</u></p> <p>Identification of prior art discussed: <u>LIRA and Ordning et al.</u></p> <p>Description of the general nature of what was agreed to if an agreement was reached, or any other comments:  <u>See Continuation Sheet.</u></p> <p>(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims patentable, if available, must be attached. Also, where no copy of the amendments that would render the claims patentable is available, a summary thereof must be attached.)</p> <p>A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION MUST INCLUDE PATENT OWNER'S STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. (See MPEP § 2281). IF A RESPONSE TO THE LAST OFFICE ACTION HAS ALREADY BEEN FILED, THEN PATENT OWNER IS GIVEN <b>ONE MONTH</b> FROM THIS INTERVIEW DATE TO PROVIDE THE MANDATORY STATEMENT OF THE SUBSTANCE OF THE INTERVIEW (37 CFR 1.560(b)). THE REQUIREMENT FOR PATENT OWNER'S STATEMENT CAN NOT BE WAIVED. <b>EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).</b></p>		
/Dennis G. Bonshock/ Primary Examiner, Art Unit 3992	/AJK/	
cc: Requester (if third party requester)		

Continuation Sheet (PTOL-474)

Reexam Control No. 90/012,304

All Participants (continued):

- (5) JASON SKINDER
- (6) BAS ORDING
- (7) DR. BRAD MEYERS
- (8) NORMAN BRUNELL

Continuation of Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Patent Owner's Representatives argued that the bounds of the document are set by the header and footer which extend further horizontally than the body which contains three columns of information. To this, the Examiner noted that when the webpage found to be destined for this small screen display device it is reformatted by either the host or the client (pg. 11) so as to resize the body portion of the document so as to create columns with width less than or equal to the small screen display devices screen width (pg. 10). This newly reformatted document is then saved as an HTML document or in a language other than HTML for easier viewing on the small display device (pg. 11). Patent Owner's Representative argued that when the window is over an area not in one of the columns (horizontally adjacent), the document still identifies what is displayed in this empty space, to this the Examiner responded that it is not possible for the document to define what is in this space, as this space is created by the reformatting for display on the small screen display (therefor not part of what the document defines). The Examiner further noted that according to figures 8A-8C, the window is actually showing white space on an area not only outside the bounds of the reformatted columns of the body, but also outside of the horizontal boundary the Patent Owner's Representative contends is set by the header. The Examiner further cautioned usage of an image imbedded within the document being interpreted as the document itself, and requested the Patent Owner's respond to such a situation. Discussion further centered on whether the first three scrolls are in the same direction, as Patent Owner's Representative pointed out that figure 13 shows 5 movements all in different directions. To this the Examiner argued that (1) motion is still in a common down direction, (2) that the Lira reference has built in horizontal motion correction (so as to keep the user over the intended column) (see pgs. 14-15), and (3) that each arrow depicts several to several hundred small movements that together combined make up the transition that the arrow portrays. Additionally, Patent Owner's Representative argued the reading of Ording '975 on the claims, presenting that the references termination of scrolling is based on user's breaking point of contact followed by a new stationary point of contact. As this argument was not presented in the limited agenda supplied prior to the interview, the Examiner was unable to fully respond during the constrained interview time, but noted that this additional contact appears to be only "In some embodiments". The Examiner further noted that if the argument is presented in Patent Owner's response the Examiner will be able to further consider the contention.

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	14715184
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	108491
<b>Filer:</b>	Kenneth James Weatherwax
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	16-JAN-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	15:10:57
<b>Application Type:</b>	Reexam (Third Party)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Non Patent Literature	NPL60_SHNEIDERMAN_Direct_Manipulation.pdf	2351720 da03e4a7b536e6d89d76e9fab3fdc4993e35ed61	no	13

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2	Non Patent Literature	NPL61_Eslambolichar_tilt-based_auto_zoom_EFS.pdf	524303 305de1fae70824218442e00cb03214885c98936a	no	13
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<b>Information:</b>					
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15	Non Patent Literature	NPL72_2012-01-17_Apple_NO N-CONFIDENTIAL_Reply_Brief_EFS.pdf	205571 7f24cfc1ab1b1bb83b25bc0b91cc9013349925a0	no	9
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19	Non Patent Literature	NPL77_2012-01-11_SS_Corrected_Public_Non-Confidential_Brief_EFS.pdf	2844314 8aefe373f396199f985e0bcc56f6adc83482aa79	no	6
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20	Non Patent Literature	NPL78_2011-09-30_278-0_Balakrishnan_Decl_EFS.pdf	1696801 3631b5d7f2d1f5fe9fc40d041c19ad0d73397ff5	no	22
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34	Non Patent Literature	NPL92_Exhibit_381-1_EFS.pdf	225914 ca5ad1f8cf7a434fbc1c841591724ab01a1a3e18	no	16
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35	Non Patent Literature	NPL93_Exhibit_381-2_EFS.pdf	341703 cc8d83bc9fe09a5f6b42988d269a2ba442f3ac12	no	23
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36	Non Patent Literature	NPL74_2012-06-01_1024-13_Balakrishnan_Dec_ISO_oppo_to_SS_MSJ_EFS.pdf	1071525 0fde4b6e1a8a4bc4450b0af15a863191a0b1875	no	35
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38	Non Patent Literature	NPL95_Exhibit_381-5_EFS.pdf	2436430 3a483dfc74180574af482997082c98d918aec987	no	51
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39	Non Patent Literature	NPL96_Exhibit_381-6_EFS.pdf	2158130 4bd8cec058a918c4cf24062d09ec237c42339b4	no	28
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40	Non Patent Literature	NPL97_Exhibit_381-7_EFS.pdf	266145 df64908e2375be6c607e17e8797419ca49864fc4	no	20
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41	Non Patent Literature	NPL98_Exhibit_381-8_EFS.pdf	420182 ca5a3c3c49a7ba1f0107c740fadbc4db8b9a2684	no	22
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42	Non Patent Literature	NPL99_Exhibit_381-9_EFS.pdf	1227543 a99fb14b625371db4ecfbbbbc754ce5690b1f15	no	53
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43	Non Patent Literature	NPL100_2008_06_27_Search_Information_Statement.pdf	14610 7c429cce175d2f91d2ba7d19d00e3cf3747247d	no	2
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44	Non Patent Literature	NPL101_2010_09_02_Decision_to_Grant_European_Patent.pdf	101227 df2e2b9f64d73c987904345dad319d0e3e7c0f3d	no	3
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49	Non Patent Literature	NPL106_2009_03_31_Response_Examiners_Report_No1.pdf	31157 2309cf8166257d17badea04c60ba71ff8ed82c4	no	1
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50	Non Patent Literature	NPL108_2009_07_09_Response_Examiners_Report_No2.pdf	1267517 8565a0dc3f5bc30cc8d5abbbdee237c500b323f8	no	28
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51	Non Patent Literature	20130116_IDS_381_trans_letter_FINAL_EFS.pdf	89055 fe5636d4a1af7a2f97df0ef4fb878ba50ffbb61	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			147253581		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	14717401
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	108491
<b>Filer:</b>	Kenneth James Weatherwax/Qing Ye
<b>Filer Authorized By:</b>	Kenneth James Weatherwax
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	16-JAN-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	16:33:33
<b>Application Type:</b>	Reexam (Third Party)

**Payment information:**

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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Non Patent Literature	NPL46_Krueger_Artificial_Reality_II_Part2of2.pdf	10995904 2bd5170c020cc7e3d21ee7f194964aff13bc bfb8	no	160

**Warnings:****Information:**

2	Non Patent Literature	NPL47_LAUREL_Art_Human_C omputer_Interface.pdf	1601275 9fceba49989609a248f7b3419e7d1e74ad4 b7670	no	19
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9	Non Patent Literature	NPL52_Norman_User_Centere d_Part2of2.pdf	17177515 11abec2b6c4b4cd529e6244d13750368c70 0c0e6	no	262
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10	Non Patent Literature	NPL53_Cockburn_Comparing_ speed.pdf	199624 fa913e1714b8477d5f48a14d34bd6fec396b a4ad	no	16
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11	Non Patent Literature	NPL54_OWEN_Slow_In_Out_Principles_Animation.pdf	843635 cf566c814fa0a38a5bb006a2af9f3d3976ba761	no	1
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12	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part1of21.pdf	6793998 416a45d276e5017be3d680c49a43d52b6bb50647	no	100
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<b>Information:</b>					
14	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part3of21.pdf	8156879 5148b0b3ab9e68d45cc3bde87974ccb7cd9988b	no	50
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15	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part4of21.pdf	21851086 cd5b3552888531b783e88e8419a2655bdea28ae2	no	50
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17	Non Patent Literature	NPL56_Plasmaplugs.pdf	650613 86456717187c986214c5a94795a17bad9d3c520f	no	1
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18	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part6of21.pdf	7210276 a6b946ce04c402646beaf8470452da26a3da6c72	no	100
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19	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part7of21.pdf	8849942 9d627ab1b66d5e6ab00ed3c109a8239bd1fc81e2	no	100
<b>Warnings:</b>					
<b>Information:</b>					



20	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part8of21.pdf	7969787 01eefeca1108dfb1c823d2f889f07f84da94241b	no	100
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21	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part9of21.pdf	18323912 a66ea8762b217e5cf09a97c9078946727bd13b7	no	100
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23	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part11of21.pdf	6900921 b8c1835f0327afcb4f2d31b4f67d7d1a545707d9	no	100
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24	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part12of21.pdf	6327108 effab09ce345fec3a61a1de10152aa370f126816	no	100
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27	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part15of21.pdf	19374037 22271c6a2e02d5566c58a6df6edff10efd4457b2	no	35
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28	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part16of21.pdf	22352316 9e3516d22e2fc7200b9e1826c6afaf5366048f3	no	35
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29	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part17of21_EFS.pdf	8393711 f067d8d19139cae8ea98d85617c99e934c47b6f7	no	30
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30	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part18of21.pdf	19000482 f9a47caa4edd93a6addc11bda2fe4fd43e3cc202	no	25
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31	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part19of21.pdf	14658916 585d8eb6d6aa62adbcc6620506ab37ae89d07a7	no	25
<b>Warnings:</b>					
<b>Information:</b>					
32	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part20of21.pdf	8328185 2750f9ae9fca31221d2673abdaf1bf9b8e7e02a6	no	50
<b>Warnings:</b>					
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33	Non Patent Literature	NPL55_Petzold_Programming_Windows_5th_Part21of21.pdf	2171615 c3de78809840673a402af3efef20ca4a55c0b76a	no	18
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34	Non Patent Literature	NPL57_ROBERTSON_Data_Mountain_Spatial_Memory.pdf	8235189 943eecbd059a04be29ad6f093379b3a2196e7c6d	no	10
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<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			335205738		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	14717540
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	108491
<b>Filer:</b>	Kenneth James Weatherwax/Parham Hendifar
<b>Filer Authorized By:</b>	Kenneth James Weatherwax
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	16-JAN-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	16:38:30
<b>Application Type:</b>	Reexam (Third Party)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Non Patent Literature	NPL1_Agarawala_Enriching_Metaphor.pdf	10949434 01b0e6031f0f5b3e2ab076edab1fab37bf1698f	no	102

**Warnings:****Information:**

2	Non Patent Literature	NPL2_AGARAWALA_Keepin_Desktop_Metaphor_Physics_Piles.pdf	8808278 03f1d7877f62577adadf7be2d0ad46333ef61640	no	10
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<b>Information:</b>					
3	Non Patent Literature	NPL3_Bach_Design_of_Unix_Part1of9.pdf	24706111 d349d16a587864d32490e0888117d42e96b534b3	no	60
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<b>Information:</b>					
4	Non Patent Literature	NPL3_Bach_Design_of_Unix_Part2of9.pdf	22754391 c54e2790cfa9f1645003ee3d09066d1dfda83937	no	60
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5	Non Patent Literature	NPL3_Bach_Design_of_Unix_Part3of9.pdf	23758580 6fb99887b8c50892fea8c8f51987719f93085961	no	60
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<b>Warnings:</b>					
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7	Non Patent Literature	NPL3_Bach_Design_of_Unix_Part5of9.pdf	21567772 6c0a915d1be9f753ad2735796a9588e2d9e45a32	no	60
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8	Non Patent Literature	NPL3_Bach_Design_of_Unix_Part6of9.pdf	23413146 b69156c5349237fd70ae652ee81ad4090072a2e0	no	60
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9	Non Patent Literature	NPL3_Bach_Design_of_Unix_Part7of9.pdf	21799603 1e984f7bf6c6699bf32d9e4e6f0cb308a0c084b1	no	60
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10	Non Patent Literature	NPL3_Bach_Design_of_Unix_Part8of9.pdf	20498682 1a2efc6851c41785d5aa49366e6f95ec052c0b6f	no	60
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11	Non Patent Literature	NPL3_Bach_Design_of_Unix_Part9of9.pdf	3226687 8f661bd6993f86cbe02dc10b34b14cb03a8685a8	no	7
<b>Warnings:</b>					
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12	Non Patent Literature	NPL4_Baecker_Readings_Human_Computer_Part1of4.pdf	20668308 a39025f77450773a357aabf2964fda800dec b024	no	200
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13	Non Patent Literature	NPL4_Baecker_Readings_Human_Computer_Part2of4.pdf	19668591 dbef7bc4305e46c87328f6a1393d10aceb64d8f6	no	200
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14	Non Patent Literature	NPL4_Baecker_Readings_Human_Computer_Part3of4.pdf	19078035 21074e9f61a0f21c810a6a53c5e93e300e728ae1	no	200
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15	Non Patent Literature	NPL4_Baecker_Readings_Human_Computer_Part4of4.pdf	15984103 52fd04b1b1894ff64cd055b24af30e3c120cd09c	no	152
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<b>Information:</b>					
<b>Total Files Size (in bytes):</b>				280459290	

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**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	14718581
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	108491
<b>Filer:</b>	Kenneth James Weatherwax/Parham Hendifar
<b>Filer Authorized By:</b>	Kenneth James Weatherwax
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	16-JAN-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	17:22:58
<b>Application Type:</b>	Reexam (Third Party)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Non Patent Literature	NPL5_Baecker_Human-Computer_Interaction_Year2000_Part1of10.pdf	11432105 <small>bae2dcea6409e6808c4ef27bd856308184610977</small>	no	100

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2	Non Patent Literature	NPL5_Baecker_Human- Computer_Interaction_Year200 0_Part2of10.pdf	9521904 77b8972b138162501f7045b71977d1abc19 965f6	no	100
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6	Non Patent Literature	NPL5_Baecker_Human- Computer_Interaction_Year200 0_Part6of10.pdf	10182488 0855b604cd19224cc90a657de006be908ae 8723e	no	100
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7	Non Patent Literature	NPL5_Baecker_Human- Computer_Interaction_Year200 0_Part7of10.pdf	9782617 ddea73e169909dd988d11e07eb79b0ec4e 00c32a	no	100
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8	Non Patent Literature	NPL5_Baecker_Human- Computer_Interaction_Year200 0_Part8of10.pdf	10944921 cbd7fcb181c9b6af21d0ac78828e3bdd550 5456b	no	100
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9	Non Patent Literature	NPL5_Baecker_Human- Computer_Interaction_Year200 0_Part9of10.pdf	14187569 d93c2308e013da6d886b780a397cea794e4 91102	no	100
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10	Non Patent Literature	NPL5_Baecker_Human- Computer_Interaction_Year200 0_Part10of10.pdf	12064789 b858709307b6a051aae02b4bc78e29b1af2 35466	no	64
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<b>Warnings:</b>					
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12	Non Patent Literature	NPL7_BEDERSON_Zooming_Alternate_Interface_Physics.pdf	979393 63b8a2cd326fa1508b814e247326cdf5d05f53c1	no	10
<b>Warnings:</b>					
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13	Non Patent Literature	NPL8_BEDERSON_Extensible_Zoomable_Toolkit_Java.pdf	5527115 9afcfcceb8fb39b57f5850be59dadcfac876761	no	11
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14	Non Patent Literature	NPL9_BEDERSON_Extensible_ZD_Zooming_Graphics_Java.pdf	1524770 e3fef59627e08011697f2ed3b478e90d6963d584	no	10
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15	Non Patent Literature	NPL10_Bic_Logical_Design_Part1of2.pdf	16852491 5ce79f97d48f095e0b6c9a78433e5d6c73e196d7	no	200
<b>Warnings:</b>					
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16	Non Patent Literature	NPL10_Bic_Logical_Design_Part2of2.pdf	16500047 c7c6ba64871a5b2dbe605f948cf6221905b7b52e	no	187
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17	Non Patent Literature	NPL11_Bier_Snap-Dragging.pdf	16359761 d0395db1dadf4cb9b30a3c8a924129e025fd665e	no	170
<b>Warnings:</b>					
<b>Information:</b>					
18	Non Patent Literature	NPL12_BIER_Snap_Dragging_1986.pdf	536813 bffc344cb984c9f0ed10a7e4d34b237362e80c9	no	8
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<b>Information:</b>					
19	Non Patent Literature	NPL13_Borman_Human_Factors_Computing_Part1of2.pdf	19157247 69b62e8322fc2abe050ed99c6e0bdb6ec34e69a7	no	112
<b>Warnings:</b>					
<b>Information:</b>					

20	Non Patent Literature	NPL13_Borman_Human_Factor s_Computing_Part2of2.pdf	15002431  87d3a6517f542b9466b7944cef5289c3556 0ccf6	no	109
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**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	14718452
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	108491
<b>Filer:</b>	Kenneth James Weatherwax/Qing Ye
<b>Filer Authorized By:</b>	Kenneth James Weatherwax
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	16-JAN-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	17:16:38
<b>Application Type:</b>	Reexam (Third Party)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Non Patent Literature	NPL58_RUBINE_Combining_Gestures.pdf	167133 <small>14db977d447879db72c998fc09a6f88f1fa39c2a</small>	no	2

**Warnings:****Information:**

2	Non Patent Literature	NPL59_RUBINE_VideoHarp.pdf	347399 b20142fd8f8dc652bdbe98f597f56c21ec1286fa	no	8
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3	Non Patent Literature	NPL25_Zukowski_Java_AWT_Reference_Part1of4.pdf	13275729 abc11a4315baa5988eb7570fb2095837f2a44448	no	200
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<b>Information:</b>					
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7	Non Patent Literature	NPL26_Epp_Patterns_Using_Java_Part1of14.pdf	4567293 f84a932492a42ac6fbbfd31789665ce44944f80d	no	80
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8	Non Patent Literature	NPL26_Epp_Patterns_Using_Java_Part2of14.pdf	9621730 06373262a36c16c72ecae95b83df3768064e99c0	no	80
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9	Non Patent Literature	NPL26_Epp_Patterns_Using_Java_Part3of14.pdf	11977575 ddb0d399a83d18a82ed420d6dfb8e9d1903d0552	no	80
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10	Non Patent Literature	NPL26_Epp_Patterns_Using_Java_Part4of14.pdf	15500295 67734bc0289904954fb4b608c710bfebff3df196	no	80
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11	Non Patent Literature	NPL26_Epp_Patterns_Using_Java_Part5of14.pdf	20709999 77185349fe1ed2212352d21b17841835746e2de3	no	80
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**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	14720176
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	108491
<b>Filer:</b>	Kenneth James Weatherwax/Roya Rahmanpour
<b>Filer Authorized By:</b>	Kenneth James Weatherwax
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	16-JAN-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	19:21:30
<b>Application Type:</b>	Reexam (Third Party)

**Payment information:**

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Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	14720282
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	108491
<b>Filer:</b>	Kenneth James Weatherwax
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	16-JAN-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	19:34:09
<b>Application Type:</b>	Reexam (Third Party)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Non Patent Literature	NPL32_Foley_Computer_Grap hics_2nd3_Part1of23.pdf	18991029 <small>07529ec9b824e511f4d1af7e772688353f287915</small>	no	30

**Warnings:**

The page size in the PDF is too large. The pages should be 8.5 x 11 or A4. If this PDF is submitted, the pages will be resized upon entry into the Image File Wrapper and may affect subsequent processing

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2	Non Patent Literature	NPL32_Foley_Computer_Grap hics_2nd3_Part2of23.pdf	22494738	no	30
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**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

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**New International Application Filed with the USPTO as a Receiving Office**

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**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	14720388
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	108491
<b>Filer:</b>	Kenneth James Weatherwax
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	16-JAN-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	19:58:59
<b>Application Type:</b>	Reexam (Third Party)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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7	Non Patent Literature	NPL32_Foley_Computer_Grap hics_2nd3_Part19of23.pdf	23360280 f12176631d41ac968f7b70957ba7f565c67f 740	no	30
<b>Warnings:</b>					
<b>Information:</b>					
8	Non Patent Literature	NPL32_Foley_Computer_Grap hics_2nd3_Part20of23.pdf	23786448 732824c2f882c247f614c2220e26a03de0a5 8299	no	30
<b>Warnings:</b>					
<b>Information:</b>					
9	Non Patent Literature	NPL32_Foley_Computer_Grap hics_2nd3_Part22of23.pdf	24073856 87d7b9d1c36940f90e4d464e2af770dfbf3d 1f38	no	30
<b>Warnings:</b>					
<b>Information:</b>					
10	Non Patent Literature	NPL32_Foley_Computer_Grap hics_2nd3_Part21of23.pdf	21286288 4095dcf74f3d6cd2d2e97797b8934f28f286 2c95	no	30
<b>Warnings:</b>					
<b>Information:</b>					

11	Non Patent Literature	NPL32_Foley_Computer_Graphics_2nd3_Part23of23.pdf	1849237 b43f739cecbfd2495f740b9a3d4b9e3311fc5cc3	no	3
<b>Warnings:</b>					
<b>Information:</b>					
12	Non Patent Literature	NPL32_Foley_Computer_Graphics_2nd3_Part11of23.pdf	23111502 5bd1632fbae357d7d0d2ea510a9446c75b7b427b	no	30
<b>Warnings:</b>					
<b>Information:</b>					
13	Non Patent Literature	NPL32_Foley_Computer_Graphics_2nd3_Part12of23.pdf	20059895 3e74fd830c9b09b72038959d80c110c2ec8d636e	no	30
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>				258542472	

**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	14720474
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	108491
<b>Filer:</b>	Kenneth James Weatherwax/Roya Rahmanpour
<b>Filer Authorized By:</b>	Kenneth James Weatherwax
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	16-JAN-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	20:07:30
<b>Application Type:</b>	Reexam (Third Party)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Non Patent Literature	NPL31_Foley_Computer_Grap hics_2nd_C_Part1of9.pdf	11165509 fb4ba01ba236e05932c115071a9f734b0c2 53d82	no	150

**Warnings:****Information:**

2	Non Patent Literature	NPL31_Foley_Computer_Grap hics_2nd_C_Part2of9.pdf	20005274 e2887b6e1716d6d0a129a2ed48937dd797 c767c9	no	150
<b>Warnings:</b>					
<b>Information:</b>					
3	Non Patent Literature	NPL31_Foley_Computer_Grap hics_2nd_C_Part3of9.pdf	12093812 c500103ca2478e8ae0c68f001d3848fe5255 6b1c	no	150
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<b>Information:</b>					
4	Non Patent Literature	NPL31_Foley_Computer_Grap hics_2nd_C_Part4of9.pdf	10320484 52f6d9361ca54bdf1dd8a636a6d34ee2081 388e1	no	150
<b>Warnings:</b>					
<b>Information:</b>					
5	Non Patent Literature	NPL31_Foley_Computer_Grap hics_2nd_C_Part5of9.pdf	19259087 a1e1ac554f34cc30d53392c4591c79f6c941 b88e	no	150
<b>Warnings:</b>					
<b>Information:</b>					
6	Non Patent Literature	NPL31_Foley_Computer_Grap hics_2nd_C_Part6of9.pdf	21549590 275a03ac5e367ca009777686865d402bb43 73b07	no	150
<b>Warnings:</b>					
<b>Information:</b>					
7	Non Patent Literature	NPL31_Foley_Computer_Grap hics_2nd_C_Part7of9.pdf	9677135 db941255364aea4036b3f91c206e50eca26 ba4fb	no	150
<b>Warnings:</b>					
<b>Information:</b>					
8	Non Patent Literature	NPL31_Foley_Computer_Grap hics_2nd_C_Part8of9.pdf	16427462 105aaa6a2fa98829237d44c352e54fd4f9b8 c718	no	150
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<b>Information:</b>					
9	Non Patent Literature	NPL31_Foley_Computer_Grap hics_2nd_C_Part9of9.pdf	6925009 c408ffb9eac18066cdf6260616b390ed105 5577	no	76
<b>Warnings:</b>					
<b>Information:</b>					
10	Non Patent Literature	NPL34_GLEICHER_Image_Snap ping.pdf	5585236 353e54e0f7739ef826a78be0c3cef8b18722 7e9f	no	8
<b>Warnings:</b>					
<b>Information:</b>					

11	Non Patent Literature	NPL35_GROSS_Grids_Design_Cad.pdf	436850 99ffb0c581e0459c00e5e01d1b0af4d65bd7dd5b	no	11
<b>Warnings:</b>					
<b>Information:</b>					
12	Non Patent Literature	NPL36_HP_iPAQ_1945_Pocket_PC.pdf	850988 f566dd84f607b93aecd275093b8d6ada1d2069	no	127
<b>Warnings:</b>					
<b>Information:</b>					
13	Non Patent Literature	NPL37_HPrx1955_specsheet.pdf	145824 68b8b6493229bee807bd7834677a39a061f3b1d	no	7
<b>Warnings:</b>					
<b>Information:</b>					
14	Non Patent Literature	NPL38_ISHAK_Content_Aware_Scrolling.pdf	5713130 cc343cd0fef23e7bced852bcace4945d0aff878e	no	4
<b>Warnings:</b>					
<b>Information:</b>					
15	Non Patent Literature	NPL39_JOHNSON_Effect_Touch_Pad_Size.pdf	432278 f20ec3f8b3c5d95dc1c4a0123fa54c11ca68ecb6	no	10
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			140587668		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

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**New International Application Filed with the USPTO as a Receiving Office**

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<b>INFORMATION DISCLOSURE CITATION</b>  Substitute for Form 1449-PTO				<i>Electronically filed February 4, 2013</i>		
				Application Number	<b>90/012,304</b>	
				Filing Date	<b>May 23, 2012</b>	
				First Named Inventor	<b>Bas Ordning</b>	
				Art Unit	<b>3992</b>	
				Examiner Name	<b>BONSHOCK, DENNIS G</b>	
Sheet	1	of	1	Attorney Docket Number	<b>P4304USREX2/120730-002US</b>	

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	NPL 1	<u>Apple Inc., v. Samsung Electronics, et al.</u> , No. 11-cv-01846-LHK (N.D. Cal.), <i>Order Granting In Part and Denying In Part Motion For Judgment As a Matter of Law</i> , January 29, 2013

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Reexamination of USP 7,469,381:	)	
	)	
Inventor(s) : <b>Bas Ording</b>	)	Art Unit: <b>3992</b>
	)	
Control No.: <b>90/012,304</b>	)	Examiner: <b>Bonshock, Dennis</b>
	)	
Filed : <b>5/23/2012</b>	)	Office Action dated: <b>10/15/2012</b>
	)	
For: <b>LIST SCROLLING AND</b>	)	
<b>DOCUMENT TRANSLATION,</b>	)	
<b>SCALING, AND ROTATION ON A</b>	)	
<b>TOUCH-SCREEN DISPLAY</b>	)	

Mail Stop Ex Parte Reexam  
Central Reexamination Unit  
Commissioner for Patents  
United States Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT OF INTERVIEW**

Patent Owner wishes to thank Examiners Bonshock, Basehoar and Kosowski for granting the in-person interview that was conducted at 10:00 a.m. on January 8, 2013.

During the interview, claim 1 and the Lira and Ording '975 references were discussed. Patent Owner presented an animation of the actions claimed in claim 1 of the '381 patent and an animation of the "snap" behavior disclosed in the Lira reference.

Patent Owner requested clarification of the October 15, 2012 Office Action's references to "bounce back." The Examiner clarified that the references to "bounce back" in the Office Action in connection with Lira mean the snap to alignment control shown in Fig. 14B of Lira.

Patent Owner requested clarification of the Office Action's reference to "sub-document" and "outside boundary." The Examiners responded with arguments and interpretations that are not set forth in the Office Action. Patent Owner was unable to fully respond during the interview to the arguments presented for the first time during the interview. Patent Owner will fully respond to Examiners' arguments made for the first time during the interview if such arguments are made of record.



The Examiner argued that Lira discloses reformatting HTML web pages in HTML or other languages. Discussion of Lira's disclosure of reformatting web pages is set forth in Patent Owner's January 15, 2013 response to the October 15, 2012 Office Action at, e.g., page 25.

The Examiner argued that Lira discloses space between and around reformatted columns that is not part of the page. Discussion of Lira's disclosure of reformatting content of the web page into columns is set forth in Patent Owner's response at, e.g., pages 23 to 24.

The Examiner argued that Figs. 8A to 8C of Lira showed space horizontally adjacent to the header. Patent Owner asked for clarification as to whether this new argument relied on measuring comparative sizes of elements of the figures. The Examiner then presented another argument that images in a web page could be interpreted as documents. Discussion of Lira's disclosure of images in pages is set forth in Patent Owner's response at, e.g., pages 49 to 50.

Patent Owner requested clarification of the Office Action's position that Fig. 14B of Lira showed the elements of claim 1, and whether the Office's position was that the scrolling depicted in Fig. 14B before the pen lifted was in one direction or multiple directions. The Examiner argued that this scrolling could be in one common direction. Discussion of scrolling directions corresponding to Fig. 14B of Lira is set forth in Patent Owner's January 15, 2013 response to the Office Action at, e.g., pages 37 to 40.

Patent Owner requested that the Examiners point out support for the position in the Office Action that Ording '975 discloses stopping or changing the scrolling direction when contact is broken with the screen. The Examiner stated that if this issue were raised in Patent Owner's response it would be considered.

Patent Owner discussed submission of Rule 131 evidence to remove rejections based on Ording '975.

Unless otherwise stated above, no agreement was reached.

Date: February 4, 2013

Respectfully Submitted,

/Kenneth J. Weatherwax/  
Kenneth J. Weatherwax (Reg. No. 54,528)  
Goldberg, Lowenstein & Weatherwax LLP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Reexam of U.S. Patent No. 7,469,381 B2  
Control No. 90/012,304  
Filed: May 23, 2012  
For: **LIST SCROLLING AND  
DOCUMENT TRANSLATION,  
SCALING, AND ROTATION ON A  
TOUCH-SCREEN DISPLAY**

Confirmation No.: 4807  
Art Unit: 3992  
Examiner: Bonshock, Dennis G  
Atty. Docket:  
P4304USREX2/120730-002US

Mail Stop *Ex Parte* Reexam  
Central Reexamination Unit  
Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

February 4, 2013

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Patent Owner's Statement of Interview
2. Notice of Prior and Concurrent Proceedings Under 37 C.F.R. §1.565(a), and Exhibits EX-A thru EX-G
3. Information Disclosure Statement Transmittal Letter
4. Information Disclosure Statement
5. Reference NPL-1 cited in the Information Disclosure Statement
6. Certificate of Service

No fees are believed to be due for this submission. However, The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency to Goldberg, Lowenstein & Weatherwax LLP Deposit Account No. 50-5927.

Very truly yours,

/Kenneth J. Weatherwax/  
Kenneth J. Weatherwax, Reg. No. 54,528  
Goldberg, Lowenstein & Weatherwax LLP  
11400 W. Olympic Blvd., Suite 400  
Los Angeles, CA 90064

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Reexam of U.S. Patent No. 7,469,381 B2

Control No. 90/012,304

Filed: May 23, 2012

For: **LIST SCROLLING AND DOCUMENT  
TRANSLATION, SCALING, AND  
ROTATION ON A TOUCH-SCREEN  
DISPLAY**

Confirmation No.: 4807

Art Unit: 3992

Examiner: Bonshock, Dennis G

Atty. Docket:

: P4304USREX2/120730-002US

**Certificate of Service**

Mail Stop *Ex Parte* Reexam  
Central Reexamination Unit  
Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

February 4, 2013

Sir:

In compliance with 37 C.F.R. § 1.550(f), the undersigned, on behalf of the Patent Owner, hereby certifies that copies of the following documents are being served on the Third Party Requester by first class mail on February 4, 2013.

1. Patent Owner's Statement of Interview
2. Notice of Prior and Concurrent Proceedings Under 37 C.F.R. §1.565(a), and Exhibits EX-A thru EX-G
3. Information Disclosure Statement Transmittal Letter
4. Information Disclosure Statement, citing NPL-1
5. Reference NPL-1 cited in the Information Disclosure Statement
6. Certificate of Service

The name and address of the party being served is as follows:

Joseph J. Richetti  
BRYAN CAVE LLP  
1290 Avenue of the Americas  
New York, New York 10104

Very truly yours,

/Kenneth J. Weatherwax/

Kenneth J. Weatherwax, Reg. No. 54,528  
Goldberg, Lowenstein & Weatherwax LLP  
11400 W. Olympic Blvd., Suite 400  
Los Angeles, CA 90064

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	14872193
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	108491
<b>Filer:</b>	Kenneth James Weatherwax/Qing Ye
<b>Filer Authorized By:</b>	Kenneth James Weatherwax
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	04-FEB-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	18:59:36
<b>Application Type:</b>	Reexam (Third Party)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Notice of concurrent proceeding(s)	381_FINAL_NoticeofConcurrentProceedings_EFS.pdf	156685 5c6d64d27505521543488ea9ad2601482f7bb1fa	no	5

**Warnings:****Information:**

2	Notice of concurrent proceeding(s)	NoticeofPriorandConcurrentLitigation_EXA_EFS.pdf	1423338 4db0c8bbe8534ee7d6254896126d7bea446efe31	no	21
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<b>Information:</b>					
3	Notice of concurrent proceeding(s)	NoticeofPriorandConcurrentLitigation_EXB_EFS.pdf	344784 ca1c4e49eaed653496bd3f0db2edc82c48d2632	no	4
<b>Warnings:</b>					
<b>Information:</b>					
4	Notice of concurrent proceeding(s)	NoticeofPriorandConcurrentLitigation_EXC_EFS.pdf	852338 0137d72e3ddc76648b7a5c4aeb2a5133bd10ca14	no	8
<b>Warnings:</b>					
<b>Information:</b>					
5	Notice of concurrent proceeding(s)	NoticeofPriorandConcurrentLitigation_EXD_EFS.pdf	92765 afd4351892a3f1a68d4e0fbaf0acca9bc724c10	no	2
<b>Warnings:</b>					
<b>Information:</b>					
6	Notice of concurrent proceeding(s)	NoticeofPriorandConcurrentLitigation_EXE_EFS.pdf	151199 19792baf85cd3c9adb99ac1f7dedd2202693f33d	no	3
<b>Warnings:</b>					
<b>Information:</b>					
7	Notice of concurrent proceeding(s)	NoticeofPriorandConcurrentLitigation_EXF_EFS.pdf	187519 57aeda29b199469c487ed1b4a9550652bb3c2f4d9	no	3
<b>Warnings:</b>					
<b>Information:</b>					
8	Notice of concurrent proceeding(s)	NoticeofPriorandConcurrentLitigation_EXG_EFS.pdf	689268 1d5e236b7d700faceb58eaa6693be67132ffca5	no	41
<b>Warnings:</b>					
<b>Information:</b>					
9	Transmittal Letter	20130204_IDS_trans_letter_EFS.pdf	101135 e5a89bb0dbcb356eca76edb800ff1b73dc1fac07	no	1
<b>Warnings:</b>					
<b>Information:</b>					
10	Information Disclosure Statement (IDS) Form (SB08)	20130204_IDS_381_FINAL_EFS.pdf	131709 bf681bfce193338957ee2ae7853f98783d544d69	no	1
<b>Warnings:</b>					
<b>Information:</b>					

This is not an USPTO supplied IDS fillable form

11	Non Patent Literature	NPL1_Judgment_EFS.pdf	641336 a26b9880c768ebb8902c12d32e4546e478917b9f	no	40
<b>Warnings:</b>					
<b>Information:</b>					
12	Reexam Miscellaneous Incoming Letter	381_FINAL_Statement_of_Inter view_EFS.pdf	95388 c268dbde88e56d55a42be59ab69fe2deae33db17	no	2
<b>Warnings:</b>					
<b>Information:</b>					
13	Reexam Miscellaneous Incoming Letter	20130204_Transmittal_Letter_ EFS.pdf	84551 603e4981b6e590a2f1687f744c76d2f56a46a35	no	1
<b>Warnings:</b>					
<b>Information:</b>					
14	Reexam Certificate of Service	20130204_381_COS_EFS.pdf	87664 22c9f09cb4eb2ad1c3f07d7b7deae3133ced997a	no	1
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			5039679		

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**New Applications Under 35 U.S.C. 111**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Reexam of U.S. Patent No.  
7,469,381 B2

Control No. 90/012,304

Filed: May 23, 2012

For: **LIST SCROLLING AND DOCUMENT  
TRANSLATION, SCALING, AND  
ROTATION ON A TOUCH-SCREEN  
DISPLAY**

Confirmation No.: 4807

Art Unit: 3992

Examiner: Bonshock, Dennis G.

Atty. Docket:

P4304USREX2/120730-002US

**Notice of Prior and Concurrent Proceedings Under 37 C.F.R. §1.565(a)**

Mail Stop *Ex Parte* Reexam  
Central Reexamination Unit  
Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

February 4, 2013

Sir:

In compliance with 37 C.F.R. § 1.565(a), Patent Owner Apple Inc. ("Apple") hereby provides notice of prior and concurrent proceedings, and merits-based decisions therein, in which the patent undergoing reexamination in this proceeding ("the '381 patent") has been involved:

1. **Civil Action No. 5:11-cv-01846 in the Northern District of California, captioned *Apple Inc. v. Samsung Electronics Co.*:**

On April 15, 2011, Apple filed a complaint against defendant ("Samsung") for infringement of the '381 patent, among other claims. An August 24, 2012 jury verdict found, *inter alia*, claim 19 of the '381 patent infringed and not invalid (copy of verdict form attached as Exhibit EX-A). On January 29, 2013, Samsung's motion for judgment of non-infringement and invalidity as a matter of law notwithstanding the verdict as to claim 19 of the '381 patent was denied (copy of order attached as Exhibit EX-G). Apple's post-verdict motion for a permanent injunction based on, *inter alia*, infringement of claim 19 of the '381 patent, was denied. Apple has appealed the latter decision to the United States Court of Appeals for the

Federal Circuit (Appeal No. 13-1129, currently consolidated with 13-1146). An appeal relating to the sealing of documents for confidentiality in the case has also been filed (Appeal No. 12-1600).

**2. United States International Trade Commission (“ITC”) Investigation No. 337-TA-797, captioned *In the Matter of Certain Portable Electronic Devices and Related Software*:**

On July 8, 2011, Apple filed a complaint in the ITC alleging infringement of, *inter alia*, the ‘381 patent. The ITC initiated Investigation No. 337-TA-797 based on the complaint. On December 13, 2012, the Administrative Law Judge in the investigation issued an initial determination terminating the investigation pursuant to a settlement agreement. On January 14, 2013, the ITC Commission determined not to review the Initial Determination (copy of Notice of Determination Not To Review attached as Exhibit EX-B).

**3. Civil Action No. 1:10-cv-000167 in the District of Delaware, captioned *Apple Inc. v. HTC Corp.*:**

On March 2, 2010, Apple filed a complaint against HTC for infringement of several patents, including the ‘381 patent. On December 22, 2011, the case was stayed pending final resolution of ITC Investigation No. 337-TA-797 (copy of order attached as Exhibit EX-C). See proceeding No. 2 *supra*. A Stipulation Regarding Dismissal of the Entire Action Without Prejudice based on a settlement agreement was filed with the court on November 12, 2012 (copy of stipulation attached as Exhibit EX-D).

**4. Civil Action No. 1:09-cv-00791 in the District of Delaware, captioned *Nokia Corp. v. Apple Inc.*:**

On October 22, 2009, Nokia Corporation filed a complaint against Apple Inc. regarding declaratory claims concerning, *inter alia*, infringement of the ‘381 patent. A Markman hearing session was held on May 16, 2011. The Court ordered the case dismissed due to a settlement on June 15, 2011 (copy of order attached as Exhibit EX-E).

**5. *Ex parte* Reexamination No. 90/010,963:**

On April 28, 2010, a first request for *ex parte* reexamination was filed with the Office in connection with the ‘381 patent. On July 14, 2010, the Office issued a decision finding a substantial new question of patentability with respect to all Issued Claims on the basis of 5 references. On January 13, 2011, the Office issued a first-action Notice of Intent to Issue *Ex Parte* Reexamination Certificate confirming the patentability of all 20 Issued



claims. On April 26, 2011, the Office issued *ex parte* reexamination certificate No. 8187 confirming unamended issued claims 1-20 (copy of reexamination certificate attached as Exhibit EX-F)

In addition to proceedings involving the '381 patent mentioned above pursuant to 37 C.F.R. § 1.565(a), it is respectfully noted that several proceedings in foreign jurisdictions have involved at least one foreign patent or utility model which claims priority to one or more U.S. patent applications to which the '381 patent claims priority. Foreign patent and utility model nos. EP 2 126 678, DE 21 2008 000 001, KR 10-950120000, JP 4,743,919, AU 2008201540, AU 2009200366, AU 2008100283 and AU 2009208103 claim priority to Application No. PCT/US2008/050292, which claims priority to the same U.S. provisional patent applications to which the '381 patent claims priority. Foreign patent nos. EP 2 059 868 and AU 2008100372 claim priority to Application No. PCT/US2007/077441, which claims priority to certain U.S. provisional patent applications to which the '381 patent claims priority.

Foreign proceedings involving such patent or utility model claims include the following:

1. Korean action 2011 Gahap 63647 relating to Korean patent KR 10-0950,120, captioned *Apple Inc. v. Samsung Electronics Co.*
2. Japanese action 2011 (Yo) No. 22049 for preliminary injunctive relief relating to Japanese patent JP 4,743,919, captioned *Apple Inc. v. Samsung Japan Corp. and Samsung Telecommunications Japan Co.*
3. Japanese action 2011 (Wa) No. 27781 for infringement and damages relating to Japanese patent JP 4,743,919, captioned *Apple Inc. v. Samsung Japan Corp. and Samsung Telecommunications Japan Co.*
4. Invalidity proceedings before the Japanese Patent Office relating to Japanese patent JP 4,743,919, captioned *Apple Inc. v. Samsung Electronics Co.*
5. Injunction and infringement proceedings in Netherlands (KG ZA 11-730; KG ZA 11-731; 2012/220) relating to EP 2 059 868, captioned *Apple Inc. v. Samsung Electronics Co.*

6. Action for infringement and damages before the Federal Court of Australia (Docket No. NSD 1243/2011) relating to Australian patents 2008201540, 2009200366, 2008100283, and 2009208103, captioned *Apple Inc. v. Samsung Electronics Co.*
7. Action before the High Court of Justice in The United Kingdom (Docket No. HC 11 C03079) relating to European Patent EP 2 059 868, captioned *Samsung Electronics (UK) Ltd. v. Apple Inc.*
8. Actions for infringement and damages before the High Court of Justice in The United Kingdom (Docket Nos. HC 11 C02826, HC 11 C02703, and HC 11 C03080) relating to European Patent EP 2 059 868, captioned *Apple Inc. v. HTC Europe.*
9. Proceedings before the German Patent and Trademark Office (Docket No. 21 2008 000 001.6) based on German utility model DE 21 2008 000 001, captioned *Apple Inc. v. Nokia Corp.*
10. Action in Germany (Munich) (Docket No. 7 O 19716/11) relating to European patent EP 2 059 868, captioned *In the matter Apple Inc. against Motorola Mobility Inc.*
11. Action in Germany (Munich) (Docket No. 7 O 29382/11) relating to European patent EP 2 126 678, captioned *In the matter Apple Inc. against Motorola Mobility Inc.*
12. Action in Germany (Mannheim) (Docket No. 7 O 334/11) relating to European patent EP 2 059 868, captioned *In the matter of Apple Inc. against Samsung Electronics GmbH*
13. Action in Germany (Munich) (Docket No. 6 U 1260/12) relating to European patent EP 2 126 678, captioned *In the matter of Apple Inc. against Samsung Electronics GmbH*
14. Action in Germany (Mannheim) (Docket No. 7 O 70/12) relating to European patent EP 2 126 678, captioned *In the matter of Apple Inc. against Samsung Electronics GmbH*
15. Action in Germany (Mannheim) (Docket No. 7 O 335/11) relating to German utility model DE 21 2008 000 001, captioned *In the matter of*

*Apple Inc. against Samsung Electronics GmbH*

16. Action for Infringement and Damages in Germany (Munich) (Docket Nos. 21 O6997/12 and 21 O19210/12) relating to European patent EP 2 059 868, captioned *Apple v. HTC*
17. Action for Infringement and Damages in Germany (Munich) (Docket No. 21 O2017/12) relating to European patent EP 2 126 678, captioned *Apple v. HTC*
18. Patent Nullity Actions (consolidated into Docket No. 2 NI 58/11) by Motorola, Samsung and HTC before the German Federal Patent Court (Munich) relating to patent EP 2 059 868
19. Cancellation Request by Samsung in German Patent Office relating to DE 21 2008 000 001
20. Opposition Proceedings by Motorola, HTC and Samsung before the European Patent Office (Germany, Munich) relating to European Patent EP 2 126 678

No admission or representation is made that any of the above proceedings are relevant to the current *ex parte* reexamination.

In the event that any fee is due in connection with the present communication, the Commissioner is hereby authorized to charge the same to Deposit Account No 50-5927.

Date: February 4, 2013

Respectfully Submitted,

/Kenneth J. Weatherwax/  
Kenneth J. Weatherwax (Reg. No. 54,528)  
Goldberg, Lowenstein & Weatherwax LLP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Reexam Application No.:** 90/012,304  
**For:** US 7,469,381 B2  
**Filing Date:** 05-23-2012  
**Art Unit:** 3992  
**Examiner:** BONSHOCK, DENNIS G.  
**Attorney Docket No.:** P4304USREX2/120730-002US

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop *Ex Parte Reexam*  
Central Reexamination Unit  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

February 4, 2013

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the reexamination of the subject U.S. patent. This information is supplemental to the disclosures made on October 9, 2012, January 15, 2013 and January 16, 2013 in the above-captioned application. It is requested that the Examiner make this information of record if it is deemed material to the reexamination.

Under MPEP 2202, “[a]ny person at any time may cite to the Office in writing prior art consisting of patents or printed publications...Such citations may be made without payment of a fee.” It is accordingly believed that no fee is required. If any fee is deemed required, the Commissioner is authorized to charge any additional fee required for this Information Disclosure Statement to Goldberg, Lowenstein & Weatherwax LLP Deposit Account No. 50-5927 (order no. 120730-002US).

No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Date: February 4, 2013

Respectfully Submitted,

/Kenneth J. Weatherwax/  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/012,304	05/23/2012	7,469,381	P4304USREX2/120730-002US	4807

108491 7590 03/29/2013  
Apple Inc. and Goldberg, Lowenstein  
& Weatherwax LLP  
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EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
3992	

MAIL DATE	DELIVERY MODE
03/29/2013	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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**EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO. 90/012,304.

PATENT NO. 7,469,381.

ART UNIT 3992.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

<b>Office Action in Ex Parte Reexamination</b>	<b>Control No.</b> 90/012,304	<b>Patent Under Reexamination</b> 7,469,381
	<b>Examiner</b> DENNIS BONSHOCK	<b>Art Unit</b> 3992

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

- a  Responsive to the communication(s) filed on 15 January 2013.      b  This action is made FINAL.  
c  A statement under 37 CFR 1.530 has not been received from the patent owner.

A shortened statutory period for response to this action is set to expire 2 month(s) from the mailing date of this letter. Failure to respond within the period for response will result in termination of the proceeding and issuance of an *ex parte* reexamination certificate in accordance with this action. 37 CFR 1.550(d). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c)**. If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1.  Notice of References Cited by Examiner, PTO-892.      3.  Interview Summary, PTO-474.  
2.  Information Disclosure Statement, PTO/SB/08.      4.  \_\_\_\_\_.

Part II SUMMARY OF ACTION

- 1a.  Claims 1-20 are subject to reexamination.  
1b.  Claims \_\_\_\_\_ are not subject to reexamination.  
2.  Claims \_\_\_\_\_ have been canceled in the present reexamination proceeding.  
3.  Claims 14, 17, 18 are patentable and/or confirmed.  
4.  Claims 1-13, 15, 16, 19, 20 are rejected.  
5.  Claims \_\_\_\_\_ are objected to.  
6.  The drawings, filed on \_\_\_\_\_ are acceptable.  
7.  The proposed drawing correction, filed on \_\_\_\_\_ has been (7a)  approved (7b)  disapproved.  
8.  Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some\* c)  None of the certified copies have  
1  been received.  
2  not been received.  
3  been filed in Application No. \_\_\_\_\_.  
4  been filed in reexamination Control No. \_\_\_\_\_.  
5  been received by the International Bureau in PCT application No. \_\_\_\_\_.  
\* See the attached detailed Office action for a list of the certified copies not received.  
9.  Since the proceeding appears to be in condition for issuance of an *ex parte* reexamination certificate except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.  
10.  Other: \_\_\_\_\_

cc: Requester (if third party requester)

Application/Control Number: 90/012,304  
Art Unit: 3992

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**FINAL OFFICE ACTION**

***ex parte* Reexamination**

This is an *ex parte* reexamination of U.S. Patent Number: 7,469,381 (Ording). This action addresses patent claims 1-20 for which it has been determined in the Order Granting *ex parte* Reexamination mailed 7-25-2012 that a substantial new question of patentability was raised in the Request for *ex parte* reexamination filed 5-23-2012. This is a Final Action in response to the request for reconsideration filed 1-15-2013.

Availability of References as Prior Art:

Claims 1-20 are reexamined on the basis of the following references:

Lira – PCT Publication no. WO 03/081458 by Luigi Lira

Ording '975 - U.S. Patent No. 7,786,975 issued to Ording et al.

Van Den Hoven – PCT Publication no. WO 01/029702 by Elise A. W. H. Van Den Hoven

Declarations:

The Examiner has fully considered the Declarations Under 37 C.F.R. § 1.131 by Greg Christie and Bas Ording, as well as the Declarations Under 35 C.F.R. § 132 by Brad A. Myers, Ph.D.



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Rejections:

The following rejections are utilized by the Examiner below, referencing the proposed prior art listed on pages 23-85 of the Request:

Rejection A: Claims 1-6, 8-12, 16, 19, and 20 as being anticipated by Lira

Rejection B: Claims 7, 13, and, 15 as being obvious over Lira

Rejection D: Claims 1-5, 7-13, and 15-20 as being anticipated by Ordning '975 (since removed over the 1.131 declaration)

**REJECTIONS OVER LIRA**

With respect to the following rejections over Lira, the "edge of the electronic document" has been shown to be capable of being construed as an internal edge, as opposed to being limited to the outer edge of a document as a whole. The Courts agree with the Examiner's independently formulated interpretation, as can be seen in the April 4, 2012 Order Construing Disputed Claim Terms of the '381 Patent issued by the Federal District Court for the Northern District of California in *Apple Inc. v. Samsung Elecs. Co.*, 5:11-CV-01846-LHK, ECF No. 849 (Exhibit 7), where it was decided that "an electronic document can be embedded in another electronic document, and therefor the "edge of an electronic document" is not limited to "external" edges." Under Lira, whole documents (webpages) further contain individual images and column based text portions (see page 11, line 27 through column 12, line 2 and in figure 8A) that are internal to the webpage as a whole yet present internal boundaries where bounce back

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is effected responsive to the window being misaligned with the column based sub-document content (see page 15, lines 18-31). Furthermore, under Lira, the column in which the display window is located over could be an outside column where when the window is moved away from the document and over an outside boundary, the bounce back could be responsive to the document as a whole, moving from the whitespace on the top, bottom, and sides of the webpage back over the webpage.

## **REJECTION A:**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 8-12, 16, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Lira.

The following claim mappings in the Request are incorporated by reference:

Claims 1-6 (Request Pages 23-38, Exhibit 6, Part A, Pages 1-18)

Claims 8-12 (Request Pages 39-41, Exhibit 6, Part A, Pages 21-24)

Claim 16 (Request Pages 42-43, Exhibit 6, Part A, Page 26)

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Claims 19-20 (Request Pages 26-37, Exhibit 6, Part A, Pages 26-30)

Rejection A Breakdown:

This section acts as a supplement to the rejections set forth in the Non-final Office Action, further showing how there are multiple ways in which the navigable interface of LIRA can read on the independent claims. Though this section shows a detailed one to one correspondence with respect to claim 1, claims 19 and 20 have nearly identical limitations and are rejected for the same reasons.

**Edge between two columns:**

There are two different sub-ways of interpreting the internal edges here, (a) one interprets each column / image as an individual sub-document that is part of the larger document (see page 11, line 1 through page 12, line 2), (b) the other interprets the entire HTML page as a single document with internal edges between columns / images / header / colophon and relies upon the fact that the original document is broken into document pieces and then reassembled, leaving internal edges in the document where it has been pieced together and recorded in HTML or a language other than HTML (see page 11, lines 1-24). However, under each interpretation there exists these internal edges between documents / document portions / images that is more than just a line or a space between column based content but also acts as a smart border that interprets a user's scrolling / panning intention, where a user would have to show that they really intend to leave a column (through increased movements) to be directed to an adjacent

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column and leave the prior (see page 15, lines 18-31), otherwise upon termination of input the user would be relocated / reentered over the current column content of interest.

**1. A computer-implemented method, comprising: at a device with a touch screen display: displaying a first portion of an electronic document;**

With respect to the device containing a computer device comprising a touch screen, Lira discloses "a device having a small display.., for example, a PDA." Lira, p. 1, lns. 16-17. "The display may include a touch screen." Lira, p. 3, ln. 10. See Exhibit 6, Part A at 1 and 26-27. With respect to displaying a first portion, Lira discloses a system for traversing / panning / scrolling across a display where any display of any portion of a document could read on this "first portion". This first portion can be any portion of a document or a portion of a sub-document and an adjacent sub-document, or a portion of a document and a border (where any document portion may also be an image as per page 11, line 27 through page 12, line 2 and various figures of LIRA that show imbedded images), as input appears to already be placed on the display when the claim initiates and provides for "movement of an object on or near the touch screen display", only after removal of input will the window "snap" to display a centered column (see page 15, lines 18-31). Figure 14B for example provides for a path in which a user traverses the display showing the example portions (along with several to several hundred intermediate positions not displayed in the animated traversal).

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**detecting a movement of an object on or near the touch screen display; in response to detecting the movement, translating the electronic document displayed on the touch screen display in a first direction to display a second portion of the electronic document, wherein the second portion is different from the first portion;**

Lira discloses detecting a movement of an object - namely, a stylus (which, is an example of an object disclosed in the '381 Patent (see, e.g., col. 12:66-col. 13:1)) - on the touch screen display. Lira further discloses translating the electronic document in a first direction in response to detecting the movement. For example, Lira discloses "touch-and-drag" scrolling, where the user can "scroll the display window by placing a stylus 600 on the display window 605 and then dragging the stylus 600." Lira, p. 11, Ins. 27-29. Lira discloses detecting such movement based on "tracking the motion of the input tool on the touch screen." Lira, p. 3, Ins. 1-14. As the user drags the display window to scroll in a first direction (see the general downward direction in which the filled arrows below point), the electronic document is translated in the display so that a second portion of the electronic document that is different than the first portion of the electronic document will be displayed, as illustrated in Figure 14B. This second portion can be any portion of a document or a portion of a sub-document and an adjacent sub-document, or a portion of a document and a border, only after removal of input will the window "snap" to display a centered column (see page 15, lines 18-31).

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**in response to an edge of the electronic document being reached while translating the electronic document in the first direction while the object is still detected on or near the touch screen display: displaying an area beyond the edge of the document, and displaying a third portion of the electronic document, wherein the third portion is smaller than the first portion; and**

Lira discloses in response to an edge of the electronic document being reached (while translating the document in the first direction and while the object is still detected on the touch screen) displaying an area beyond the edge of the document.

More specifically, Lira discloses "vertical alignment control" which will align the display window to an edge of the electronic document. In one embodiment, "the vertical alignment control is enabled when the user lifts the pen 1200 from the display 1205," which causes the column" to snap into alignment with the display window as the user stops scrolling." Lira, p. 15, ins. 18-31. Thus, before the user lifts the pen, the translation will remain while the object/pen is still detected on the touch screen displaying any area the user is navigating over such as an area beyond the edge, when the edge of the document (or image) is reached.

Figure 14B illustrates this "snap-to" behavior, including the conditions that trigger this "snap" behavior. As shown and highlighted in the annotated figure, the display window is displaying an exemplary area beyond the edge of the logical column 1220. Specifically, the display window 1205 is displaying an area of logical column 1220 and also displaying an area of logical column 1225 (a separate electronic document / document portion).

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Lira also discloses displaying a third portion of the electronic document that is smaller than the first portion, this third portion being smaller than a first portion as the user has scrolled off of the current document / document portion and over the in-between area and / or over an adjacent document / document portion (where again each document/column could be an image document/column). Continuing the example illustrated in the same figure herein, as the user continues to drag the display window beyond the edge of the logical column 1220, the display window will increasingly pan over the in between area and over areas of logical column 1225. When this occurs, because the display window is only devoting a portion of its display area to the display of logical column 1220, the third portion of the column 1220 being displayed is naturally smaller than the first portion of column 1220 as depicted in the figure.

**in response to detecting that the object is no longer on or near the touch screen display, translating the electronic document in a second direction until the area beyond the edge of the electronic document is no longer displayed to display a fourth portion of the electronic document, wherein the fourth portion is different from the first portion.**

Lira discloses, in response to detecting that the object is no longer on the touch screen display, translating the electronic document in a second direction until the area beyond the edge of the electronic document is no longer displayed to display a fourth portion of the electronic document. More specifically, Lira discloses that, in response to detecting that "the pen 1200 is lifted from the screen," the document 1220 will "snap"

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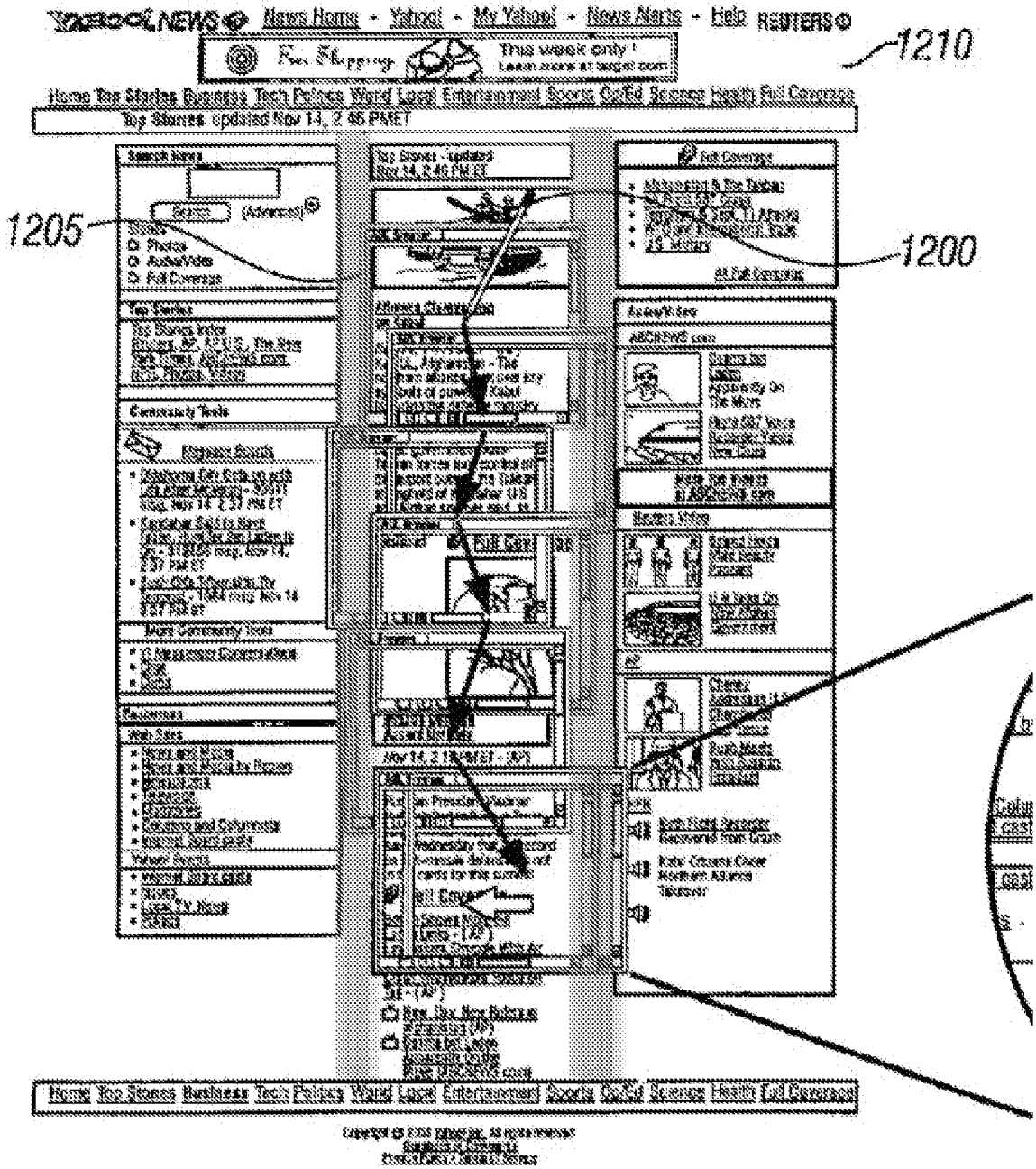
into alignment (i.e., it will be translated in a second direction) such that the area beyond the edge is no longer displayed. "[A]s the pen 1200 is lifted from the screen" certain actions occur depending on whether the scrolling from column 1220 to column 1225 doesn't exceed a certain threshold. Specifically, when the user lifts the stylus or finger from the screen, "the logical column 1220 [will] snap into alignment with the display window 1205 as the user stops scrolling" by for example "snap[ping] to the nearest logical column." Lira, p. 15, lns. 19-25. This action is taken as a result of an indication of "an intention to continue to view the text column 1220" and, thus, "the display 1205 centers the logical column 1210 as the pen 1200 is lifted from the screen." Id.

This snap-to function moves the document in a second direction, as indicated in the white arrow in Figure 14B, until the area beyond the edge of the column is no longer displayed. This will result in a fourth portion of the column 1220 being displayed, and will also result in no area of column 1225 being displayed.

The depiction of figure 14B below has been annotated with grey areas by the Examiner to denote areas between the reformatted document areas, where the user is capable of navigating to while the input is on the display, however this navigation is subject to snapping to the nearest column upon removing the input (as per page 15, lines 18-31). Further Note: the area beyond the edge of a document may contain space as well as another document area, as it still meets the claim limitation of being an "area beyond the edge of the document".



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1215

1220

1225

FIG. 14B

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**Edge between a column and an outside area:**

Lira provides for an embodiment where a user can scroll horizontally between columns with their finger on the screen, say the user starts on the middle column (first portion) of figure 10 and then moves their finger horizontally so as to display portions of each of the middle and the left column (second portion of the document), as the user continues to scroll horizontally eventually they reach the left edge of the left column, and even overtake the border displaying an area outside of the columns (outside of the document) along with a smaller area of the document (third portion) (see the first AOL browser window in figure 10), then according to and implementation explicitly defined in Lira of a "vertical alignment control", "when the user lifts the pen" (or finger) the window "snap"s to the nearest logical column, or in this case the left column, thereby displaying the fourth portion (as on page 15, lines 18-31 and on figure 14B). This allows the bounds of the reformatted document to be overtaken so as to show that the document ends at this point, but then upon a release of the input replaces the user over the document as is described in the '381 patent. The outside edge could also be reached through downward scrolling in the far left or far right column (similar to 14B, but in an outside column), where when a horizontal component is added to the downward component of the scroll (diagonal), the windows leave the bounds of the columns area and into the area outside the columns on either the left or right. Again, the beginning point of the scrolling (first portion) can be any portion of a document or a portion of a

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sub-document and an adjacent sub-document, or a portion of a document and a border (where any document portion may also be an image as per page 11, line 27 through page 12, line 2 and various figures of LIRA that show imbedded images), as input appears to already be placed on the display when the claim initiates and provides for "movement of an object on or near the touch screen display".

Again, there are two different sub-ways of interpreting the displayed content (a) one interprets the reformatted HTML document as a plurality of pieced together documents (header, columns, colophon) comprising shrunken columns that leaves space outside of the column area on the left and right (boundary area) (see page 11, line 1 through page 12, line 2), (b) the other interprets the reformatted HTML document as a single reformatted document comprising shrunken columns that leaves space outside of the column area on the left and right (boundary area) (see page 11, lines 1-24).

**1. A computer-implemented method, comprising: at a device with a touch screen display: displaying a first portion of an electronic document;**

With respect to the device containing a computer device comprising a touch screen, Lira discloses "a device having a small display.., for example, a PDA." Lira, p. 1, lns. 16-17. "The display may include a touch screen." Lira, p. 3, ln. 10. See Exhibit 6, Part A at 1 and 26-27. With respect to displaying a first portion, Lira discloses a system for traversing / panning / scrolling across a display where any display of any portion of a document could read on this "first portion". This first portion can be any portion of a document or a portion of a sub-document and an adjacent sub-document, or a portion

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of a document and a border (where each document/column could be an image document/column), only after removal of input will the window "snap" to display a centered column (see page 15, lines 18-31). Figure 10 provides for a direct horizontal traversal where window states include views of (a) single columns, (b) single columns and intermediate column blank space, (c) multiple columns including intermediate blank space, and (d) a single column along with area beyond the outside left / right border of all columns. Figure 14B for example provides for a path in which a user traverses the display showing the example portions (along with several to several hundred intermediate positions not displayed in the animated traversal). The outside edge could also be reached through a traversal of downward scrolling in the far left or far right column (similar to 14B, but in an outside column), where when a horizontal component is added to the downward component of the scroll (diagonal), the windows leave the bounds of the columns area and into the area outside the columns on either the left or right. Again, the beginning point of the scrolling (first portion) can be any portion of a document or a portion of a sub-document and an adjacent sub-document, or a portion of a document and a border (where any document portion may also be an image as per page 11, line 27 through page 12, line 2 and various figures of LIRA that show imbedded images), as input appears to already be placed on the display when the claim initiates and provides for "movement of an object on or near the touch screen display".

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**detecting a movement of an object on or near the touch screen display; in response to detecting the movement, translating the electronic document displayed on the touch screen display in a first direction to display a second portion of the electronic document, wherein the second portion is different from the first portion;**

Lira discloses detecting a movement of an object - namely, a stylus (which, is an example of an object disclosed in the '381 Patent (see, e.g., col. 12:66-col. 13:1)) - on the touch screen display. Lira further discloses translating the electronic document in a first direction in response to detecting the movement. For example, Lira discloses "touch-and-drag" scrolling, where the user can "scroll the display window by placing a stylus 600 on the display window 605 and then dragging the stylus 600." Lira, p. 11, Ins. 27-29. Lira discloses detecting such movement based on "tracking the motion of the input tool on the touch screen." Lira, p. 3, Ins. 1-14. As the user drags the display window to scroll in a first direction (see the general downward direction in which the filled arrows below point), the electronic document is translated in the display so that a second portion of the electronic document that is different than the first portion of the electronic document will be displayed, as illustrated in Figure 14B (similar movement could be effected horizontally). This second portion can be any portion of a document or a portion of a sub-document and an adjacent sub-document, or a portion of a document and a border, only after removal of input will the window "snap" to display a centered column (see page 15, lines 18-31), otherwise the user is capable of moving

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the displayable window to any position across the viewable content without any document based constraints taking effect.

**in response to an edge of the electronic document being reached while translating the electronic document in the first direction while the object is still detected on or near the touch screen display: displaying an area beyond the edge of the document, and displaying a third portion of the electronic document, wherein the third portion is smaller than the first portion; and**

Lira discloses in response to an edge of the electronic document being reached (while translating the document in the first direction and while the object is still detected on the touch screen): displaying an area beyond the edge of the document.

More specifically, Lira discloses "vertical alignment control" which will align the display window to an edge of the electronic document. In one embodiment, "the vertical alignment control is enabled when the user lifts the pen 1200 from the display 1205," which causes the column" to snap into alignment with the display window as the user stops scrolling." Lira, p. 15, ins. 18-31. Thus, before the user lifts the pen, the translation will remain while the object/pen is still detected on the touch screen displaying any area the user is navigating over such as an area beyond the edge of an outside column (or image), when the edge of the document is reached.

Figure 14B illustrates this "snap-to" behavior, including the conditions that trigger this "snap" behavior. As shown and highlighted in the annotated figure, the display window is displaying an exemplary area beyond the edge of the logical column 1220, a

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similar snap to nearest column would be effected when a user has located the view window outside of an left edge or right edge of all columns, so as to be located partially over one of the areas outside of the reformatted document area.

Lira also discloses displaying a third portion of the electronic document that is smaller than the first portion, this third portion being smaller than a first portion as the user has scrolled off of the current document / document portion and over the areas outside of the reformatted document area (see figure 10s left most window depiction). When this occurs, because the display window is only devoting a portion of its display area to the display of logical column 905, the third portion of the column 905 being displayed is naturally smaller than the first portion of column depicted as any of the other window views of figure 10.

**in response to detecting that the object is no longer on or near the touch screen display, translating the electronic document in a second direction until the area beyond the edge of the electronic document is no longer displayed to display a fourth portion of the electronic document, wherein the fourth portion is different from the first portion.**

Lira discloses, in response to detecting that the object is no longer on the touch screen display, translating the electronic document in a second direction until the area beyond the edge of the electronic document is no longer displayed to display a fourth portion of the electronic document. More specifically, Lira discloses that, in response to detecting that "the pen 1200 is lifted from the screen," the document will "snap" into

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alignment (i.e., it will be translated in a second direction) such that the area beyond the far left or far right edge is no longer displayed. As represented by the intermediate column example, "[A]s the pen 1200 is lifted from the screen" certain actions occur depending on whether the scrolling from column 1220 to column 1225 doesn't exceed a certain threshold. Specifically, when the user lifts the stylus or finger from the screen, "the logical column 1220 [will] snap into alignment with the display window 1205 as the user stops scrolling" by for example "snap[ping] to the nearest logical column." Lira, p. 15, Ins. 19-25. This action is taken as a result of an indication of "an intention to continue to view the text column 1220" and, thus, "the display 1205 centers the logical column 1210 as the pen 1200 is lifted from the screen." Id.

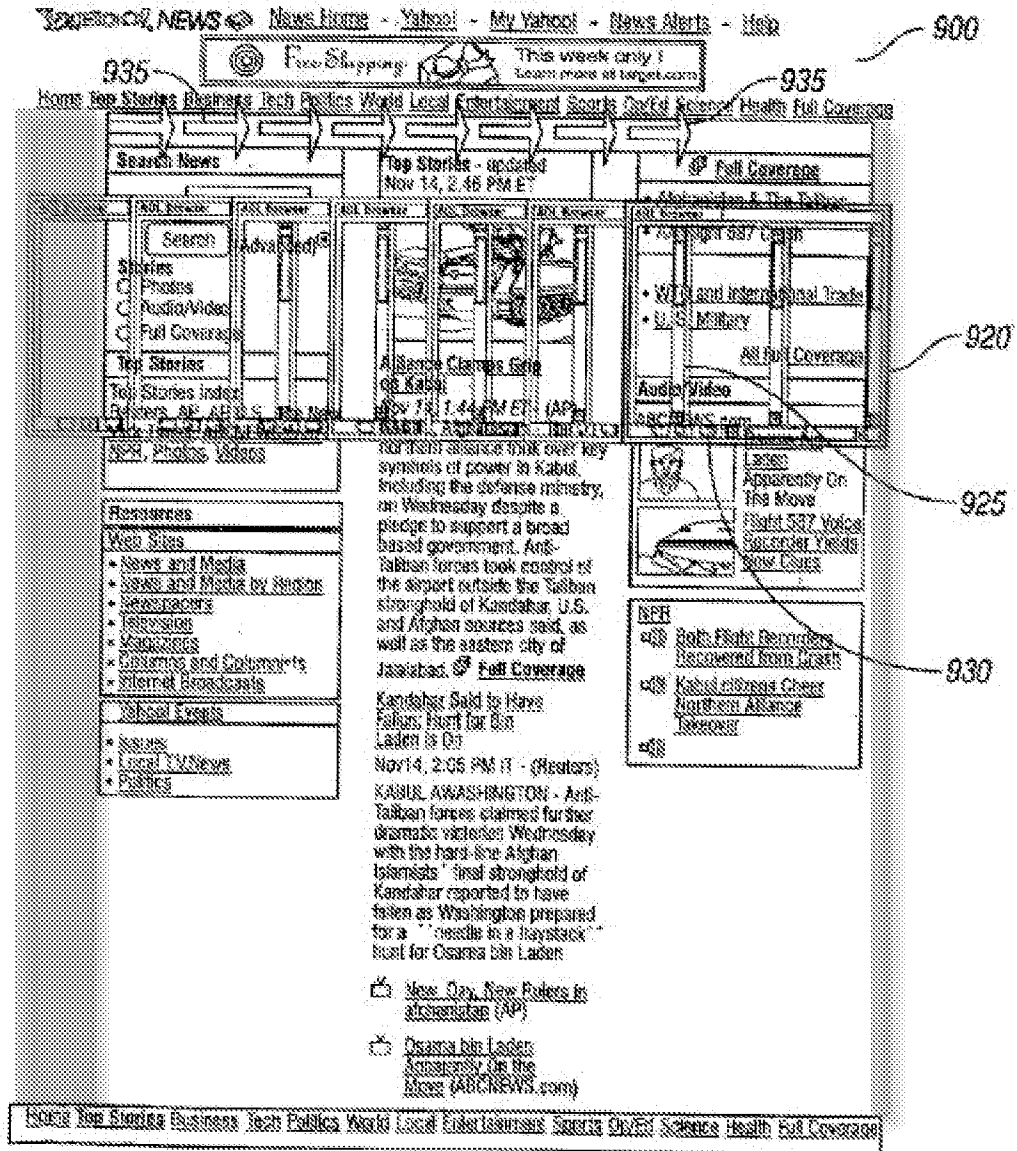
This snap-to function moves the document in a second direction, as indicated in the white arrow in Figure 14B (only with respect to the outside edge of the left or right column), until the area beyond the edge of the column is no longer displayed. This will result in a fourth portion of the column 1220 being displayed, and will also result in no area of column 1225 being displayed, or as in figure 10 this will result in the left column being displayed in the view window, with no area of the areas outside of the reformatted document area being displayed.

The depiction of figure 10 below has been annotated with grey areas by the Examiner to denote areas outside of the reformatted document area, where the user is capable of navigating to while the input is on the display, however this navigation is still



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subject to snapping to the nearest column upon removing the input (as per page 15, lines 18-31).



905 910 915  
 FIG. 10

Other figures including 8A and 16 show navigation outside of the horizontal borders of the header and colophon as well, let alone the reformatted columns.

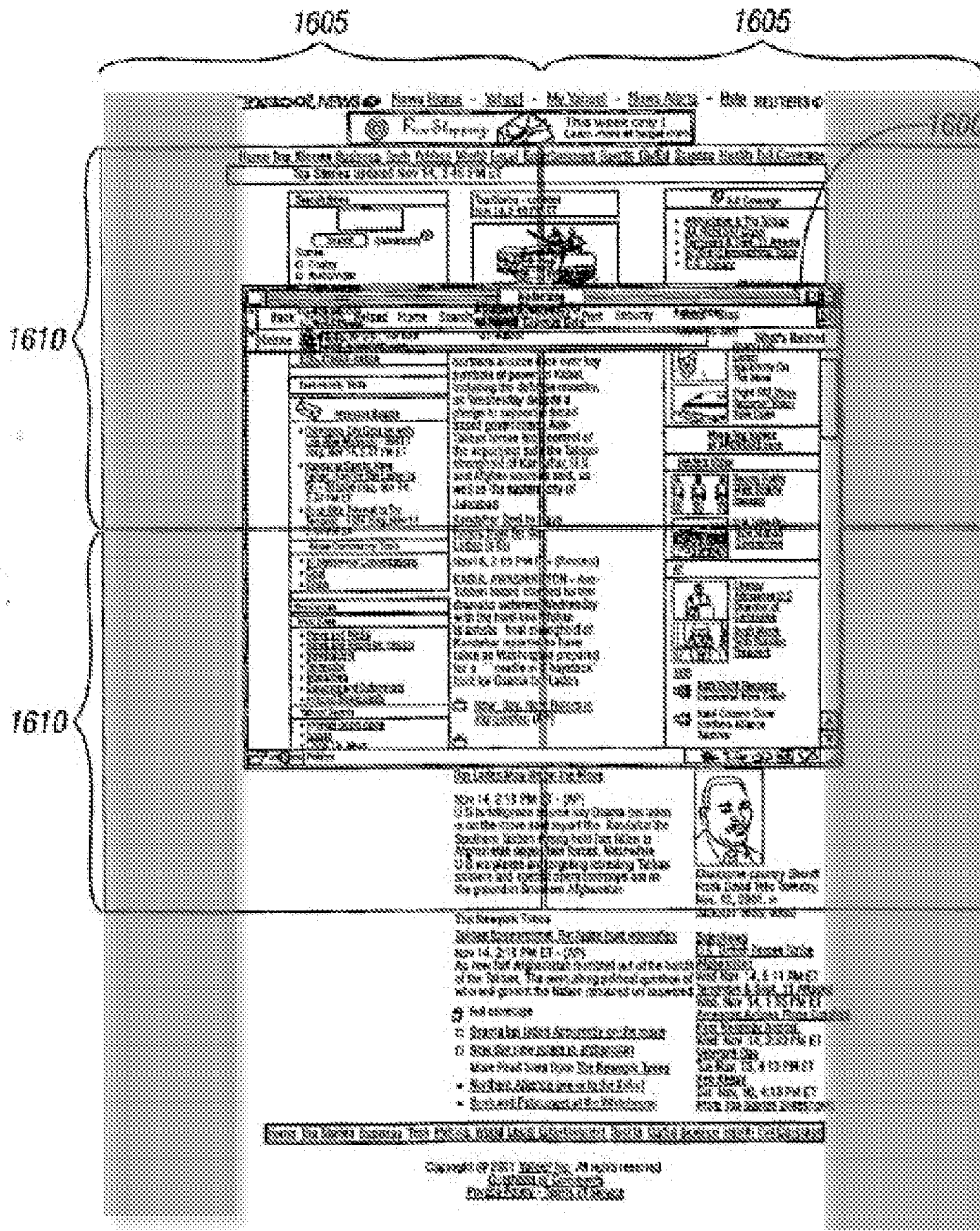


FIG. 16

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**REJECTION B:**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lira.

The following claim mappings in the Request are incorporated by reference:

Claim 7 (Request Pages 43-44, Exhibit 6, Part B, Pages 1-6)

Claims 13 and 15 (Request Pages 45-47, Exhibit 6, Part B, Pages 1-2, 6-9)

**REJECTION D:**

**REJECTIONS OVER ORDING '975**

The rejections over the Ording '975 reference have been removed in response to the 37 C.F.R. § 1.131 declaration filed by Mr. Ording.

**Statement of Reasons for Patentability and/or Confirmation**

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Claims 14 specifically teaches "the area beyond the edge of the document is visually distinct from the document", where Lira at no point mentions displaying the area beyond the edge of the document as visually distinct from the document. Claim 14 is herein confirmed for the reasons provided above.

Claim 17 specifically teaches "translating in the first direction prior to reaching the edge of the electronic document has a first associated translating distance that corresponds to a distance of movement of the object prior to reaching the edge of the electronic document; and wherein displaying an area beyond the edge of the electronic document comprises translating the electronic document in the first direction for a second associated translating distance, wherein the second associated translating distance is less than a distance of movement of the object after reaching the edge of the electronic document." This basically has to do with dampening the movement of the display once the edge is crossed, where Lira at no point mentions such as dampening of the movement once the edge is crossed. Claim 17 is herein confirmed for the reasons provided above.

Claim 18 specifically teaches "translating in the first direction prior to reaching the edge of the electronic document has a first associated translating speed that corresponds to a speed of movement of the object, and wherein displaying an area beyond the edge of the electronic document comprises translating the electronic document in the first direction at a second associated translating speed, wherein the second associated translating speed is slower than the first associated translating speed". This basically has to do with dampening the speed of translation of the display

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once the edge is crossed, where Lira at no point mentions such as dampening of the speed of translation once the edge is crossed. Claim 18 is herein confirmed for the reasons provided above.

### ***Response to Amendment***

The Declaration filed on 1/15/2013 under 37 CFR 1.131 is sufficient to overcome the Ording et al. reference.

#### **Summary of the Offices position:**

Given the Myers affidavit and arguments submitted by Patent Owner questioning separation / edge between adjacent columns and diagonal movements, the below described interpretation holds for interpreting all the columns as a document as a whole while providing completely horizontal movement.

Lira provides for an embodiment where a user can scroll horizontally between columns with their finger on the screen, say the user starts on the middle column (first portion) of figure 10 and then moves their finger horizontally so as to display portions of each of the middle and the left column (second portion of the document), as the user continues to scroll horizontally eventually they reach the left edge of the left column, and even overtake the border displaying an area outside of the columns (outside of the document) along with a smaller area of the document (third portion) (see the first AOL browser window in figure 10), then according to and implementation explicitly defined in Lira of a "vertical alignment control", "when the user lifts the pen" (or finger) the window

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"snap"s to the nearest logical column, or in this case the left column, thereby displaying the fourth portion. This allows the bounds of the reformatted document to be overtaken so as to show that the document ends at this point, but then upon a release of the input replaces the user over the document as is described in the '381 patent.

Figure 14B teaches an analogous situation, where the user is scrolling in a common down direction and although continually crossing the edge of an interior column, the system eventually shown provides the bounce back only upon the user releasing a contact when the window is positioned on an area that includes an area not in the interior column.

With regard to Patent Owner arguments that there is " no indication that, when the electronic document is reformatted into a page having logical columns, the result would be more than one document"; the Examiner respectfully submits that webpages are known in the art to contain subdocument such as images that are separate files imbedded within webpages (see figure 10 which clearly displays an image).

Remember, this Web page stopped being a traditional web page when it was reformatted and prepared for display on the small screen display device. The web page (if it is still even recorded in HTML) was broken apart into components and then reformatted in to aligned columns that are viewable on the small display (see page 11, lines 1-9), while containing intelligent boundaries in between that interpret whether the user intends on traversing a single column or desires to move to an adjacent area. Never-the-less, even if all the column based content is one document, the area between

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the columns and the area outside the bounds of all the columns (boundaries) is still non-document content.

With regard to Patent Owner arguments that the area outside of the columns of Lira is still part of the webpage; the Examiner respectfully submits that the content of the document is reformatted where each portion is reformatted to best be viewed on a small screen display device. Noted embodiments include: 1) placing header, body, and footer into a single column the width of the display window (see page 9, paragraph 5 and figure 3); 2) separating the page into components and reformatting each of a plurality of columns into a logical column with a width that is less than or equal to the display window width (page 10, line 22 through page 11, line 17).

Additionally, Lira notes reformatting a page so as to create a plurality of logical columns sized to the display window size, while allowing the header and colophon to maintain their previous dimensions. These columns are “reduced to a width that does not exceed the width of the display window” (see page 10, paragraphs 1-3). Lira at no point describes reformatting a border area outside of the columns, merely showing it as a traversable outside of the documents limits.

To better show the limits of the page in Lira, the page itself need be defined. Lira provides for the reformatting of a page coded in HTML, or a web page (see page 9, paragraph 6 through page 10, paragraph 3), where Lira defines the page as elements



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400 and 415, corresponding to the ordinary and reformatted page respectively. Each page is said to consist of 4 elements:

for the ordinary web page:

402, 404, 406, and 408 each having differing widths as ordinarily sized to fit within a wide window; and

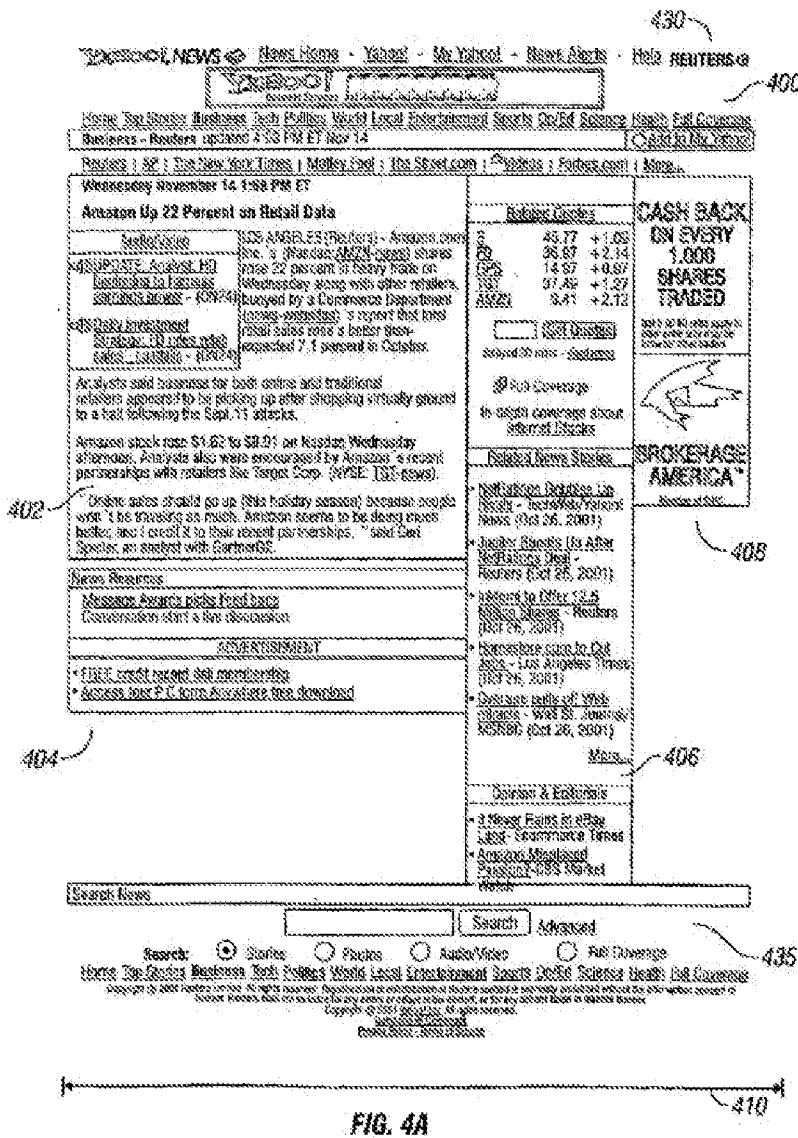


FIG. 4A



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for the reformatted web page or non-HTML based content:

417, 419, 421, and 423 with widths corresponding to the width of the  
narrow display

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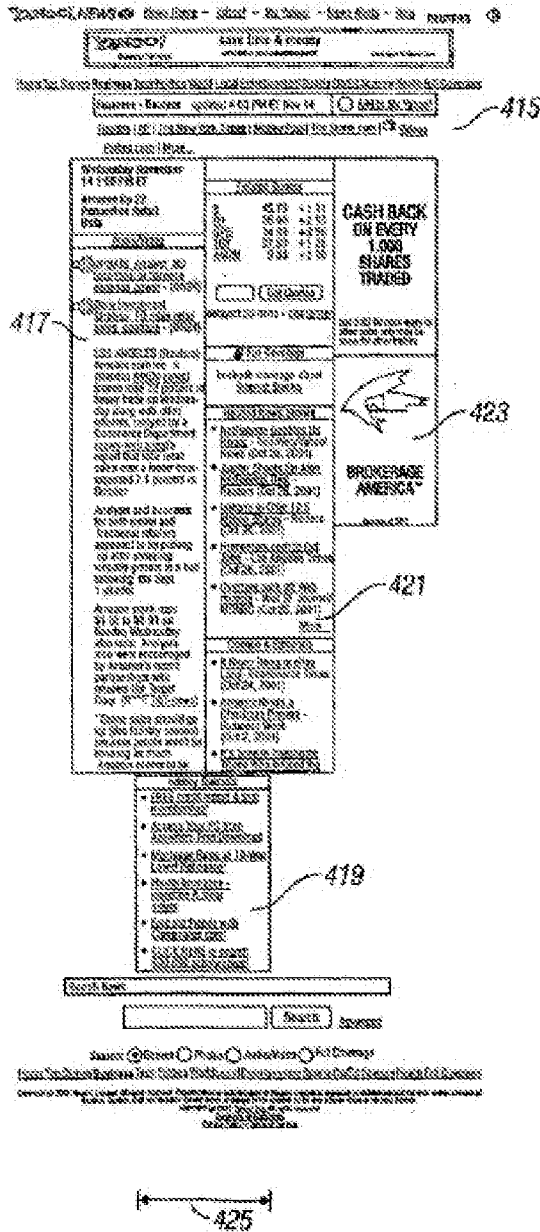
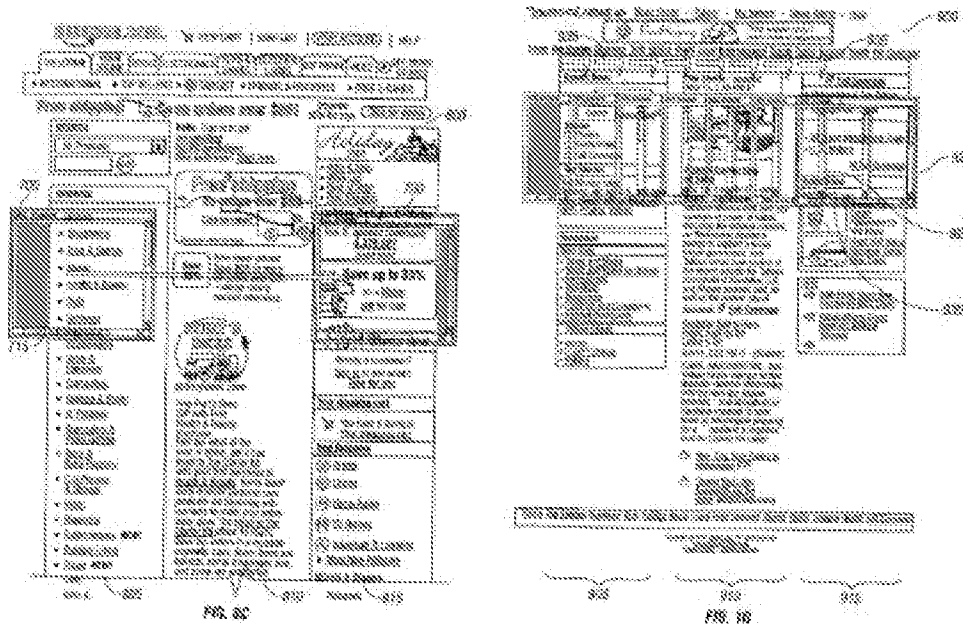


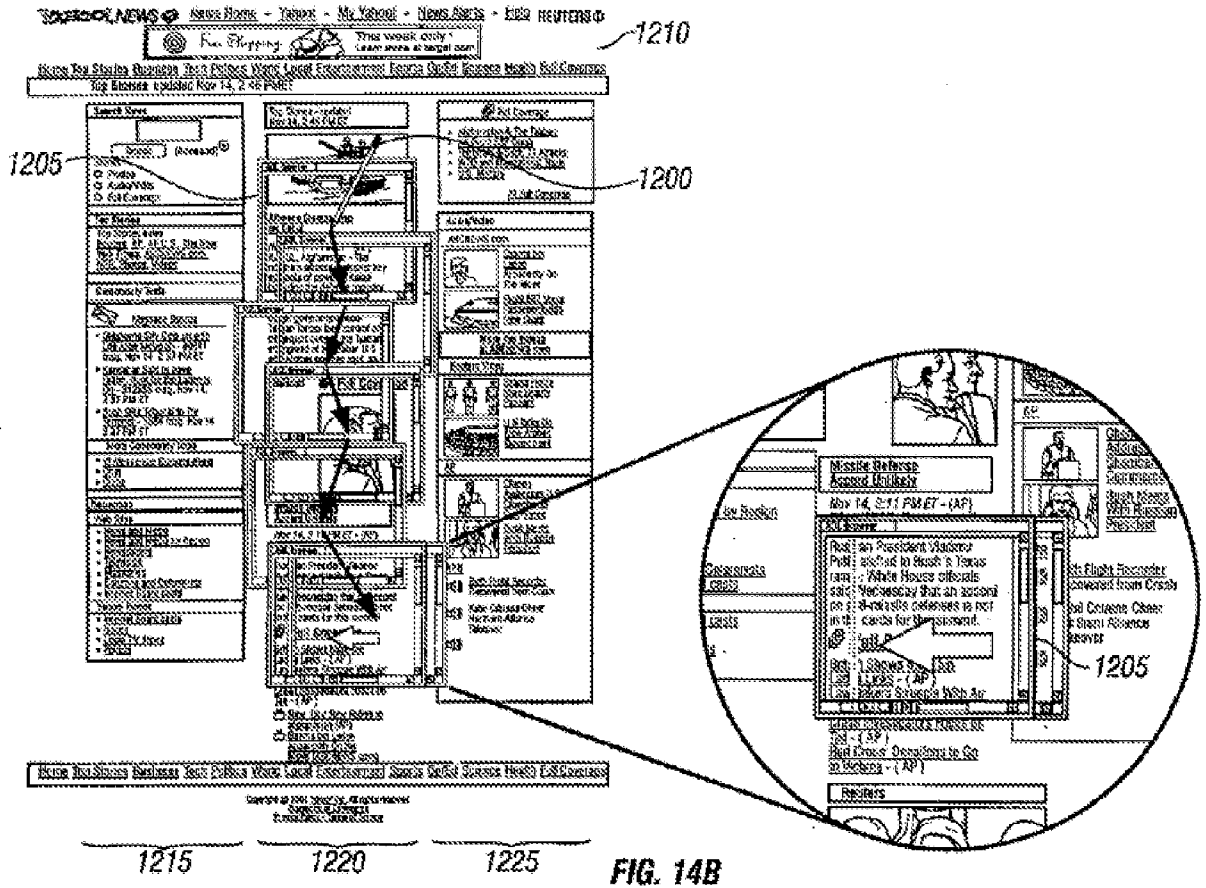
FIG. 4B

As Lira then reformats the page to the display of figure 4B, there is left as additional space on the sides of the reduced columns that is not defined by the document (not a portion of the 4 elements of the document). Figures 8C and 10

show that this space outside of the columns can be navigated to, when the user maintains input contact with the display, showing an area devoid of document content. This area has been greyed in by the Examiner to better illustrate the offset position.



Where this area outside of the column document area, is only shown until the user removes contact from the display, at which point a "vertical alignment control" causes the nearest logical column to snap into alignment with the display window, thereby removing display of the non-document / outside area. Additionally, a "horizontal alignment control" may also be used to keep the document within the bounds of the display (see page 15, third paragraph through page 16, third paragraph).



With regard to arguments by the Patent Owner regarding what is interpretable as an edge of the document, Lira has been shown to take the webpage and reformat into a more easily viewable form for a small screen display device, doing this by creating its own logical columns intelligently sized so as to fit within the screens bounds. These logical columns are then displayed adjacent to one another, and traversable in-between, but this is not a typical traversal as would be the case if this were the original web page document, but

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rather an intelligent constrained navigation where a user would have to show that they really intend to leave a column (through increased movements) to be directed to an adjacent column and leave the prior (see page 15, lines 18-31). This new gap that exists between the columns is not part of the original document but rather a non-document portion defined by the area between the edges of the two logical columns.

Even if the internal edges were not edges of the document, which the Office contends that they are and is further supported by the courts construction of claim terms of exhibit 7 pages 17-23, the area outside of the columns would clearly be an area beyond the edge, where this area can clearly be reached upon traversal (see Figures 8C and 10). The '381's specification even further defines that a wallpaper image is displayed beyond the edge of the document (see column 27, lines 36-40). To say that the area outside of the columns is still part of the document contradicts the teachings of Lira which shrinks columns so as to allow them to fit within the reduced size display. When the columns are shrunk space is left below the header on the sides of the columns where document content previously existed. To go even one step further, Lira shows embodiments where the window traversal stretches outside of the bounds of the header and colophon (see figures 8C and 16, amongst others).

**Answers to individual arguments:**

I.

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**A.**

**B. Alignment Control Arguments**

With regard to the first described embodiment of "vertical alignment control" where horizontal wobble is minimized during vertical scrolling, so that slight horizontal motion is ignored (as described in page 14, third paragraph through page 15, second paragraph), the **Examiner agrees with the Patent Owner** that this can't read upon claimed "translating the electronic document in a second direction", as this action is occurring while input is applied and the purpose of this is to keep the window in display thereby not allowing an "area beyond the edge of the document" to come into view. However, the "another" second "implementation" of the "vertical alignment control", which is described on page 15, third paragraph through page 16, third paragraph). Under this second implementation of the "vertical alignment control", the user traverses the document allowing the document to be scrolled past its bounds when a user input is contacting the display, however, "when the user lifts the pen" (or finger) the window "snap[s]" to the nearest logical column, thereby displaying the fourth portion. This allows the bounds of the reformatted document to be overtaken so as to show that the document ends at this point, but then upon a release of the input replaces the user over the document as is described in the '381 patent.

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Patent Owner argues that “Lira only depicts this "wobble" correction functionality in connection with a center column in a web page that has been reformatted into three columns, see Lira Fig. 14B.in connection with a center column in a web page that has been reformatted into three columns, see Lira Fig. 14B.”

In response, the Examiner respectfully submits that it is clear that what is shown in figures 14A and 14B is an example embodiment, where the center column is used. It is clear by reading the disclosure that similar functionality would be performed for either the right or left column as well regarding all column edges (see page 15, third paragraph through page 16, third paragraph).

Patent Owner argues that “As Professor Myers explains, these two implementations of the vertical alignment control in Figs. 14A and 14B, as described here, cannot be used for the same column at the same time, for one must operate when the pen is on the screen, and one must operate only after the user's pen lifts off the display. Myers Decl. paragraph 71.”

In response, the **Examiner agrees with the Patent Owner in this respect**. The rejection utilizes the second implementation to cover the claim by itself.

Patent Owner argues that “Indeed, Lira discloses nothing about what would occur if a user reached the top or bottom of one of Lira's columns. As Professor Myers

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explains, a person of ordinary skill in the art reading Lira at the time the '381 invention was made would expect that, for example, if the user scrolled to the bottom of one of Lira's logical columns, the user would simply continue moving down so the rest of the page below it could be seen. See Myers Decl. ¶ 73.”

In response, the Examiner respectfully submits that Lira provides additionally for a "similar horizontal alignment control" to keep a user within the vertical limits of a document (see page 16, first paragraph). Where the combination of horizontal and vertical document constraints is further discussed on page 16, third paragraph, noting:

*The horizontal component may be compared to the threshold to constrain horizontal motion of the page 1210 in the display window 1205 ... Vertical motion may be left unconstrained, or may be compared to the same or a different threshold.*

Patent Owner argues that “Lira never discloses any displayable area beyond the edge of the web page, or beyond the edge of any electronic document, and as Professor Myers explains, a person of ordinary skill in the art at the time of the '381 invention would not have expected the AOL browser in Lira's figures or touch screen devices to allow display of areas beyond the web page. See Myers Decl. ¶ 67.”

In response, the Examiner respectfully submits that the content of the document is reformatted where each portion is reformatted to best be viewed on a small screen display device. Noted embodiments include:



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1) placing header, body, and footer into a single column the width of the display window (see page 9, paragraph 5 and figure 3);

2). Additionally, Lira notes reformatting a page so as to create a plurality of logical columns sized to the display window size, while allowing the header and colophon to maintain their previous dimensions. These columns are “reduced to a width that does not exceed the width of the display window” (see page 10, paragraphs 1-3).

Lira at no point describes reformatting a border area outside of the columns, merely showing it as a traversable area outside of the documents limits. Further see the detailed description above describing the document edges and the area outside of the webpage.

## II.

### A.

Patent Owner argues that “Notably, the Office Action asserts, without expressed support, that each of the columns within a web page, plus the web page itself, are each individually electronic documents, and also cumulatively a single electronic document, see. e.g., Request, Exhibit 6, Part A, page 2 (emphasis added): As disclosed in Lira, the electronic document may be a web page with structured elements such as columns. Each Logical column may be further treated as an electronic document as discussed further below, where each logical column (e.g., items 1215, 1220, and 1225 shown in Figure 14) are subdocuments in a larger electronic document: the web page. See also, e.g., id. pages 5-8, 11-12.”

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In response, the Examiner respectfully submits that webpages are known in the art to contain subdocument such as images that are separate files imbedded within webpages (see figure 10 which clearly displays an image). Remember, this Web page stopped being a traditional web page when it was reformatted and prepared for display on the small screen display device. The web page (if it is still even recorded in HTML) was broken apart into components and then reformatted in to aligned columns that are viewable on the small display (see page 11, lines 1-9), while containing intelligent boundaries in between that interpret whether the user intends on traversing a single column or desires to move to an adjacent area. Never-the-less, even if all the column based content is one document, the area between the columns and the area outside the bounds of all the columns (boundaries) is still non-document content.

Patent Owner argues (from page 19) that "First, as explained in detail below, Lira does not disclose column 1220 in Lira Fig. 14B to be "the electronic document." Therefore, no edge of column 1220 can be "an edge of the electronic document.""

In response, the Examiner respectfully submits that Lira has been shown to take the webpage and reformat into a more easily viewable form for a small screen display device, doing this by creating its own logical columns intelligently sized so as to fit within the screens bounds. These logical columns are then displayed adjacent to one another, and traversable in-between, but this is not a typical traversal as would be the case if this were the original web page document, but rather an intelligent constrained navigation

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where a user would have to show that they really intend to leave a column (through increased movements) to be directed to an adjacent column and leave the prior. This new gap that exists between the columns is not part of the original document but rather but rather a non-document portion defined by the area between the edges of the two logical columns.

Even if the internal edges were not edges of the document, which the Office contends that they are and is further supported by the courts construction of claim terms of exhibit 7 pages 17-23, the area outside of the columns would clearly be an area beyond the edge, where this area can clearly be reached upon traversal (see Figures 8C and 10). The '381's specification even further defines that a wallpaper image is displayed beyond the edge of the document (see column 27, lines 36-40). To say that the area outside of the columns is still part of the document contradicts the teachings of Lira which shrinks columns so as to allow them to fit within the reduced size display. When the columns are shrunk space is left below the header on the sides of the columns where document content previously existed. To go even one step further, Lira shows embodiments where the window traversal stretches outside of the bounds of the header and colophon (see figures 8C and 16, amongst others).

**1.**

Patent Owner argues that "Lira uses the term "electronic document" over 50 times, but not to refer to logical columns. Instead, Lira consistently uses "electronic

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document" to refer to the entire page of information that is reformatted into logical columns."

In response, the Examiner respectfully submits that this argument has been answered above in describing how: (1) the document has been separated into component parts and reassembled as an intelligent document / document portions; (2) just because the document may all be one document doesn't mean that it doesn't have internal edges; (3) images can be imbedded in document having 4 edges between it and the rest of the document.

Patent Owner argues that "Judge Koh of the Northern District of California, whose claim construction order regarding the '381 patent was consulted in the Office Action at 3, issued an order on December 2, 2011 finding that there was no reasonable likelihood that the '381 patent could be found invalid over Lira, and found that Lira

"generally addresses the problem of browsing large documents - such as a web page .... For example, the patent discloses a method to reconfigure the document into multiple columns..." (Apple, Inc. v. Samsung, Inc., 11- cv-1846, 2011 WL 7036077, at \*34 (N.D. Cal. Dec. 2,2011)) (emphases added)"

In response, the Examiner respectfully submits that Judge Koh doesn't appear to explicitly state that "there was no reasonable likelihood that the '381 patent could be found invalid over Lira". The site provided by this argument "Apple, Inc. v. Samsung,

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Inc., 11- cv-1846, 2011 WL 7036077, at \*34” does not pertain to the statement provided by the Patent Owner, please clarify. Additionally, even if this had been the position taken by the courts it would not be controlling on the Office’s decision. The entirety of page 34 is reproduced below:

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United States District Court  
For the Northern District of California

1 The evidence regarding the causation between Samsung's infringing conduct and an  
 2 irreparable harm to Apple is somewhat contradictory. It seems that at least some smartphone  
 3 purchasers consider the product's look in deciding which product to buy. For example, Samsung's  
 4 expert acknowledged that [REDACTED]  
 5 [REDACTED] Wagner Dep. 28-29.  
 6 [REDACTED]  
 7 [REDACTED] Sood Reply Decl. Ex. D at 67; Rangel Reply Decl. Ex. A at 28. Moreover, at least one  
 8 of Samsung's own surveys indicates that [REDACTED]  
 9 [REDACTED] Ho Decl. Ex. A at 10. This evidence suggests,  
 10 then, that product design generally is at least *one factor*, and for some people may be the *primary*  
 11 *factor*, influencing a person's decision to purchase a smartphone.

12 Samsung, in contrast, has provided some evidence that Apple's market share and potential  
 13 loss of customers is unrelated to Samsung's product design, and that smartphone design in general  
 14 is not a determinative factor in consumer decision-making. [REDACTED]  
 15 [REDACTED] Wagner Decl. ¶¶ 35-36  
 16 & 40-43. This suggests that the driver in consumer demand may be the novelty of the product, and  
 17 not necessarily the design. [REDACTED]  
 18 [REDACTED] Jenkins Decl. Ex. MM at 13. Samsung also offers  
 19 evidence that smartphone buyers are motivated to purchase products for a whole host of reasons,  
 20 [REDACTED] Wagner Decl. ¶  
 21 81. Although Apple has offered some evidence that survey results underreport the impact that  
 22 design may have on consumer decision-making, it is not clear how much underreporting is likely to  
 23 occur. See Sood Reply Decl. ¶¶ 21-33.

24 Moreover, evidence regarding consumer choice is even more ambiguous in light of the fact  
 25 that Apple's patents do not claim the entire article of manufacture. Therefore, even if "design"  
 26 matters to a new smartphone purchaser, it is not clear how much design of the front face of the  
 27 phone matters to that same purchaser.

3. Delay

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Patent Owner argues (on page 22) that "The columns are not independent of the web page, and there is no indication that they have any independent existence or meaning other than as a means of conveniently arranging a subset of the web page's content."

In response, the Examiner respectfully submits that this argument has been previously answered supra.

Patent Owner argues (on page 23) that "Nor does Lira disclose that it's reformatting ever creates, or leaves, any space, gap or separation between logical columns."

In response, the Examiner respectfully submits that it can be seen from figures 8, 9, 10, and 14, that when the webpage is reformatted into logical columns there exists space between these smartly sized and arranged columns that need be traversed across to reach an adjacent column. Additionally, there exists space on the sides of the columns, where the display window can be selectively panned over.

Patent Owner argues that "Lira's columns have no area between them that is not part of one of the columns", citing the office actions statement that "in Figure 14B, if the background of the web page is a solid color (e.g., white), that will be the color of the

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area beyond the edge of the document, given that the area beyond the edge [of column 1220] will be a portion of the neighboring column 1225. Thus, under this example, the area beyond the edge of the column displayed is a solid color, e.g., white."

In response, the Examiner respectfully submits that when a user is traversing outside of the current column, they are either displayed with an area of blank space that is not part of either column or a portion of another document column (see figure 14B), that is separately identifiable as provided above.

Patent Owner argues that "HTML as a common page topology that is usually "readily reformatted into constrained sets of logical columns," see Lira page 10, lines 12 to 30. HTML does distinguish among the topology of headers, footers, the body of the text, etc., see page 10, lines 13-20. However, the entire page with header, footer and body in HTML is still a single document; see Myers Decl. paragraphs 55-57."

In response, the Examiner respectfully submits that the reformatted document that is created in Lira need not be an HTML document (see page 11, lines 2-9). Where this newly formatted document reacts differently to traversal than a traditional HTML document, providing the ability to keep a user in a column that they are traversing by providing a bounce back function (see column 15, paragraph 3).



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## **2. Arguments directed at the "edge" of "the electronic document"**

### **a.**

Patent Owner argues that "Given that the '381 patent's method 700 treated the boundary of internal Block 9 as if it were not an "edge of the electronic document," the '381 patent lends no support for treating Lira's internal reformatted column of information 1220 as an "electronic document" either." The '381 specification is fully consistent with the use of the term "edge of the electronic document" to mean what might be called the "outer" edges of the webpage, rather than internal edges.

In response, the Examiner respectfully submits that the patent speaks to navigation on a traditional webpage with all content navigable in a connected manner, no separate treatment for individual components. Lira teaches utilizing each of the columns as their own individual component, where scrolling and navigation is done with respect to the current column (for example) (see page 14, paragraph 3 through column 16, paragraph 3). Where a "vertical alignment control is enabled when the user lifts the pen" (or finger) causing an action to be performed to the column, where the display window "snap[s]" to the nearest logical column.

Returning to the Courts claim construction and what had been previously agreed to:

"Apple argues that "edge of an electronic document" is a plain, non-technical term that should be given its ordinary meaning, and that this ordinary meaning precludes the possibility of "internal" edges. For example, Apple argues that when

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images are embedded within a webpage, the webpage is the electronic document. In that context, the images within the webpage cannot also be electronic documents.”

(see page 18 of Exhibit 7)

...

“Thus, the dispute centers around whether "edge of an electronic document" can refer to edges that are within an electronic document or whether "edge of an electronic document" refers only to an external boundary.” (see page 19 of Exhibit 7)

...

“Called on to resolve the dispute between the parties, the **Court agrees with Samsung that an electronic document can be embedded in another electronic document, and therefore that "edge of an electronic document" is not limited to "external" edges.**” (see page 19 of Exhibit 7)

...

“Under the express language of the claims, webpages and digital images are examples of electronic documents. See '381 Patent at 36:4-7 (claims 6 and 7). Noting that a webpage can contain multiple embedded digital images, Samsung argues that an electronic document can include other embedded electronic documents. Samsung's Resp. at 7. Thus, according to Samsung's reasoning, an edge of an electronic document can be internal. At the hearing, Apple disagreed that a digital image within a webpage would be an "electronic document." However, Apple has not offered a limiting principle, rooted in the intrinsic evidence, to establish why an electronic document may not be nested in another electronic document and why an "edge of an electronic

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document" therefore may not be internal to the document in light of Samsung's example. Thus, the claim language supports Samsung's position. With this understanding, the Court looks to other evidence for guidance." (see pages 20-21 of Exhibit 7)

...

"Thus, while none of the Blocks in Figure 8C is an electronic document on which the snap back function is applied in this specific embodiment, nothing in the specification precludes any Block from being an electronic document in another embodiment. Phillips, 415 F.3d at 1323 (noting that "persons of ordinary skill in the art rarely would confine their definitions of terms to the exact representations depicted in the embodiments"). Indeed, at the Markman hearing, **Apple accepted the notion that a display window could contain two adjacent electronic documents for purposes of the '381 Patent when each document scrolled independently from the other. Markman Hr'g Tr. at 99-101.**" (see pages 21-22 of Exhibit 7)

...

"Moreover, Dr. Van Dam has not explained why a webpage beyond the edge of an embedded digital image is "new information," such that the snap back feature does not apply, while a wallpaper image beyond the edge of a digital image is not "new information," such that the snap back feature does apply. See '381 Patent at 27:36-39 **(specification expressly discloses embodiments that display a "wallpaper image such as a picture or pattern" beyond the edge of the electronic document).** Nor

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has Dr. Van Dam explained why this distinction would be apparent to a person skilled in the art.

Apple has not justified adopting a construction that would limit the claims to one embodiment in the specification. Alternatively, Samsung's construction is in harmony with the claim language and the specification. Accordingly, the Court construes "edge of [an or the] electronic document" to have its plain and ordinary meaning. Thus, **the Court does not limit the term "edge of [and or the] electronic document" to mean only an external edge as is urged by Apple. An "edge" of an electronic document may be internal.**" (see page 23 of Exhibit 7)

In Summary, and as supported by the Examiner through independent evaluation of web pages can and do contain other individual files/document embedded within them each of which has an edge that acts as a border between it and other documents, the parent document, and or non-document traversable areas.

Under Lira, whole documents (webpages) further contain individual images and column based text portions (see page 11, line 27 through column 12, line 2 and in figure 8A), that are internal to the webpage as a whole, where bounce back is effected responsive to the window being misaligned with the column based sub-document content (see page 15, lines 18-31). Furthermore, under Lira, the column in which the display window is located over could be an outside column where when the window is moved away from the document and over an outside boundary, the bounce back could

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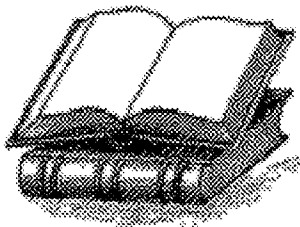
be responsive to the document as a whole, moving from the whitespace on the top, bottom, and sides of the webpage back over the webpage.

To further support the Examiner's view that content columns/image embedded in the webpage are themselves separate documents, the Examiner has supplied the an online article written in 1998, by J.Koren, under the title of "Including Images in Web Pages", at <http://unsco.org/webworld/infotraining/inline.html>, hereinafter UNdoc. UNdoc provides a description of exactly how images are embedded in documents, specifying that:

- "Even though the images are all seen together along with the text, each is a separate file." (see page 1).

- "To include an image in a web document, you need to use an image tag, `<IMG SRC="address">`, where "address" is the address and name of a given image file. It can be a relative or absolute address, following the rules for relative and absolute addresses given in the tutorial on links. For instance:

`<IMG SRC="images/books.gif">` produces:



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Additionally, it is also important to remember that even if there are no internal edges, Lira still provides for an ability to navigate to an area beyond the edges of the document as a whole while input is maintained on the display, thereafter returning to the column.

**b. Arguments Directed Toward an "Edge of the Electronic Document"**

**i.**

Patent Owner argues that "The Offices interpretation of "edge of the electronic document" is unclear".

In response, the Examiner respectfully submits that the document has several edges as each of which is provided below:

1. Edges of individual columns—There are two way to look at this:

(1) if the columns are each treated as individual documents, as the Examiner and 3PR agree, they are then each bordered on the top, bottom and sides with a document edge that separates that particular column for other columns, the header, the colophon, and / or an area outside of all other document content.

(2) even if columns are not interpreted as individual documents they are still separated by edges that separate them from other document segments (other columns, the header, the colophon, and / or an area outside of all other document content),

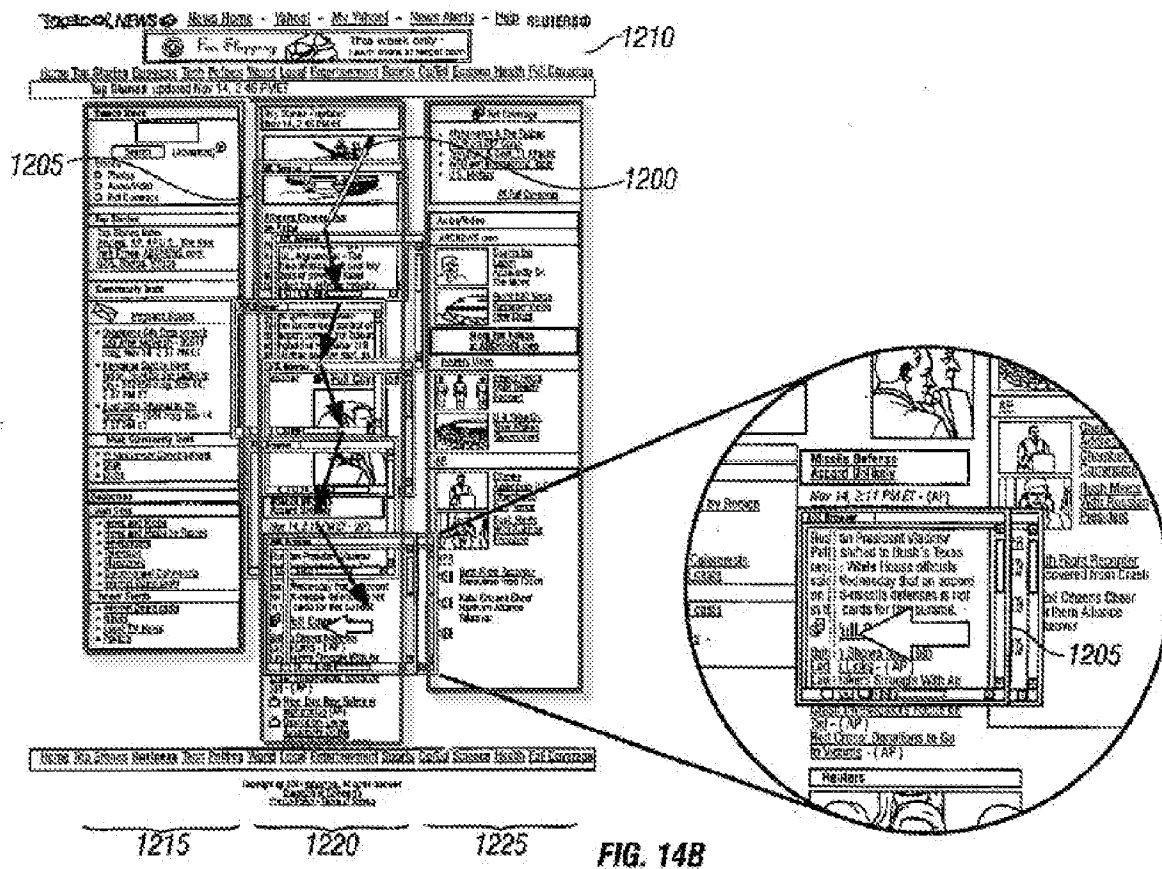
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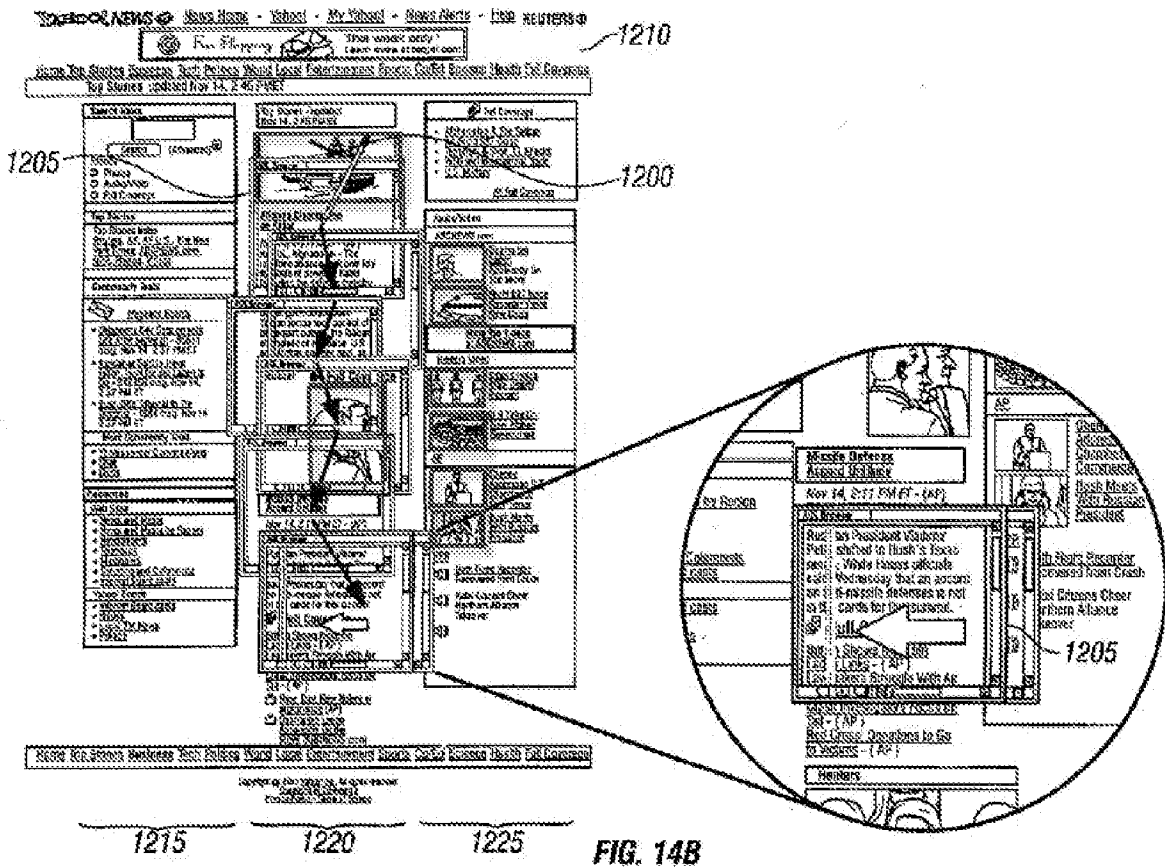
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where the area between the separate document segments is defined by either the client or the host that reformatted the webpage (see page 11, lines 1-24).

Leaving at least the following edges:



2. Edges of images – were image have been shown above with reference to the UNdoc to be separate files than the webpage. Leaving at least the following edges:



3. Edges of the reformatted document as a whole- as when the document goes through reformatting for display on a small screen display device as described in LIRA it transitions form a page filling square of a document:



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**Amazon Up 22 Percent on Retail Data**

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ISI	37.49	+1.27																
ASST	9.41	+2.12																

Analysts said businesses for both online and traditional retailers appeared to be picking up after shopping virtually ground to a halt following the Sept. 11 attacks.

Amazon stock rose \$1.62 to \$8.91 on Nasdaq Wednesday afternoon. Analysts also were encouraged by Amazon's recent partnerships with retailers like Target Corp. (NYSE: TGT-news).

"Online sales should go up (this holiday season) because people won't be traveling as much. Amazon seems to be doing much better, and I credit it to their recent partnerships," said Gail Spitzer, an analyst with GartnerG2.

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FIG. 4A

To a reformatted document where column sizes are shrunk to the width of the small screen display device [425]:

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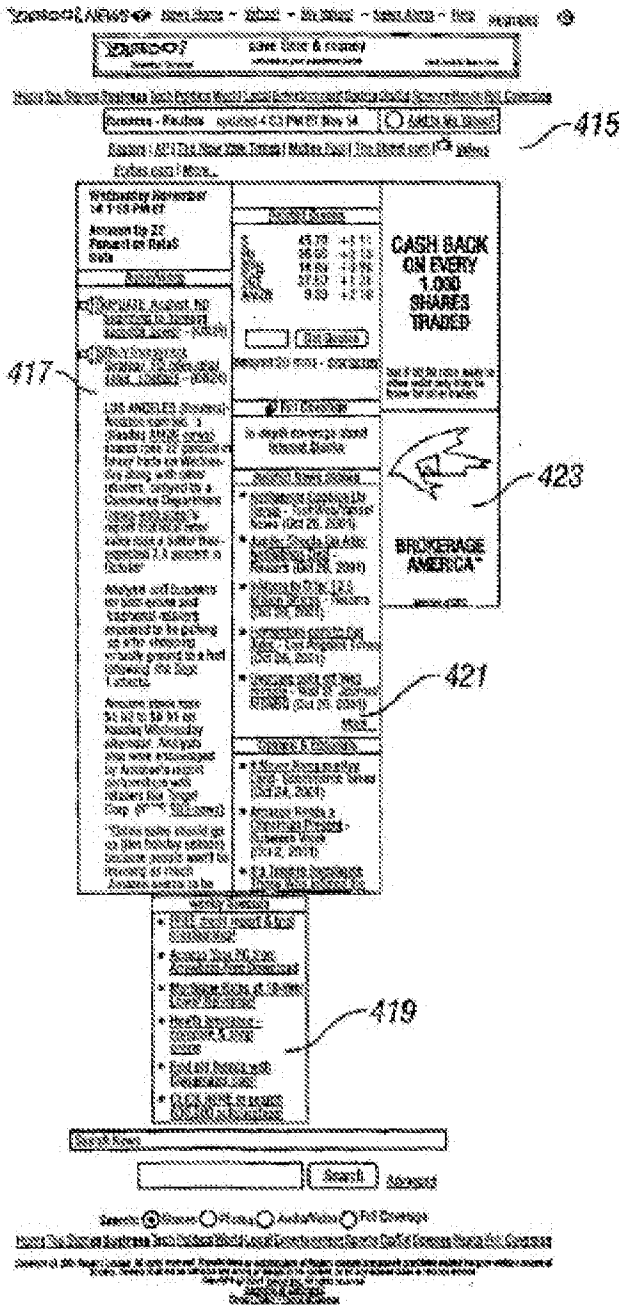
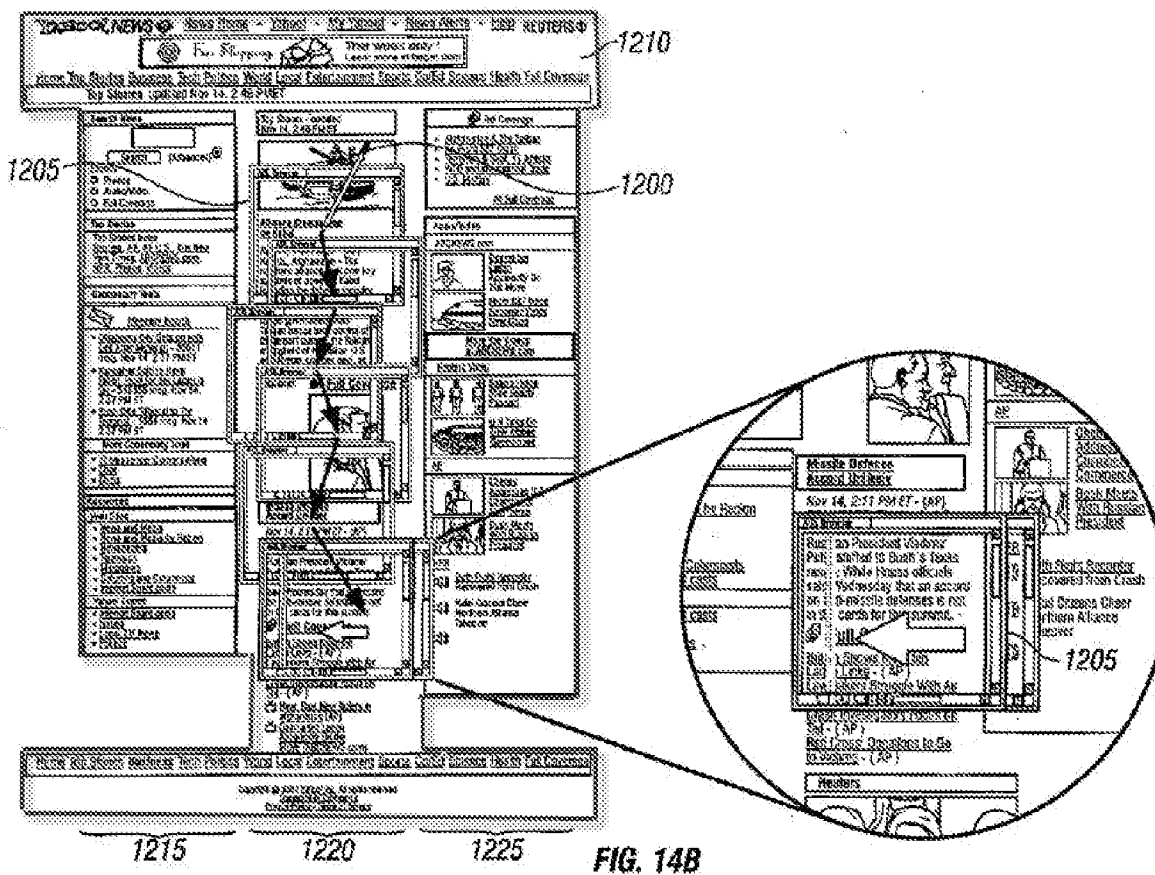


FIG. 4B

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This leave an additional traversable area outside of the column on the left and right sides, where this area is not shown to be part of the document (supra), and further it could not possible be defined by the document as it didn't exist until the document was reformatted by either the client or the host for view on the small screen display device (see page 11, lines 1-24). Leaving at least the following edges:



ii. Argument pertaining to "column boundary" (from page 29)

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Patent Owner argues that "In other words, the edges of an internal embedded electronic document are "internal edges," but a simple line drawn somewhere on the web page is not an "internal edge" under the court's construction."

In response, the Examiner agrees with the Patent Owner that internal hand drawn lines are not images, as they are not the border of a document.

**iii.**

Patent Owner argues that "However, the phrase "edge of an electronic document" appears nowhere in the claims, or indeed in the patent. The proper phrase for construction is "edge of the electronic document," limited to the definite article "the," as reflected in the claims. If the indefinite article "an" were not erroneously substituted for "the" in this analysis, the court would not likely have concluded, in light of the disclosure, that an edge of "the" singular electronic document may be internal."

In response, the Examiner respectfully submits that an edge of an internal document is also a corresponding edge of the surrounding document, or neighboring document. Specifically with the '381 Patent and Lira what is of importance is maintaining display of the display region of interest, so edges between display regions are these edges that warrant further processing by the system and effect the bounce back from an area beyond the edge. The Examiner further notes that with respect to each embodiment described by the Examiner in Lira that reads on the claims the

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document scrolled across / panned is the same document whose edge is reached and then bounced back to from a non-document area.

Patent Owner argues that "As Professor Myers notes in his declaration, the phrase "electronic file" in the '381 specification refers to a digital file which contains display data for the display of an "electronic document having a document length and a document width," Myers Decl. I[[ 21-22; see '381 patent, col. 2, lines 14-19. To a person of ordinary skill in the art, such electronic documents as described in the '381 specification would not "contain data for the display of areas beyond the edges of the electronic document of a particular height and width." Myers Decl. paragraph 22. Accordingly, the assertion that an edge of "the" electronic document could be internal, and therefore that the electronic document could include within itself areas beyond internal edges, runs contrary to the understanding of one skilled in the art."

In response, the Examiner respectfully submits that in this case the internal image would not store data about the rest of the webpage in its file, nor would the web page store anything more than a link to the image. This is evidenced by the UNdoc's description of exactly how images are embedded in documents, specifying that:

- "Even though the images are all seen together along with the text, each is a separate file." (see page 1).
  
- "To include an image in a web document, you need to use an image tag, <IMG SRC="*address*">, where "address" is the address and name of a given image file.

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**3. Arguments regard the “edge of the electronic document” being "reached while translating the electronic document in the first direction"**

Patent Owner argues that the “edge of the electronic document” is not "reached while translating the electronic document in the first direction".

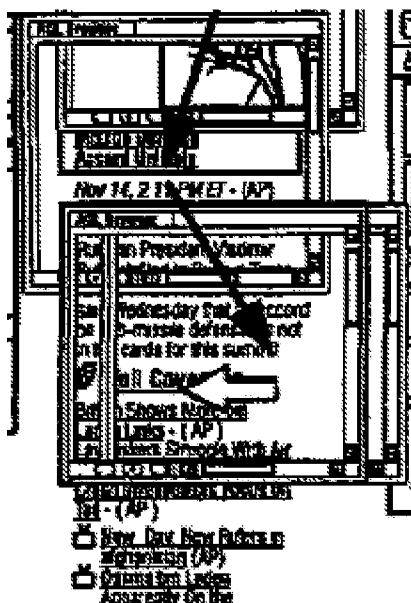
In response, the Examiner respectfully submits that:

With respect the embodiment described in figure 14B of Lira, where the **bounce back is done with respect the single middle column being traversed**, column boundaries are meet multiple times during vertical scrolling but the bounce back / rubber banding is only effected when the input is lifted. Specifically, the claim can be read on alone by the last black arrow and the corrective white arrow, in this case scrolling starts from a position off of the left edge yet because input is maintained on the screen no horizontal correction will occur, now as the user traverses diagonally down and right several to several hundred different views of the web page column come into view until the point where the right edge of the column is meet here an area outside of the column will begin to be displayed until the point in which input is removed from the display, only then will the movement beyond the bounds of the column be corrected by the movement depicted by the white arrow. (see page 15, lines 18-31)

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Another example that Lira would provide for would be for direct vertical scrolling down, where several to several hundred images are depicted in a direct vertical scroll, where then a horizontal movement is imparted on the already downward movement (slight horizontal movement where there is still a downward component), this causes the column border to be reached, and exceeded displaying an area outside of the column will begin to be displayed until the point in which input is removed from the display, only then will the movement beyond the bounds of the column be corrected by the movement depicted by the white arrow. (see page 15, lines 18-31) Lira further provides for horizontal and vertical motion to be separately considered, allowing this to be looked at as still being a downward scrolling albeit with a horizontal component (see page 16, lines 12-18).

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With respect to the previously disclosed embodiment where a user can scroll horizontally between columns with their finger on the screen, say the user starts on the middle column (first portion) of figure 10 and then moves their finger horizontally so as to display portions of each of the middle and the left column (second portion of the document), as the user continues to scroll horizontally eventually they reach the left edge of the left column, and even overtake the border displaying an area outside of the columns (outside of the document) along with a smaller area of the document (third portion) (see the first AOL browser window in figure 10), then according to and implementation explicitly defined in Lira of a "vertical alignment control" (see page 15, lines 18-31), "when the user lifts the pen" (or finger) the window "snap[s]" to the nearest logical column, or in this case the left column, thereby displaying the fourth portion. This allows the bounds of the reformatted document to be overtaken so as to show that the document ends at this point, but then upon a release of the input replaces the user over the document as is described in the '381 patent.

Patent Owner argues that "any right boundary of column 1220 must already be within the display window when translation in the asserted first direction begins."

In response, the Examiner respectfully submits that nothing in the claim requires a beginning state where the window is centered, nor does the claim start at a point where input is first placed on the screen, rather the claim starts with a "movement of an



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object on or near the touch screen display", which actually is much closer to an intermediate state where contact is already applied. Lira further does not expressly teach that the boundary is displayed within the centered window. Furthermore, reformatting of the page (sizing of columns to a width equal to a display width) is effected by either the host or the client themselves, allowing for diverse configuration ability.

Patent Owner argues that "Lira is expressly disclosed to be programmed so that any leftward or rightward translation interpreted as intentional does not snap the display back to the starting column, but instead either does nothing, or moves the display further in that direction to another column, see Lira page 15, lines 18-29. Thus, the only situation in which an intentional translation toward the asserted "edge" would operate to snap the display back to the column upon liftoff would be if the user had failed to correctly set the sensitivity thresholds that Lira uses to interpret such movements as intentional or not."

In response, the Examiner respectfully submits that this paragraph is inconsistent with the disclosure of Lira. Lira teaches a "snap to the nearest logical column" where when a user over scrolls a column they are bounced back over the adjacent column upon removal of input, so long as they don't over scroll it by a distance over a threshold that would imply that they desire to scroll to an adjacent screen portion. (see Lira page 15, lines 18-29)

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Patent Owner argues that ""The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic." M.P.E.P. § 2112(IV) (emphasis added) (citing *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993) (reversing rejection because inherency was based on what would result due to optimization of conditions, not what was necessarily present in prior art); *In re Oelrich*, 666 F.2d 578, 581-82, 212 USPQ 323, 326 (CCPA 1981)."

In response, the Examiner respectfully submits that this is the way movements in Lira need operate under conditions expressly described or displayed in the figures.

**B. Arguments directed at "displaying an area beyond the edge of the electronic document"**

Patent Owner argues that "the portion displayed in display window 1205 labeled "asserted area beyond the edge" is simply another portion of webpage electronic document 1210 beyond an asserted (and unidentified and undiscussed by Lira) boundary of column 1220. Since the column is not "the electronic document," this is not an area beyond the edge of it."

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In response, the Examiner respectfully submits that to determine what is part of the document and what is not part of the document we need to first discuss what makes up the document. Here the original document is a standard HTML based webpage, the content of the document is reformatted where each portion is reformatted to best be viewed on a small screen display device. Noted embodiments include: 1) placing header, body, and footer into a single column the width of the display window (see page 9, paragraph 5 and figure 3); 2) separating the page into components and reformatting each of a plurality of columns into a logical column with a width that is less than or equal to the display window width, then "the logical columns ... are aligned for viewing on the display" (page 10, line 22 through page 11, line 17).

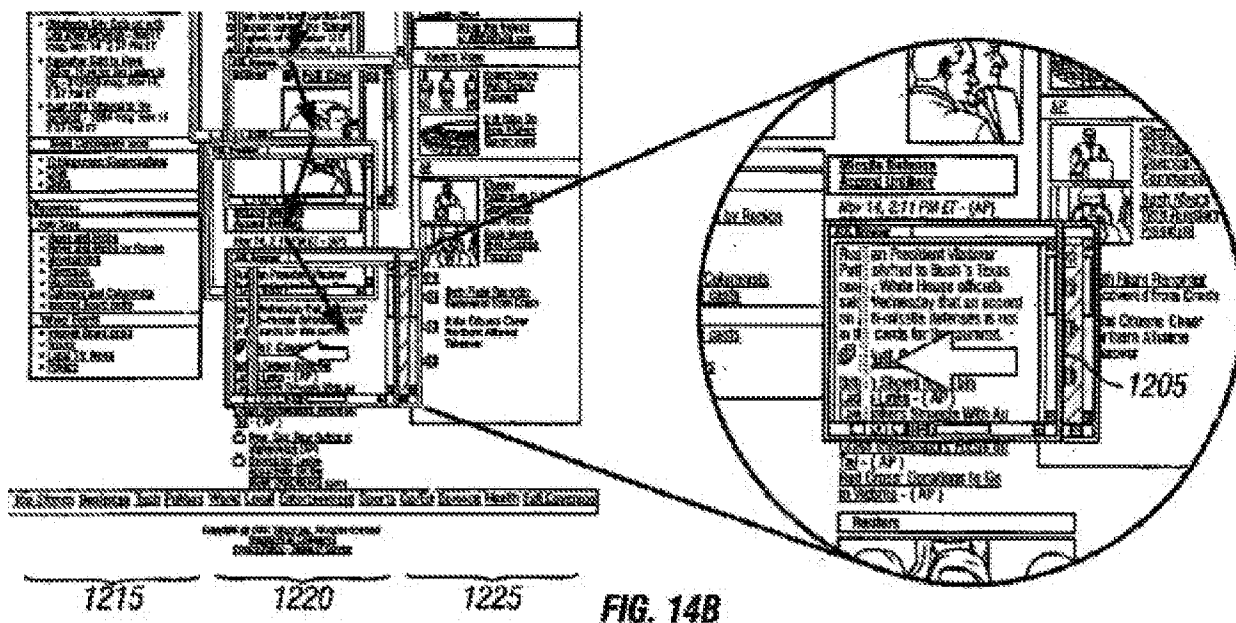
#### **AREA BETWEEN COLUMNS**

Here this is no longer a standard single webpage document but rather a parsed and reassembled document made up of separate distinct subdocument portions that have been reformatted and then presented together for display, while additionally providing for additional constraints between columns to control scrolling between columns / maintaining display in a column of interest. Additionally the assembled components can be saved "in a language other than HTML for easier viewing on the small display window." Below the Examiner has applied stripes to areas believe to be outside of the column document:

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### AREA OUTSIDE COLUMNS

Additionally, Lira notes reformatting a page so as to create a plurality of logical columns sized to the display window size, while allowing the header and colophon to maintain their previous dimensions. These columns are “reduced to a width that does not exceed the width of the display window” (see page 10, paragraphs 1-3). Lira at no point describes reformatting a border area outside of the columns, merely showing it as a traversable outside of the documents limits.

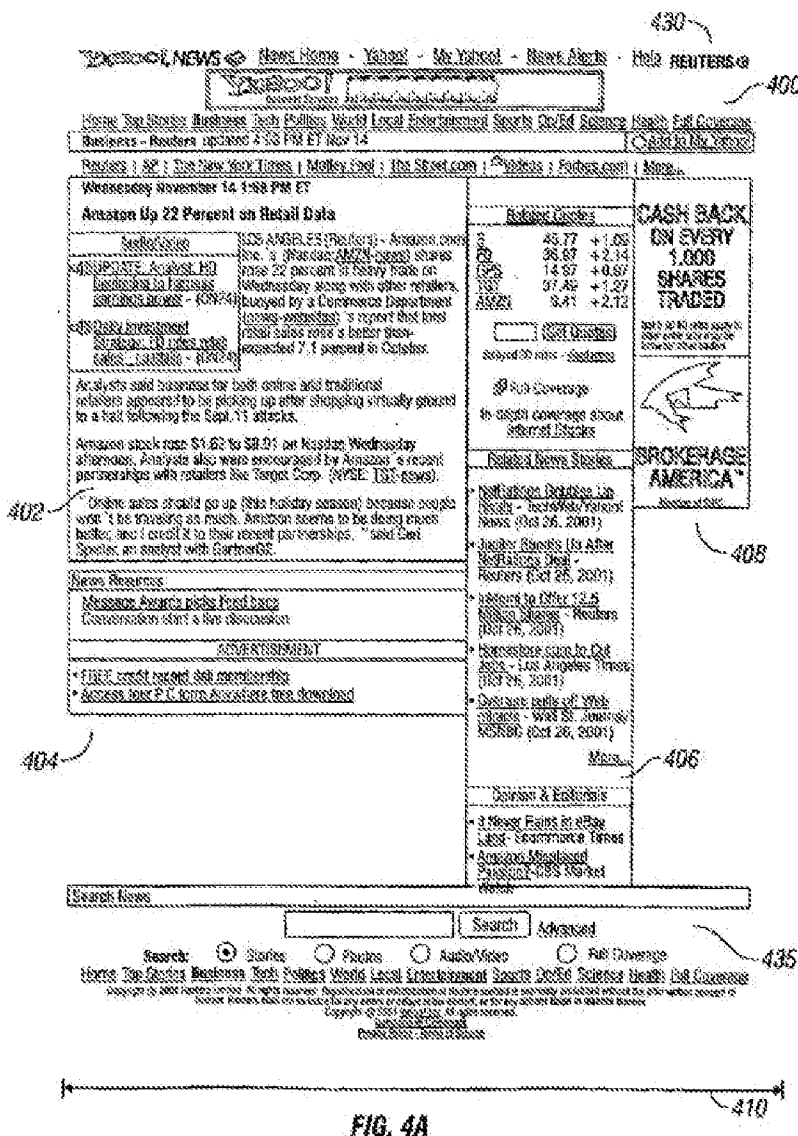
To better show the limits of the page in Lira, the page itself need be defined. Lira provides for the reformatting of a page coded in HTML, or a web page (see page 9, paragraph 6 through page 10, paragraph 3), where Lira defines the page as elements

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400 and 415, corresponding to the ordinary and reformatted page respectively. Each page is said to consist of 4 elements:

for the ordinary HTML based web page:

402, 404, 406, and 408 each having differing widths as ordinarily sized to fit within a wide window; and



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for the reformatted:

417, 419, 421, and 423 with widths corresponding to the width of the narrow display

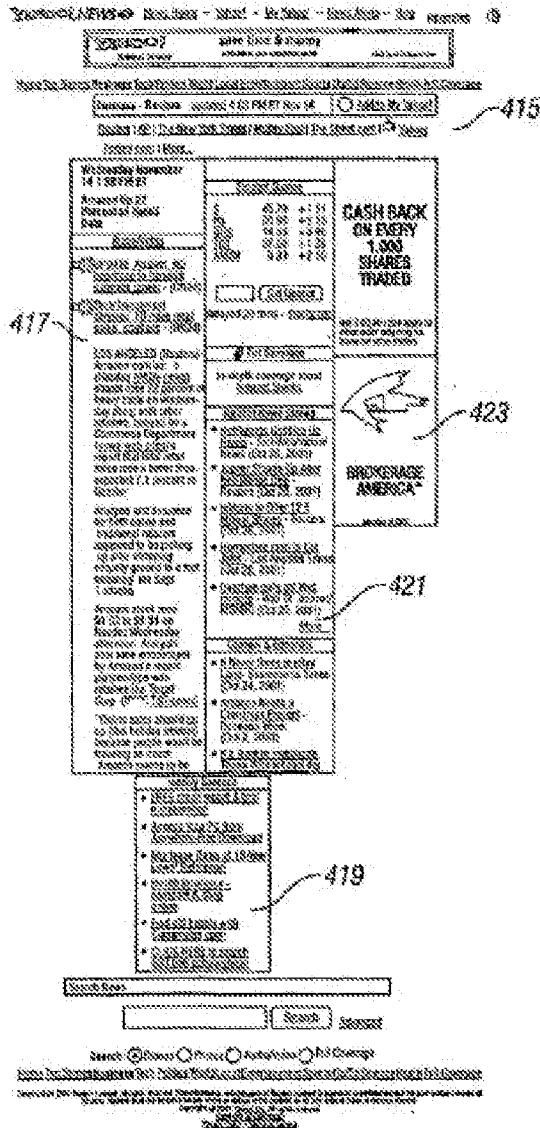
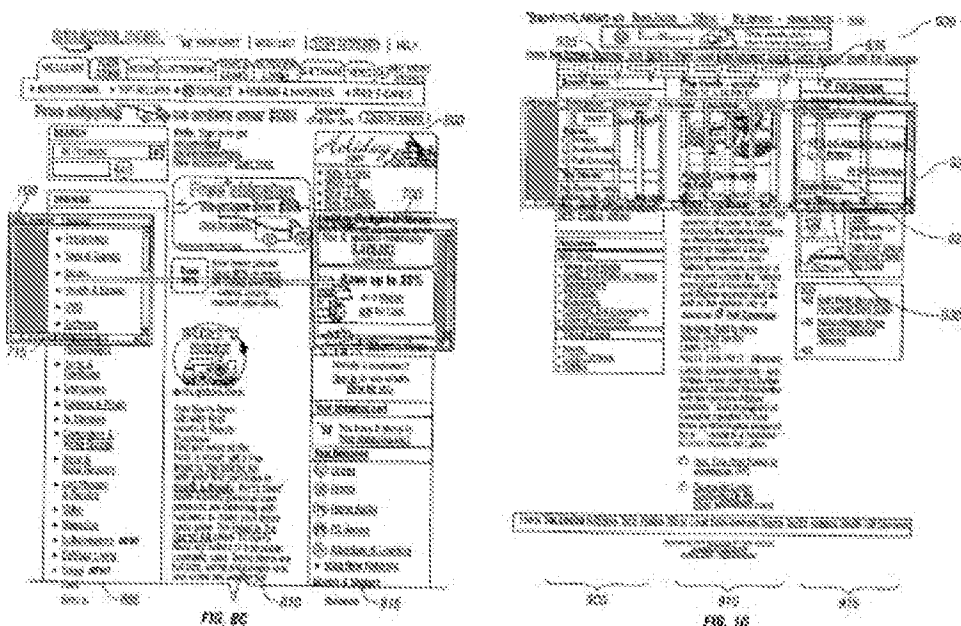


FIG. 4B

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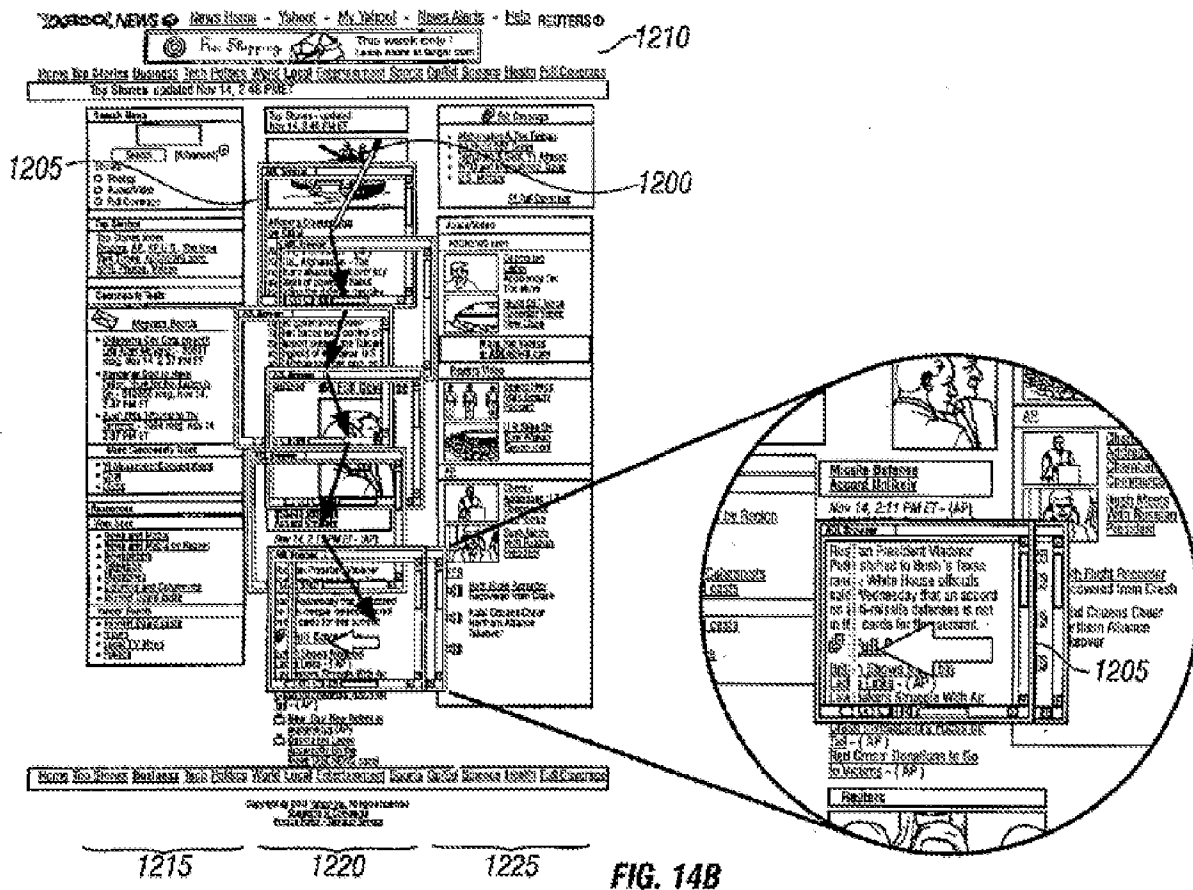
As Lira then reformats the page to the display of figure 4B, there is left as additional space on the sides of the reduced columns that is not defined by the document (not a portion of the 4 elements of the document). Figures 8C and 10 show that this space outside of the columns can be navigated to, when the user maintains input contact with the display, showing an area devoid of document content. This area has been greyed in by the Examiner to better illustrate the offset position.



Where this area outside of the column document area, is only shown until the user removes contact from the display, at which point a "vertical alignment control" causes the nearest logical column to snap into alignment with the

display window, thereby removing display of the non-document / outside area.

Additionally, a "horizontal alignment control" may also be used to keep the document within the bounds of the display (see page 15, third paragraph through page 16, third paragraph).



With regard to arguments by the Patent Owner regarding what is interpretable as an edge of the document, Lira has been shown to take the webpage and reformat into a more easily viewable form for a small screen



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display device, doing this by creating its own logical columns intelligently sized so as to fit within the screens bounds. These logical columns are then displayed adjacent to one another, and traversable in-between, but this is not a typical traversal as would be the case if this were the original web page document, but rather an intelligent constrained navigation where a user would have to show that they really intend to leave a column (through increased movements) to be directed to an adjacent column and leave the prior. This new gap that exists between the columns is not part of the original document but rather but rather a non-document portion defined by the area between the edges of the two logical columns.

Even if the internal edges where not edges of the document, which the Office contends that they are and is further supported by the courts construction of claim terms of exhibit 7 pages 17-23, the area outside of the columns would clearly be an area beyond the edge, where this area can clearly be reached upon traversal (see Figures 8C and 10). The '381's specification even further defines that a wallpaper image is displayed beyond the edge of the document (see column 27, lines 36-40). To say that the area outside of the columns is still part of the document contradicts the teachings of Lira which shrinks columns so as to allow them to fit within the reduced size display. When the columns are shrunk space is left below the header on the sides of the columns where document content previously existed. To go even one step further, Lira shows

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embodiments where the window traversal stretches outside of the bounds of the header and colophon (see figures 8C and 16, amongst others).

**C. Arguments regarding “displaying an area beyond the edge of the electronic document,” ... “in response to [the] edge... being reached”**

Patent Owner argues that “the asserted “area beyond the edge” is simply the contiguous area adjacent to the previously displayed portion of the asserted “electronic document,” (column 1220), and which will be displayed by translation in that direction without any regard to whether or not an edge of a column is reached. There is no disclosure that Lira modifies its behavior in any way depending upon whether this boundary reaches the screen, or even makes any special note of it reaching the screen.”

In response, the Examiner respectfully submits that Lira has been shown to take the webpage and reformat into a more easily viewable form for a small screen display device, doing this by creating its own logical columns intelligently sized so as to fit within the screens bounds, where the page is even recordable in a “language other than HTML” (11:1-9). These logical columns are then displayed adjacent to one another, and traversable in-between, but this is not a typical traversal as would be the case if this were the original web page document, but rather an intelligent constrained navigation where a user would have to show that they really intend to leave a column (through increased movements) to be directed to an adjacent column and leave the prior. This

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new gap that exists between the columns is not part of the original document but rather but rather a non-document portion defined by the area between the edges of the two logical columns.

**D.** Arguments directed at “displaying a third portion of the electronic document... while translating in the first direction”

Patent Owner argues that “The scrolling described in the Office Action is not displaying this portion while translating the electronic document “in the first direction.” In particular, as shown in the various copies of Fig. 14B annotated by the requester in Exhibit 6, Part A, there are clearly several intermediate translations between the translation in the first direction from the asserted first portion to the asserted second portion and the subsequent later translation in a different direction to the asserted third portion, so that the display of the asserted third portion and the area beyond the edge do not occur while translating in the first direction (i.e., from the first to the second portion).”

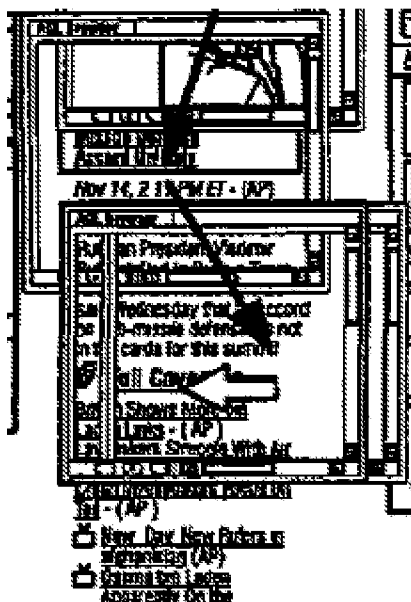
In response, the Examiner respectfully submits that with respect the embodiment described in figure 14B of Lira, where the **bounce back is done with respect the single middle column being traversed**, column boundaries are meet multiple times during vertical scrolling but the bounce back / rubber banding is only effected when the input is lifted. Specifically, the claim can be read on alone by the last black arrow and the corrective white arrow, in this case scrolling starts from a position off of the left edge

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yet because input is maintained on the screen no horizontal correction will occur, now as the user traverses diagonally down and right several to several hundred different views of the web page column come into view until the point where the right edge of the column is met here an area outside of the column will begin to be displayed until the point in which input is removed from the display, only then will the movement beyond the bounds of the column be corrected by the movement depicted by the white arrow. (see page 15, lines 18-31)



Another example that Lira would provide for would be for direct vertical scrolling down, where several to several hundred images are depicted in a direct vertical scroll, where then a horizontal movement is imparted on the already downward movement (slight horizontal movement where there is still a downward component), this causes the column border to be reached and exceeded displaying an area outside of the column will begin to be displayed until the point in which input is removed from the display, only

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then will the movement beyond the bounds of the column be corrected by the movement depicted by the white arrow. (see page 15, lines 18-31) Lira further provides for horizontal and vertical motion to be separately considered, allowing this to be looked at as still being a downward scrolling albeit with a horizontal component (see page 16, lines 12-18).

Patent Owner argues (from page 39) that "The claim requires that both the "second portion" and the "third portion" be displayed "while translating in the first direction." However, as shown in Fig. 14B, there are clearly several intermediate changes of direction of translation between the translation in the "first direction" from the display of the first portion to the display of the second portion, and the subsequent later translation in a different direction to the third portion."

In response, the Examiner respectfully submits that again each arrow depicts for several to several hundred translations of viewable content. Additionally, each of the arrow depict scrolling in a common down direction, with the white arrow clearly depicting the only opposite direction of movement.

Patent Owner argues that "if the user has scrolled directly downward, with no horizontal wobble, then when pen 100 lifts off the screen the display will not move and no "snap" will be seen. In sum, even Lira takes different actions depending on these different translation directions."

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In response, the Examiner agrees with the Patent Owner to the extent that there will be no bounce back, that is unless the user scrolls down past the bottom of the column where then a vertical bounce back may occur utilizing the "horizontal alignment control" to move back to the edge of the column, unless sufficient movement past the bottom column occurs so as to show that the user attempts to view the colophon rather than the column (see page 16, lines 1-18).

**E. Arguments regarding “displaying a third portion of the electronic document... smaller than the first portion”**

Patent Owner argues that “Everything that is being displayed at this point in the scrolling is part of the web page, and part of the same electronic document. Myers Decl. I][ 87-88. Therefore, the third portion of column 1220, even if smaller than the first portion of column 1220, does not disclose "displaying a third portion of the electronic document, wherein the third portion is smaller than the first portion," as claimed in Claim 1.”

In response, the Examiner respectfully submits that Lira has been shown to take the webpage and reformat into a more easily viewable form for a small screen display device, doing this by creating its own logical columns intelligently sized so as to fit within the screens bounds, where the page is even recordable in a “language other than HTML” (11:1-9). These logical columns are then displayed adjacent to one another, and traversable in-between, but this is not a typical traversal as would be the case if this

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were the original web page document, but rather an intelligent constrained navigation where a user would have to show that they really intend to leave a column document (through increased movements) to be directed to an adjacent column document and leave the prior. This new gap that exists between the columns is not part of the original document but rather but rather a non-document portion defined by the area between the edges of the two logical columns. So under this premise when the user partially scrolls off a column / image to partially display a neighboring border or other column or an outside area, the display space remaining to show the partial original column /image is diminished.(see figures 10 and 14B)

**F.** Arguments regarding the “area beyond the edge of the electronic document” being “no longer displayed”

Patent Owner argues that “even if column 1220 were “the electronic document” of the claim, and, even if Lira discloses the location of the asserted “edge” of column 1220, Lira still does not disclose, in response to detecting that the finger is no longer on or near the touch screen display, translating the electronic document in a second direction until the area beyond the edge of the column is no longer displayed. The “snap”-to-center column does not translate the electronic document in a second direction until the area beyond the edge of the column is no longer displayed.

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In response, the Examiner respectfully submits that Lira provides for two different means of “vertical alignment control”. In the First, vertical bars can be set up a thresholds for user scrolling where when a user is traversing vertically, slight horizontal movements are merely ignored, providing for completely straight up and down scrolling. In the Second, the embodiment specifically used against the claims, the same set up of vertical scrolling with threshold bars is used, however, as a user scrolls vertically, slight horizontal movements can be made, causing an area outside of the column to be viewed so long as input is maintained on the display, however, when input is removed the window snaps back to the column document being viewed (see page 14, line 28 through page 15, line 15).

Patent Owner argues that “to the extent the right boundary does not happen to be flush with the right edge of the display window, at least some area beyond the edge of the column will still be displayed.”

In response, the Examiner respectfully submits that “The width of each logical column is less than or equal to the display window width.” (see page 11, lines 10-11)

Patent Owner argues that “Lira certainly never discloses that column 1220 is precisely the same width as the display window.”



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In response, the Examiner respectfully submits that **“The width of each logical column is less than or equal to the display window width.”** (see page 11, lines 10-11)

Patent Owner argues that “Thus, even taking the rejection on its own terms, and setting aside whether a column is “the electronic document” of the claims at all, for just this one step of the claim to occur in the operation of Lira’s alignment control, at least two unguaranteed events must occur first: (i) the column must be set to a width that is not simply no wider than the width of the display window, but exactly the same as the width of the display window; and (ii) the user’s scrolling must wobble to an extent that does not exceed a user-defined threshold of snap sensitivity.”

In response, the Examiner respectfully submits that Lira supplies results for both situations:

- **“The width of each logical column is less than or equal to the display window width.”** (see page 11, lines 10-11)
- Determining the user’s intent to continue to view the current column or traverse to an adjacent column. (see page 4, lines 1-8)

### III. **Dependent Claims 2-6, 8-12, and 16**

#### A. **“wherein the electronic document is a web page”**

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With regard to claim 6, and applicants contention that the Office action merely treated the logical columns alone as documents, the Examiner contends that the logical columns are portions of the web page document as a whole. where yes when a user moves away from a logical column the bounce back feature occurs, because a user is actually moving away from a portion of the electronic document, over a border that divides / provides an edge to the electronic document, even though this edge may serve as a divider between the current logical column and the next logical column of the same webpage.

**B. “wherein the electronic document includes a list of items”**

With regard to claim 9, the claim requires that “the electronic document includes a list of items”, where, as can be seen from figure 14B multiple lists of items are included in the electronic documents, for example in the first column,

Top stories include:

- Photos
- Audio/Video
- Full Coverage

Community Tools includes a Message Board with a list of associated items and then further More Community Tools with a list of three more items

Recourses include:

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#### Web Sites

- News and Media
- News and Media by Regions
- Newspapers
- Television
- Magazines
- Columns and columnists
- Internet Broadcasts

#### Yahoo! Events

- Internet Broadcasts
- Issues
- Local TV News
- Politics

#### **C. “wherein the second direction is opposite the first direction”**

With regard to claim 10, the second direction movement is opposite the horizontal component of the first movements. Given the Example of figure 14B and the explanation of page 15, 3rd paragraph and page 16, paragraphs 1-3, Lira teaches movement in a first direction causing the traversal off of the portion of the document (column), where subsequent to a user releasing their contact the window is moved back over the column in the opposite direction to the horizontal component of the movement off of the column.

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Furthermore, given the example provided above where Lira provides for an embodiment where a user can scroll directly horizontally between columns with their finger on the screen, say the user starts on the middle column (first portion) of figure 10 and then moves their finger horizontally so as to display portions of each of the middle and the left column (second portion of the document), as the user continues to scroll horizontally eventually they reach the left edge of the left column, and even overtake the border displaying an area outside of the columns (outside of the document) along with a smaller area of the document (third portion) (see the first AOL browser window in figure 10), then according to and implementation explicitly defined in Lira of a "vertical alignment control" (page 15, 3rd paragraph), "when the user lifts the pen" (or finger) the window "snap[s]" to the nearest logical column, or in this case the left column, thereby displaying the fourth portion. Where snapping in this situation would be a horizontal snapping in the exact opposite direction of all other movement.

#### **IV. Independent claims 19 and 20**

No new arguments are presented under this heading only relying on "same reasons set forth above with respect to claim 1".

#### **Rejection B:**

##### **I. Claims 7 and 13-15**

##### **A. Claim 7**

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With regard to claim 7, Lira teaches giving images the same treatment as columns as far as bounce back in concerned. Specifically, see page 11, paragraph 5, where touch an drag scrolling results in a situation where "only a portion of a column or an image is visible in the PDA display window", where this situation is later said to be dealt with via snapping to the column / image when the input is removed from contact with the display (page 15, 3rd paragraph). Figure 14 further shows images that take up the entirety of columns within the webpage.

**B. Claim 13**

With regard to claim 13, Lira shows from figures 8C, 14B, and 16, displaying the area beyond the edge of the document in solid color, as in the figures white.

**C. Claim 14**

With regard to claim 14, which teaches the area beyond the edge of the document being visually distinct from the document, the 3PR provided that:

“As discussed above in connection with claim 13 (supra at 45), it would have been obvious to one of ordinary skill in the art to have the area beyond the edge of the document be a solid color or shade (e.g., white, black, gray, or any other solid color). Similarly, it would have been obvious to choose any one of these or other colors that have a sharp contrast from the document background to further clarify to the user that the end of the document has been reached, because an edge can be better conveyed by the application of contrast. Coloring

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the area beyond the edge of the document a single shade so as to display some contrast with the edge of the document would have been a simple design choice representing a trivial and predictable variation, dependent on the designer's aesthetic preference. Visual distinctions were not novel in user interfaces, and their use here would have been entirely predictable to a person of ordinary skill.”

The Examiner, however, notes that this is a primary objective of their invention that is not specifically discussed / satisfied by LIRA, and has such removed the rejection and confirmed dependent claim 14.

**D. Claim 15**

There are only same “as noted above” arguments presented under this heading.

**II.**

The Examiner notes that all supplied documentation has been reviewed showing the industrial applicability as well as alleged and proven copying by other parties.

**REJECTION C:**

**Rejections over Ordning**

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The Examiner has reviewed the 37 C.F.R. § 1.131 declaration by Mr. Ording, and has removed the Ording '975 reference based upon the sworn statements provided along with evidence of actual reduction to practice prior to the reference date.

All other arguments with respect to Ording '975 are moot given the accepted 37 C.F.R. § 1.131 declaration.

### **Summary**

The Patent Under Reexamination's purpose is to show an area beyond a document edge upon maintaining input so as to visually display to a user the area they are attempting to view and provide them with the perception that they have reached the end of the document in this direction, then upon removal of input bouncing back / rubber banding / snapping to a display of the nearest display area which was left. This is exactly what Lira does by providing a display of an area beyond the document so as to show the user where they are in the traversal yet allowing for the window to "snap" back over the document upon removing input.

Claims 1-13, 15, 16, 19, and 20 are rejected.

Claims 14, 17, and 18 are confirmed.

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### **Litigation Reminder**

The patent Owner is reminded of the continuing responsibility under 37 CFR 1.565(a) to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving Patent Number: 7,469,381 throughout the course of this reexamination proceeding. The third part requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286.

### **Conclusion**

#### **THIS ACTION IS MADE FINAL.**

A shortened statutory period for response to this action is set to expire 2 from the mailing date of this action.

**Extensions of time under 37 CFR 1.136(a) do not apply in reexamination proceedings.** The provisions of 37 CFR 1.136 apply only to "an applicant" and not to parties in a reexamination proceeding. Further, in 35 U.S.C. 305 and in 37 CFR 1.550(a), it is required that reexamination proceedings "will be conducted with special dispatch within the Office."

**Extensions of time in reexamination proceedings are provided for in 37 CFR 1.550(c).** A request for extension of time must be filed on or before the day on which a response to this action is due, and it must be accompanied by the petition fee



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set forth in 37 CFR 1.17(g). The mere filing of a request will not affect any extension of time. An extension of time will be granted only for sufficient cause, and for a reasonable time specified.

The filing of a timely first response to this final rejection will be construed as including a request to extend the shortened statutory period for an additional month, which will be granted even if previous extensions have been granted. In no event however, will the statutory period for response expire later than SIX MONTHS from the mailing date of the final action. See MPEP § 2265.

### ***Correspondence Information***

All correspondence relating to this *ex parte* reexamination proceeding should be directed:

By Mail to: Mail Stop *Ex Parte* Reexam  
Central Reexamination Unit  
Commissioner for Patents  
United States Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

By FAX to: (571) 273-9900  
Central Reexamination Unit

By hand: Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Reexamination Legal Advisor or Examiner, or as to the status of this proceeding should be directed to the Central Reexamination Unit at telephone number (571)272-7705.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through

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Private PAIR only. For more information about the PAIR systems, see <http://pair-direct.uspto.gov>. For questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Dennis G. Bonshock/

Primary Examiner, Art Unit 3992

/Adam L Basehoar/

Primary Examiner, Art Unit 3992

/Alexander J Kosowski/

Supervisory Patent Examiner, Art Unit 3992

<b>Notice of References Cited</b>	Application/Control No. 90/012,304	Applicant(s)/Patent Under Reexamination 7,469,381	
	Examiner DENNIS BONSHOCK	Art Unit 3992	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A US-			
	B US-			
	C US-			
	D US-			
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**FOREIGN PATENT DOCUMENTS**

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	N				
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	S				
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**NON-PATENT DOCUMENTS**

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
U	J.Koren, 1998, "Including Images in Web Pages", at <a href="http://unsco.org/webworld/infotraining/inline.html">http://unsco.org/webworld/infotraining/inline.html</a>
V	
W	
X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
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<b>Reexamination</b> 	<b>Application/Control No.</b> 90012304	<b>Applicant(s)/Patent Under Reexamination</b> 7,469,381
	<b>Certificate Date</b>	<b>Certificate Number</b>

<b>Requester Correspondence Address:</b>	<input type="checkbox"/> <b>Patent Owner</b>	<input checked="" type="checkbox"/> <b>Third Party</b>
BRYAN CAVE LLP 1290 AVENUE OF THE AMERICAS NEW YORK, NY 10104		

<b>LITIGATION REVIEW</b> <input checked="" type="checkbox"/>	DGB (examiner initials)	07/23/2012 (date)
Case Name		Director Initials
APPLE INC. v. SAMSUNG ELECTRONICS CO. case no. 5:11CV1846		
case no. 1:10CV167		

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<b>Search Notes</b>  	<b>Application/Control No.</b> 90012304	<b>Applicant(s)/Patent Under Reexamination</b> 7,469,381
	<b>Examiner</b> DENNIS BONSHOCK	<b>Art Unit</b> 3992

CPC- SEARCHED		
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US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
Reviewed Previous Prosecution History	7-23-12	dgb
Reviewed Previous Prosecution History	10-9-12	dgb
Reviewed Previous Prosecution History	3-21-13	dgb

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

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<b>INFORMATION DISCLOSURE CITATION</b>  Substitute for Form 1449-PTO				<i>Electronically filed February 4, 2013</i>				
				Application Number	<b>90/012,304</b>			
				Filing Date	<b>May 23, 2012</b>			
				First Named Inventor	<b>Bas Ordning</b>			
				Art Unit	<b>3992</b>			
Examiner Name	<b>BONSHOCK, DENNIS G</b>		Sheet	1	of	1	Attorney Docket Number	<b>P4304USREX2/120730-002US</b>

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	NPL 1	<u>Apple Inc., v. Samsung Electronics, et al.</u> , No. 11-cv-01846-LHK (N.D. Cal.), <i>Order Granting In Part and Denying In Part Motion For Judgment As a Matter of Law</i> , January 29, 2013

Examiner Signature	/Dennis Bonshock/	Date Considered	03/21/2013
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<b>INFORMATION DISCLOSURE CITATION</b>  Substitute for Form 1449-PTO				<i>Electronically filed January 15, 2013</i>		
				Application Number	<b>90/012,304</b>	
				Filing Date	<b>May 23, 2012</b>	
				First Named Inventor	<b>Bas Ordning</b>	
				Art Unit	<b>3992</b>	
Examiner Name	<b>BONSHOCK, DENNIS G</b>		Attorney Docket Number	<b>P4304USREX2/120730-002US</b>		
Sheet	1	of	13			

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		Number - Kind Code <sup>2</sup>			
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	US 2	6,188,391	02-13-2001	Seely et al.	
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		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	FP 1	CN 1754141	03-01-2006	Mulligan et al.		
	FP 2	DE 102008 052485	04-22-2010	Hohne		
	FP 3	EP 0944218	09-22-1999	Ringot		

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				Application Number	90/012,304	
				Filing Date	May 23, 2012	
				First Named Inventor	Bas Ordning	
				Art Unit	3992	
				Examiner Name	BONSHOCK, DENNIS G	
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				Examiner Name		BONSHOCK, DENNIS G	
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	FP 40	JPA 2003-140802	05-16-2003	Sowden Anthony et al		X
	FP 41	JPA 2005-284726	10-13-2005	Watanabe Tomio et al		X
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	FP 48	JP2006-154892A	06-15-2006	Ishida Kenichi		X
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	FP 57	JP2000-181428A	06-30-2000	Kato Kiyosh		X
	FP 58	JP2005-267631A	09-29-2005	Robertson George		X
	FP 59	JPH7-182134A	07-21-1995	Nashiki Noboru		X
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	FP 62	JP2006-244353A	09-14-2006	Murayama Takanori		X
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NON PATENT LITERATURE DOCUMENTS		
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
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<b>INFORMATION DISCLOSURE CITATION</b>  Substitute for Form 1449-PTO				<i>Electronically filed January 15, 2013</i>			
				Application Number		<b>90/012,304</b>	
				Filing Date		<b>May 23, 2012</b>	
				First Named Inventor		<b>Bas Ordning</b>	
				Art Unit		<b>3992</b>	
				Examiner Name		<b>BONSHOCK, DENNIS G</b>	
Sheet	8	of	13	Attorney Docket Number		<b>P4304USREX2/120730-002US</b>	

NPL 81	Apple Inc. v. Samsung Electronics Co., Case no. 11-cv-01846 (N.D. Cal.), Order Construing Disputed Claim Terms, dated 04-04-2012
NPL 82	Apple Inc. v. Samsung Electronics Co., Case no. 11-cv-01846 (N.D. Cal.), Order Construing Disputed Claim Terms of U.S. Patent Nos. 7,469, 381 and 7,864,163, dated 07-20-2012
NPL 83	Apple Inc. v. Samsung Electronics Co., Case no. 11-cv-01846 (N.D. Cal.), Joint Claim Construction and Prehearing Statement Pursuant to Patent L.R. 4-3, dated 11-14-2011, p. 6
NPL 84	Apple Inc. v. Samsung Electronics Co., Case no. 11-cv-01846 (N.D. Cal.), Order Denying Motion for Summary Judgment, dated 06-30-2012, pp. 11-17
NPL 85	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Expert Report of Ravin Balakrishan, Ph.D. Concerning Claim Construction of U.S. Patent Number 7,469,381, dated 01-18-2012
NPL 86	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Respondent's Notice of Prior Art, dated 10-21-2011
NPL 87	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Complainant Apple Inc.'s Claim Construction Brief, dated 01-18-2012, pp. 48-70
NPL 88	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Joint Motion to Amend the Joint Claim Construction Statement, dated 01-18-2012
NPL 89	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Order No. 25: Granting Joint Motion to Amend the Joint Claim Construction Statement, dated 01-19-2012
NPL 90	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Notice of Prior Art, dated 11-07-2011
NPL 91	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Order No. 57: Construing the Terms of the Asserted Claims of the Patent at Issue, dated 06-26-2012, pp.14-49
NPL 92	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Invalidity Exhibit 381-1
NPL 93	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Invalidity Exhibit 381-2
NPL 94	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Invalidity Exhibit 381-4
NPL 95	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Invalidity Exhibit 381-5

Examiner Signature	/Dennis Bonshock/	Date Considered	03/21/2013
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				Application Number	<b>90/012,304</b>	
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				First Named Inventor	<b>Bas Ordning</b>	
				Art Unit	<b>3992</b>	
				Examiner Name	<b>BONSHOCK, DENNIS G</b>	
Sheet	9	of	13	Attorney Docket Number	<b>P4304USREX2/120730-002US</b>	

NPL 96	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Invalidity Exhibit 381-6
NPL 97	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Invalidity Exhibit 381-7
NPL 98	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Invalidity Exhibit 381-8
NPL 99	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, Invalidity Exhibit 381-9
NPL 100	Search information statement dated June 27, 2008, received in Australian Patent Application No. 2008100283, which corresponds to U.S. Application No. 11/956,969, 2 pages.
NPL 101	Decision to grant a European patent, dated September 2, 2010, received in European Patent No. 2059868, which corresponds to U.S. Application No. 11/956,969, 9 pages.
NPL 102	Response to Examiners first report, dated October 21, 2008, received in Australian Patent Application No. 2008100283, which corresponds to U.S. Application No. 11/956,969, 12 pages.
NPL 103	Notice of certification dated November 7, 2008, received in Australian Patent Application No. 2008100283, which corresponds to U.S. Application No. 11/956,969, 1 page.
NPL 104	International Preliminary report on Patentability dated March 10, 2009, received in European Patent No. 2059868, which corresponds to PCT/US2007/077441 and U.S. Application No. 11/956,969, 9 pages.
NPL 105	Search information statement dated February 19, 2009, received in Australian Patent Application No. 2008201540, which corresponds to U.S. Application No. 11/956,969, 2 pages.
NPL 106	Response to Examiners report No.1 dated March 31, 2009, received in Australian Patent Application No. 2008201540, which corresponds to U.S. Application No. 11/956,969, 1 page.
NPL 107	Examiners report No.2 dated April 1, 2009, received in Australian Patent Application No. 2008201540, which corresponds to U.S. Application No. 11/956,969, 2 pages
NPL 108	Response to Examiners report No. 2 dated July 09, 2009, received in Australian Patent Application No. 2008201540, which corresponds to U.S. Application No. 11/956,969, 28 pages.
NPL 109	International search report dated April 8, 2008, received in European Patent No. 2059868, which corresponds to PCT/US2008/077441 and U.S. Application No. 11/956,969, 5 pages.

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				First Named Inventor	<b>Bas Ordning</b>
				Art Unit	<b>3992</b>
Examiner Name	<b>BONSHOCK, DENNIS G</b>				
Sheet	10	of	13	Attorney Docket Number	<b>P4304USREX2/120730-002US</b>

NPL 110	Response to Examiners report No. 3 dated August 3, 2009, received in Australian Patent Application No. 2008201540, which corresponds to U.S. Application No. 11/956,969, 1 page.
NPL 111	Notice of acceptance dated August 24, 2009, received in Australian Patent Application No. 2008201540, which corresponds to U.S. Application No. 11/956,969, 1 page.
NPL 112	International search report dated September 9, 2008, received in Australian Patent Application No. 2008201540, which corresponds to WO2008086218 and U.S. Application No. 11/956,969, 7 pages.
NPL 113	International Preliminary report on Patentability July 7, 2009, received in Australian Patent Application No. 2008201540, which corresponds to WO2008086218 and U.S. Application No. 11/956,969, 15 pages.
NPL 114	European search Opinion dated November 18, 2011, received in European Patent Application No. 2402850, which relates to U.S. Application No. 11/956,969, 4 pages.
NPL 115	Search information statement dated February 10, 2009, received in Australian Patent Application No. 2009200366, which corresponds to U.S. Application No. 11/956,969, 2 pages.
NPL 116	Response to examiners report No.1 dated March 12, 2009, received in Australian Patent Application No. 2009200366, which corresponds to U.S. Application No. 11/956,969, 1 page.
NPL 117	Notice of acceptance dated March 31, 2009, received in Australian Patent Application No. 2009200366, which corresponds to U.S. Application No. 11/956,969, 1 page.
NPL 118	European search Opinion dated November 29, 2011, received in European Patent Application No. 2402848, which relates to U.S. Application No. 11/956,969, 3 pages.
NPL 119	Search information statement dated April 08, 2010, received in Australian Patent Application No. 2009208103, which corresponds to U.S. Application No. 11/956,969, 3 pages.
NPL 120	Response to examiners report No.1 dated April 11, 2011, received in Australian Patent Application No. 2009208103, which corresponds to U.S. Application No. 11/956,969, 9 pages.
NPL 121	Reply to communication from Examining Division dated May 5, 2010, received in European Patent No. 2126678, which corresponds to U.S. Application No. 11/956,969, 7 pages.
NPL 122	Examiners report No.1 dated May 16, 2008, received in Australian Patent Application No. 2008100372, which corresponds U.S. Application No. 11/956,969, 1 page.

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				Application Number	<b>90/012,304</b>	
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				Art Unit	<b>3992</b>	
Examiner Name	<b>BONSHOCK, DENNIS G</b>		Attorney Docket Number	<b>P4304USREX2/120730-002US</b>		
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NPL 123	Search information statement dated May 15, 2008, received in Australian Patent Application No. 2008100372, which corresponds to U.S. Application No. 11/956,969, 1 page.
NPL 124	Response to examiners report No.1 dated September 12, 2008, received in Australian Patent Application No. 2008100372, which corresponds to U.S. Application No. 11/956,969, 18 pages.
NPL 125	Notice of certification dated September 19, 2008, received in Australian Patent Application No. 2008100372, which corresponds to U.S. Application No. 11/956,969, 1 page.
NPL 126	Request for Further Processing, dated October 22, 2012, submitted in European Application No. EP 2 402 848
NPL 127	Request for Further Processing, dated October 22, 2012, submitted in European Application No. EP 2 402 850
NPL 128	European search report dated October 18, 2011, received in European Patent Application No. 2390799, which relates to U.S. Application No. 11/956,969, 2 pages.
NPL 129	European search Opinion dated October 31, 2011, received in European Patent Application No. 2390799, which relates to U.S. Application No. 11/956,969, 2 pages.
NPL 130	Rejection Decision dated September 20, 2012, received in Chinese Patent Application No. 20080000019.9, which corresponds to U.S. Application No. 11/956,969 (issued U.S. Patent No. 7,469,381).
NPL 131	Karlson et al., AppLens and LaunchTile: Two Designs for One-Handed Thumb Use on Small Devices, Powerpoint dated 2002
NPL 132	Technology, Safety, Community, Conference on Human Factors in Computing Systems, CHI 2005, April 2-7, 2005
NPL 133	CHI 2005 Paper Abstracts, 2005
NPL 134	CHI 2005 Schedule and Paper Abstracts, 2005
NPL 135	Forlines et al., Input Techniques for Mobile Interaction, plus..., Mitsubishi Electric Research Laboratories, 2005
NPL 136	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, excerpts from Markman hearing, February 7, 2012
NPL 137	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, HTC's Amended Notice of Prior Art, November 7, 2011
NPL 138	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, excerpts from the evidentiary hearing transcript, August 14, 2012

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				First Named Inventor		<b>Bas Ordning</b>	
				Art Unit		<b>3992</b>	
				Examiner Name		<b>BONSHOCK, DENNIS G</b>	
Sheet	12	of	13	Attorney Docket Number		<b>P4304USREX2/120730-002US</b>	

NPL 139	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, excerpts from the evidentiary hearing transcript, August 15, 2012
NPL 140	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, excerpts from the evidentiary hearing transcript, August 16, 2012
NPL 141	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, excerpts from the evidentiary hearing transcript, August 17, 2012
NPL 142	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, excerpts from the evidentiary hearing transcript, August 22, 2012
NPL 143	U.S. ITC, Investigation No. 337-TA-797, In the Matter of Certain Portable Electronic Devices and Related Software, excerpts from the evidentiary hearing transcript, August 24, 2012
NPL 144	Apple Inc. v. Samsung Electronics Co. Ltd., et al., Nos. ZA11-730 and ZA11-731 (Netherlands), Judgment dated August 23, 2011.
NPL 145	Apple Inc. v. Samsung Electronics Co. Ltd., et al., No. ZA12-220 (Netherlands), Judgment dated November 28, 2012.
NPL 146	Apple Inc. v. Samsung Electronics Co. Ltd., et al., No. ZA12-220 (Netherlands), Judgment dated November 28, 2012. (Convenience English Translation)
NPL 147	HTC User manual HTC P 3050
NPL 148	Apple v. Samsung, No. (P) NSD 1243 of 2011 (Australia), "Particulars of Invalidity Australian Standard Patent No. 2009208103," May 16, 2012
NPL 149	Apple v. Samsung, No. (P) NSD 1243 of 2011 (Australia), "Particulars of Invalidity Australian Standard Patent No. 2008100283," May 16, 2012
NPL 150	Apple v. Samsung, No. (P) NSD 1243 of 2011 (Australia), "Particulars of Invalidity Australian Standard Patent No. 2009200366," May 16, 2012
NPL 151	Apple v. Samsung, No. (P) NSD 1243 of 2011 (Australia), "Particulars of Invalidity Australian Standard Patent No. 2008100372," May 16, 2012
NPL 152	Apple v. Samsung, No. (P) NSD 1243 of 2011 (Australia), "Particulars of Invalidity Australian Standard Patent No. 2008201540," May 16, 2012
NPL 153	Apple v. HTC, Nos. HC11 C02826, HC11 C02703, HC11 C03080 (UK), Judgment dated July 4, 2012
NPL 154	Apple v. HTC, Nos. HC11 C02826, HC11 C02703, HC11 C03080 (UK), Hearing Transcript May 1, 2012

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				Art Unit	<b>3992</b>	
Examiner Name	<b>BONSHOCK, DENNIS G</b>		Attorney Docket Number	<b>P4304USREX2/120730-002US</b>		
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NPL 155	Apple v. HTC, Nos. HC11 C02826, HC11 C02703, HC11 C03080 (UK), Hearing Transcript May 2, 2012
NPL 156	Apple v. HTC, Nos. HC11 C02826, HC11 C02703, HC11 C03080 (UK), Hearing Transcript May 3, 2012
NPL 157	Apple v. HTC, Nos. HC11 C02826, HC11 C02703, HC11 C03080 (UK), Hearing Transcript May 8, 2012
NPL 158	Apple v. HTC, Nos. HC11 C02826, HC11 C02703, HC11 C03080 (UK), Hearing Transcript May 9, 2012
NPL 159	Apple v. HTC, Nos. HC11 C02826, HC11 C02703, HC11 C03080 (UK), Hearing Transcript May 0, 2012
NPL 160	Apple v. HTC, Nos. HC11 C02826, HC11 C02703, HC11 C03080 (UK), Hearing Transcript May 11, 2012
NPL 161	Apple Inc. v. Samsung Electronics Co., Case no. 11-cv-01846 (N.D. Cal.), deposition transcript of Van Dam, dated May 2, 2012
NPL 162	Apple Inc. v. Samsung Electronics Co., Case no. 11-cv-01846 (N.D. Cal.), deposition transcript of Van Dam, dated September 14, 2011
NPL 163	Apple Inc. v. Samsung Electronics Co., Case no. 11-cv-01846 (N.D. Cal.), Declaration of Benjamin Bederson, August 20, 2011
NPL 164	Apple Inc. v. Samsung Electronics Co., Case no. 11-cv-01846 (N.D. Cal.), Videotaped Deposition of Benjamin Bederson, Transcript, September 17, 2011
NPL 165	Apple Inc. v. Samsung Electronics Co., Case no. 11-cv-01846 (N.D. Cal.), excerpts from Apple's Motion for a Preliminary Injunction, filed 07-01-2011
NPL 166	Apple Inc. v. Samsung Electronics Co., Case no. 11-cv-01846 (N.D. Cal.), declaration of Ravin Balakrishnan in support of Apple's motion for a preliminary injunction, filed 07-01-2011
NPL 167	Apple Inc. v. Samsung Electronics Co., Case no. 11-cv-01846 (N.D. Cal.), excerpts from Samsung's opposition to Apple's motion for preliminary injunction, filed 11-29-2011
NPL 168	Apple Inc. v. Samsung Electronics Co., Case no. 11-cv-01846 (N.D. Cal.), declaration of Van Dam in support of Samsung's motion in opposition to preliminary injunction, filed 11-29-2011
NPL 169	Apple Inc. v. Samsung Electronics Co., Case no. 11-cv-01846 (N.D. Cal.), excerpts from Apple's reply motion for Preliminary Injunction, filed September 30, 2011

Examiner Signature	/Dennis Bonshock/	Date Considered	03/21/2013
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				Filing Date	May 23, 2012			
				First Named Inventor	Bas Ording			
				Art Unit	3992			
Examiner Name	BONSHOCK, DENNIS G		Sheet	1	of	8	Attorney Docket Number	P4304USREX2/12073 0-002US

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup>			
	US1	4,550,221	10-29-1985	Mabusth	
	US2	4,746,770	05-24-1988	McAvinney	
	US3	4,843,568	06-27-1989	Krueger et al.	
	US4	4,954,967	09-04-1990	Hiroshi	
	US5	5,374,787	12-20-1994	Miller et al.	
	US6	5,428,367	06-27-1995	Mikan	
	US7	5,483,261	01-09-1996	Yasutake	
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				Application Number		90/012,304	
				Filing Date		May 23, 2012	
				First Named Inventor		Bas Ording	
				Art Unit		3992	
Examiner Name		BONSHOCK, DENNIS G					
Sheet	2	of	8	Attorney Docket Number	P4304USREX2/12073 0-002US		

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				Art Unit		3992	
Examiner Name		BONSHOCK, DENNIS G					
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				Art Unit		3992	
Examiner Name		BONSHOCK, DENNIS G					
Sheet	4	of	8	Attorney Docket Number	P4304USREX2/12073 0-002US		

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Examiner Initials	Cite No.	Foreign Patent Document Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD- YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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NON PATENT LITERATURE DOCUMENTS						
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published				
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				Examiner Name		BONSHOCK, DENNIS G	
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NPL9	Dodge et al., "Microsoft Office Excel 2003 Office Manual," Microsoft Press, July 12, 2004, vol. 1, p. 66-68, UNABLE TO LOCATE ENGLISH TRANSLATION.
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NPL29	Notice of Acceptance dated April 14, 2011, received in Australian patent Application No. 2009208103, which corresponds to U.S. Application No. 11/956,969 (Ording).
NPL30	Notice of Acceptance dated November 9, 2011, received in Australian Patent Application No. 2011201639, which corresponds to U.S. Application No. 11/956,969, 3 pages (Ording).
NPL31	Notice of Appeal in Expedited Appeal in Summary Proceedings dated September 11, 2011, 51 pages.
NPL32	Notice of Allowance dated January 30, 2012, received in Canadian Patent Application No. 2,658,177, which corresponds to U.S. Application No. 11/956,969, 1 page (Ording)
NPL33	Notice of Allowance dated May 11, 2012, received in U.S. Application No. 12/270,807, 16 pages (Ording)
NPL34	Notice of Allowance dated July 11, 2012, for related application no. 12/270,810 (Ording).
NPL35	Notice of Allowance dated October 29, 2008, for related application no. 11/956,969 (Ording).
NPL36	Office Action dated May 17, 2012, received in U.S. Application No. 12/270,812, 18 pages (Ording)
NPL37	Office Action dated May 17, 2012, received in U.S. Application No. 12/270,815, 17 pages (Ording)
NPL38	Office Action dated October 11, 2011, received in U.S. Application No. 12/270,807 (Ording).
NPL39	Office Action dated October 12, 2011, received in U.S. Application No. 12/270,810 (Ording).
NPL40	Office Action dated October 13, 2011, received in U.S. Application No. 12/270,812 (Ording).
NPL41	Office Action dated October 11, 2011, received in U.S. Application No. 12/270,815 (Ording).
NPL42	Office Action dated December 1, 2009, received in Canadian Patent Application No. 2,658,177, which corresponds to U.S. Application 11/956,969 (issued U.S. Patent 7,469,381).
NPL43	Office Action dated January 5, 2012, received in Chinese Patent Application No. 200880000019.9, which corresponds to U.S. Application No. 11/956,969, 14 pages (Ording).
NPL44	Office Action dated November 23, 2010, received in Chinese Patent Application No. 200880000019.9, which corresponds to U.S. Application No. 11/956,969 (issued U.S. Patent 7,469,381).

Examiner Signature	/Dennis Bonshock/	Date Considered	03/21/2013
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<b>INFORMATION DISCLOSURE CITATION</b>  Substitute for Form 1449-PTO				<i>Electronically filed October 9, 2012</i>			
				Application Number		90/012,304	
				Filing Date		May 23, 2012	
				First Named Inventor		Bas Ording	
				Art Unit		3992	
Examiner Name		BONSHOCK, DENNIS G					
Sheet	8	of	8	Attorney Docket Number	P4304USREX2/12073 0-002US		

NPL45	Office Action dated October 29, 2010, received in German Patent Application No. DE 11 2008 000 144.8-53, which corresponds to U.S. Application No. 11/956,969 (issued U.S. Patent 7,469,381).
NPL46	Office Action dated December 29, 2009, received in European Application No. 08 713 567.9, which corresponds to U.S. Application No. 11/956,969 (issued U.S. Patent 7,469,381).
NPL47	Office Action dated February 12, 2010, received in Japanese Patent Application No. 2009-544996, which corresponds to U.S. Application No. 11/956,969 (issued U.S. Patent 7,469,381).
NPL48	Office Action dated November 8, 2010, received in Japanese Patent Application No. 2009-544996, which corresponds to U.S. Application No. 11/956,969 (issued U.S. Patent 7,469,381).
NPL49	Office Action dated August 27, 2009, received in Korean Patent Application No. 10-2009-7003574, which corresponds to U.S. Application No. 11/956,969 (issued patent no. 7,469,381).
NPL50	Plaisant et al., "Touchscreen Toggle Design," Proceedings of the Conference on Human Factors in Computing Systems, Addison Wesley, US, May 3, 1992, 2 pages.
NPL51	Pleading notes Mr B.J. Berghuis van Woortman dated August 10 and 11, 2010, 16 pages.
NPL52	Pleading notes Mr Kleemans, Mr Blomme and Mr Van Oorschot dated August 10, 2011, 35 pages.
NPL53	Salmoni, "The Zooming User Interface," Advogato, August 16, 2004, <a href="http://www.advogato.org/article/788.html">http://www.advogato.org/article/788.html</a> , 14 pages.
NPL54	Samsung Electronics GmbH/Apple Inc. Opposition dated January 30, 2012, 27 pages.
NPL55	Samsung Statement of Defense (Tablets) Also Counterclaim dated July 20, 2011, 44 pages.
NPL56	Samsung Statement of Defense (Smartphones) Also Counterclaim dated July 20, 2011, 48 pages.
NPL57	Summons dated October 28, 2011, received in European Patent Application No. 08705751.9, which corresponds to U.S. Application No. 11/968,059, 9 pages (Lamiroux).

Examiner Signature	/Dennis Bonshock/	Date Considered	03/21/2013
--------------------	-------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

List of References: [www.uspto.gov](http://www.uspto.gov)

**ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.B./**

PTO/SB/81 (01-09)  
 Approved for use through 11/30/2011. OMB 0651-0035  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>POWER OF ATTORNEY                  OR                  REVOCATION OF POWER OF ATTORNEY                  WITH A NEW POWER OF ATTORNEY                  AND                  CHANGE OF CORRESPONDENCE ADDRESS</b>	<b>Control Number</b>	90/012,304
	<b>Filing Date</b>	May 23, 2012
	<b>First Named Inventor</b>	Bas ORDING
	<b>Title</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
	<b>Art Unit</b>	3992
	<b>Examiner Name</b>	D. G. Bonshock
	<b>Attorney Docket No.</b>	106842803800

I hereby revoke all previous powers of attorney given in the above-identified application.

- A Power of Attorney is submitted herewith,  
 OR  
 I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

20872

- I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number	Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

- The address associated with the above-mentioned Customer Number;  
 OR  
 The address associated with Customer Number:

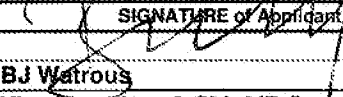
Firm or Individual Name

Address

City	State	Zip
Country	Telephone	Email

- I am the:
- Applicant/Inventor.  
 OR  
 Assignee of record of the entire interest. See 37 CFR 3.71.  
 Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on \_\_\_\_\_

SIGNATURE of Applicant or Assignee of Record

Signature		Date	MAY 26 2013
Name	B.J. Watrous	Telephone	
Title and Company	Vice President & Chief IP Counsel, Apple Inc.		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of 1 forms are submitted.

PTO/SB/96 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Bas ORDING

Control No./Patent No.: 90/012,304 Filed/Issue Date: May 23, 2012

Titled: LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY

Apple Inc., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- 1.  the assignee of the entire right, title, and interest in;
- 2.  an assignee of less than the entire right, title, and interest in  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %); or
- 3.  an assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made) the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 021397, Frame 0743, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

- 1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- 2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- 3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet(s).

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

[Signature]  
Signature  
BJ Watrous  
Printed or Typed Name

Mar. 26 2013  
Date  
Vice President & Chief IP Counsel  
Title

Attorney Docket No. 106842803600

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	15472436
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	108491
<b>Filer:</b>	Brian B. Ho/Chereyce Brown
<b>Filer Authorized By:</b>	Brian B. Ho
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	09-APR-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	20:51:46
<b>Application Type:</b>	Reexam (Patent Owner)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	106842803800_Transmittal.pdf	24947 2338b2aa65efe51a1ca03c3de0ba1ca9b0f1615b	no	1

**Warnings:****Information:**



2	Power of Attorney	P4304USREX2_Revocation_Ne w_POA.pdf	748930 b4c32f5e6c337cd3e24804bdaf517245a680 c51c	no	1
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**Warnings:****Information:**

3	Assignee showing of ownership per 37 CFR 3.73.	P4304USREX2_37_CFR_3_73_b .pdf	695961 e17e01b88df1d0b7f56ca18dd455c6001de 05f27	no	1
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**Warnings:****Information:****Total Files Size (in bytes):**

1469838

**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**

PTO/SB/21 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

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<h1>TRANSMITTAL FORM</h1> <p><i>(to be used for all correspondence after initial filing)</i></p>		Control Number	90/012,304
		Filing Date	May 23, 2012
		First Named Inventor	Bas ORDING
		Art Unit	3992
		Examiner Name	D. G. Bonshock
Total Number of Pages in This Submission	3	Attorney Docket Number	106842803800

ENCLOSURES <i>(Check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address (1 page) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC ( <b>Appeal Notice, Brief, Reply Brief</b> ) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Statement under 37 CFR 3.73(b) (1 page)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer No. 20872)		
Signature	/Brian B. Ho/		
Printed name	Brian B. Ho		
Date	April 9, 2013	Reg. No.	60,199

I hereby certify that this paper is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).	
Dated: April 9, 2013	Signature: <u>/Chereyce Brown/</u> (Chereyce Brown)





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Bib Data Sheet

CONFIRMATION NO. 4807

<b>SERIAL NUMBER</b> 90/012,304	<b>FILING OR 371(c) DATE</b> 05/23/2012 <b>RULE</b>	<b>CLASS</b> 715	<b>GROUP ART UNIT</b> 3992	<b>ATTORNEY DOCKET NO.</b> P4304USREX2/120730-002US
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**APPLICANTS**  
 7,469,381, Residence Not Provided;  
 APPLE INC. (OWNER), CUPERTINO, CA;  
 JOSEPH J. RICHETTI (3RD PTY. REQ.), NEW YORK, NY;  
 BRYAN CAVE LLP, NEW YORK, NY

**\*\* CONTINUING DATA \*\*\*\*\***  
 This application is a REX of 11/956,969 12/14/2007 PAT 7469381  
 which claims benefit of 60/879,253 01/07/2007  
 and claims benefit of 60/883,801 01/07/2007  
 and claims benefit of 60/879,469 01/08/2007  
 and claims benefit of 60/945,858 06/22/2007  
 and claims benefit of 60/946,971 06/28/2007  
 and claims benefit of 60/937,993 06/29/2007

**\*\* FOREIGN APPLICATIONS \*\*\*\*\***

Foreign Priority claimed 35 USC 119 (a-d) conditions met Verified and Acknowledged	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance Examiner's Signature _____ Initials _____	<b>STATE OR COUNTRY</b>	<b>SHEETS DRAWING</b>	<b>TOTAL CLAIMS</b> 20	<b>INDEPENDENT CLAIMS</b> 3
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**ADDRESS**  
 20872

**TITLE**  
 LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY

<b>FILING FEE RECEIVED</b> 2520	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
90/012,304	05/23/2012	7,469,381	P4304USREX2/120730-002US

**CONFIRMATION NO. 4807**

**POWER OF ATTORNEY NOTICE**



108491  
 Apple Inc. and Goldberg, Lowenstein  
 & Weatherwax LLP  
 11400 W. Olympic Blvd.  
 Suite 400  
 Los Angeles, CA 90064

Date Mailed: 04/11/2013

**NOTICE REGARDING CHANGE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 04/09/2013.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/jawhitfield/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



**UNITED STATES PATENT AND TRADEMARK OFFICE**

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
90/012,304	05/23/2012	7,469,381	P4304USREX2/120730-002US

**CONFIRMATION NO. 4807**

**POA ACCEPTANCE LETTER**

20872  
 MORRISON & FOERSTER LLP  
 425 MARKET STREET  
 SAN FRANCISCO, CA 94105-2482



Date Mailed: 04/11/2013

**NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 04/09/2013.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/jawhitfield/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

PTO/SB/21 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<h1>TRANSMITTAL FORM</h1> <p><i>(to be used for all correspondence after initial filing)</i></p>		Control No.	90/012,304
		Filing Date	May 23, 2012
		First Named Inventor	Bas ORDING
		Art Unit	3992
		Examiner Name	D. G. Bonshock
Total Number of Pages in This Submission	6	Attorney Docket Number	106842803800

ENCLOSURES (Check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Proposed Interview Agenda (4 pages) 2. Certificate of Service (1 page)		
<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Remarks</td> <td style="width: 50%;"></td> </tr> </table>			Remarks	
Remarks				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer No. 20872)		
Signature	/Brian B. Ho/		
Printed name	Brian B. Ho		
Date	May 3, 2013	Reg. No.	60,199

I hereby certify that this paper is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).	
Dated: May 3, 2013	Signature: /Cheroyce Brown/ (Cheroyce Brown)

EX PARTE REEXAMINATION

Docket No. 106842803800

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Ex Parte Re-Examination of:  
U.S. Patent No. 7,469,381

Control No.: 90/012,304

Confirmation No.: 4807

Filed: May 23, 2012

Art Unit: 3992

For: LIST SCROLLING AND DOCUMENT  
TRANSLATION, SCALING, AND ROTATION  
ON A TOUCH-SCREEN DISPLAY

---

Examiner: Bonshock, Dennis G.

**REQUEST FOR PERSONAL INTERVIEW AND PROPOSED INTERVIEW AGENDA**

MS Ex Parte Reexam  
Central Reexamination Unit  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Patent Owner requests the courtesy of a personal Examiner Interview, between May 9 and May 17 (or other date convenient for the Patent Office prior to May 29, 2013), to discuss issues pertinent to the above-referenced pending reexamination, including issues raised in the Final Office Action dated March 29, 2013.

In conjunction with the request, Patent Owner proposes the following agenda for the interview:

- Introduction of the Examiner(s)
- Introduction of attendees for Patent Owner:
  - Jason Skinder, Senior Patent Counsel for Apple, Inc.
  - Peter Yim, Partner at Morrison & Foerster LLP
  - Brian Ho, Of Counsel at Morrison & Foerster LLP

- Patentability of claim 19 in view of Lira

Claim 19 is an apparatus claim directed to a device having one or more programs that include specifically recited instructions. In particular, the one or more programs of the device of claim 19 include “instructions for translating the electronic document in a second direction until the area beyond the edge of the electronic document is no longer displayed. . . in response to detecting that the object is no longer on or near the touch screen display” (hereinafter, the “instructions for second direction translation limitation”).

Patent Owner requests the courtesy of an interview to discuss the Patent Office’s views on the proper broadest reasonable construction of the instructions for second direction translation limitation and the effect of this limitation on the patentability of claim 19 in view of Lira.

The broadest reasonable construction of the instructions for second direction translation limitation

Patent Owner believes that even under the broadest reasonable construction, the instructions for second direction translation limitation requires instructions that not only specify the particular command (*i.e.*, translation in the second direct) and the particular start condition (*i.e.*, no longer detecting the object), but also specify the recited stop condition. As required by the language of the limitation, the instructions for translating in the second direction also specify the condition for stopping translation: “until the area beyond the edge of the electronic document is no longer displayed.” Put another way, the recited instructions are directed to a translation command with a particular start condition and a particular stop condition.

A person of ordinary skill in the art would recognize the significance of specifying a stop condition for translation in the second direction. Unlike translation in the first direction, which is terminated by detecting that the object is no longer on the touch screen, there is no input-based stop condition specified in claim 19 for ending translation in the second direction. Rather, claim 19 specifies that translation in the second direction is terminated based on determining that the area beyond the edge is no longer displayed. Once the stop condition is met, translation ends. Specifying a stop condition is also necessary for determining when to make the recited comparison

between the fourth and first portions, so as to determine if the portions are different, as recited in claim 19.

The relevance to Lira of the proper broadest reasonable construction

Patent Owner believes that Lira fails to disclose a device of claim 19 under the broadest reasonable construction discussed above. Moreover, Lira fails to do so, regardless of whether an internal boundary of a document is or is not an edge of an electronic document, as claimed. The Office Action cites to Lira at page 15 for a disclosure of the instructions for second direction translation limitation, based on Lira's snap-to-nearest column function. (Office Action at pages 9-10.) While this function has a stop condition, the stop condition for Lira's snap-to-nearest column function is not based on the edge of an electronic document, even if the edge of the column is assumed to be an edge of electronic document. Rather, Lira makes clear that the stop condition is centering of the column. (Lira at page 15, lines 23-25.) Stopping translation based on the column being centered is substantially different than stopping based on the area beyond the edge no longer being displayed.

Notably, claim 19 requires instructions for translating in the second direction with the specified stop condition: mere incidental achievement of the same visual result (the area beyond the edge no longer being displayed) does not equate to disclosing the specific instructions recited in claim 19. Accordingly, the Office Action's focus on Lira's disclosure of a logical column having a width equal to the display window width would, at best, merely equate to a disclosure of the visual result of the area beyond the edge no longer being displayed, without any disclosure or even suggestion of an edge-based stop condition in instructions of a device. Thus, while Lira discloses variable width for its logical column (*i.e.*, less than or equal to display width), Lira discloses a singular, fixed stop condition for its snap-to-column translation: centering of the logical column.

Request for interview

Patent Owner requests the courtesy of a personal interview to discuss the issues outlined above. Patent Owner believes that these issues are highly pertinent to the patentability of at least claim 19 and disposal of the reexamination. Moreover, Patent Owner believes that these issues,

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particularly the broadest reasonable construction of the instructions for second direction translation limitation, have not been discussed in detail on the record. Accordingly, Patent Owner believes that the requested interview meets the guidelines set forth in MPEP 713.09 for interviews after final rejection.

Dated: May 3, 2013

Respectfully submitted,

By           /Peter J. Yim/          

Peter J. Yim

Registration No.: 44,417

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EX PARTE REEXAMINATION

Docket No. 106842803800

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Ex Parte Reexamination of:

U.S. Patent No. 7,469,381

Control No.: 90/012,304

Confirmation No.: 4807

Filed: May 23, 2012

Art Unit: 3992

For: LIST SCROLLING AND DOCUMENT  
TRANSLATION, SCALING, AND ROTATION  
ON A TOUCH-SCREEN DISPLAY

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Examiner: D. G. Bonshock

**CERTIFICATE OF SERVICE**

MS Ex Parte Reexam  
Central Reexamination Unit  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 1.248, the undersigned, on behalf of Patent Owner, hereby certifies that a copy of the following documents:

1. Transmittal (1 page); and
2. Proposed Interview Agenda (4 pages)

were served on the Third Party Requester at the following address:

Joseph J. Richetti  
BRYAN CAVE LLP  
1290 Avenue of the Americas  
New York, New York 10104

provided for in § 1.33(c) via first class mail on May 3, 2013.

By           /Brian B. Ho /            
Brian B. Ho  
Registration No. 60,199  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, California 94105-2482  
Attorneys for Apple Inc.

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	15691825
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	20872
<b>Filer:</b>	Brian B. Ho/Chereyce Brown
<b>Filer Authorized By:</b>	Brian B. Ho
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	03-MAY-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	21:16:28
<b>Application Type:</b>	Reexam (Patent Owner)

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Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	106842803800_Transmittal.pdf	24956 85127e0a8a53afe30aeea55b926d0e24ae4dd3f6	no	1

**Warnings:****Information:**

2	Reexam Miscellaneous Incoming Letter	106842803800- Proposed_Interview_Agenda. pdf	26127 8235ec97a46a973cd1e2c3c49d55f1e540bf 1499	no	4
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**Warnings:****Information:**

3	Reexam Certificate of Service	106842803800_Certificate_of_ Service.pdf	15906 53cb5a434eda896841ab72a35a57c75442f 2bab8	no	1
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**Warnings:****Information:****Total Files Size (in bytes):**

66989

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**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

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**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

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EX PARTE RE-EXAMINATION

Docket No. 106842803800

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Ex Parte Re-Examination of:  
U.S. Patent No. 7,469,381

Control No.: 90/012,304

Confirmation No.: 4807

Filed: May 23, 2012

Art Unit: 3992

For: LIST SCROLLING AND DOCUMENT  
TRANSLATION, SCALING, AND ROTATION  
ON A TOUCH-SCREEN DISPLAY

---

Examiner: D. G. Bonshock

**RESPONSE TO FINAL OFFICE ACTION IN EX PARTE REEXAMINATION**

MS Ex Parte Reexam  
Central Reexamination Unit  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

**INTRODUCTORY COMMENTS**

This is in response to the Final Office Action dated March 29, 2013 (hereinafter the "Office Action"). A response was initially due on May 29, 2013. Accordingly, this response is timely filed. Reconsideration and allowance of the claims under reexamination, in light of the remarks presented herein, are respectfully requested.

**Remarks/Arguments** begin on page **2** of this paper.

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**REMARKS**

Claims 1-20 of U.S. Patent No. 7,469,381 (hereinafter the “381 Patent”) are subject to reexamination. Claims 1-13, 15, 16, 19, and 20 stand rejected. Claims 14, 17, and 18 are confirmed.

**I. SUBSTANCE OF THE INTERVIEW**

Patent Owner Apple Inc. (hereinafter “Patent Owner”) thanks Examiner Dennis Bonshock, Supervisory Examiner Alexander Kosowski, and Examiner Adam Basehoar for the courtesy of the personal interview on May 9, 2013. In addition to the Examiners, Jason Skinder, Peter Yim, and Brian Ho were present for the interview representing Patent Owner. No exhibits were presented or demonstrations conducted. All of the rejected claims were discussed, with claim 19 being discussed in particular. Reference WO 03/081458 (“Lira”) was also discussed. Patent Owner’s representatives presented arguments substantially similar to those presented herein. The Examiners expressly requested a discussion of the original support for the final limitation of claim 19, which Patent Owner provides herein.

No final agreement on patentability was reached during the interview.

**II. REJECTION A: CLAIMS 1-6, 8-12, 16, 19, AND 20 AS BEING ANTICIPATED BY LIRA**

Claims 1-6, 8-12, 16, 19, and 20 stand rejected under 35 U.S.C. § 102(b) as anticipated by Lira. Patent Owner respectfully submits that Lira does not disclose each element of any rejected claim.

In light of the interview, Patent Owner hereby addresses the patentability of claim 19, before turning to the remaining rejected claims.

**A. Claim 19: Lira does not disclose a device having “instructions for translating the electronic document in a second direction until the area beyond the edge of the electronic document is no longer displayed”**

Claim 19 is directed to a device having one or more programs that include specifically recited instructions. In particular, the one or more programs of the device of claim 19 include “instructions for translating the electronic document in a second direction until the area beyond the edge of the electronic document is no longer displayed”.

As discussed in the interview, Patent Owner asserts that, even under the broadest reasonable construction standard, a person of ordinary skill in the art would understand that a device of claim 19 must include **instructions** for performing translation in the second direction with the recited **stop condition** (*i.e.*, “until the area beyond the edge of the electronic document is no longer displayed”). Further, the person of ordinary skill would understand that incidentally achieving a similar visual result, based on a different stop condition, is neither an express nor inherent disclosure of the required instructions. Lira discloses a centering function. Thus, Lira fails to disclose, explicitly or inherently, instructions for translation in the second direction with the stop condition (*i.e.*, “until the area beyond the edge of the electronic document is no longer displayed”) recited in claim 19.

*1. Claim 19 requires executable program instructions*

As discussed in the interview, Patent Owner asserts that claim 19 requires executable program instructions rather than just a result achieved on the screen of a device. In particular, claim 19 recites, “[a] device comprising . . . one or more programs, wherein the one or more programs are stored in the memory and configured to be executed by the one or more processors”. Each of the recited “instructions” is included in the one or more programs.

*2. The broadest reasonable construction of the “instructions for translating the electronic document in a second direction until the area beyond the edge of the electronic document is no longer displayed” limitation*

Patent Owner asserts that even under the broadest reasonable construction, the final instructions of claim 19 require executable program instructions that not only specify the particular

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command (*i.e.*, translation in the second direction), but also specify a particular stop condition (*i.e.*, “until the area beyond the edge of the electronic document is no longer displayed”).

A person of ordinary skill in the art would recognize the significance of specifying a stop condition for translation in the second direction in a device operating based on executable program instructions. Unlike translation in the first direction, which is terminated by detecting that the object is no longer on the touch screen (*i.e.*, user input), there is no input-based stop condition specified in claim 19 for ending translation in the second direction. Rather, the device of claim 19 includes instructions specifying that translation in the second direction is terminated based on determining that the area beyond the edge is no longer displayed. In operation, the device of claim 19 would stop translation once the stop condition is met, based on the recited instructions.

In summary, a device of claim 19 must include executable program instructions having the recited translation stop condition of “until the area beyond the edge of the electronic document is no longer displayed”.

3. *Originally filed claim 19 included the “instructions for translating the electronic document in a second direction until the area beyond the edge of the electronic document is no longer displayed” limitation*

As noted by Patent Owner’s representatives in the interview, originally filed claim 19 recited:

[I]nstructions for translating the document in a second direction until the area beyond the edge of the document is no longer displayed, after the object is no longer detected on or near the touch screen display.

As is the case for issued claim 19, original claim 19 also made clear that the recited “instructions” are directed to more than just a result achieved on the screen of the device. In both the original and issued claim 19, each of the “instructions” are part of “one or more programs [] stored in the memory and configured to be executed by the one or more processors [of the device]”. The final element of claim 19 was amended during prosecution to include language relating to various portions, but the amendment does not alter the recited stop condition (“until the area beyond the edge of the electronic document is no longer displayed”) nor the fact that the stop condition is a

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part of executable program instructions. (*See* Notice of Allowance dated October 29, 2008, in App. No. 11/956,969.)

Similarly, the originally filed specification included descriptions of program instructions consistent with the ordinary meaning of program instructions, as they are used in the claims. *See, e.g.*, Specification filed December 14, 2007, at paragraphs [0009], [0012], [0013], and [0100]. As such, one of ordinary skill would recognize that the instructions for translation in the second direction, as with all of the instructions recited in claim 19, are directed to elements of a computer program, rather than merely to a result achieved on the screen of the device of claim 19.

4. *Lira does not disclose executable program instructions having the recited translation stop condition of “until the area beyond the edge of the electronic document is no longer displayed”*

Patent Owner asserts that Lira fails to disclose, explicitly or inherently, a device of claim 19 under the broadest reasonable construction discussed above. Moreover, Lira fails to do so, regardless of whether an internal boundary of a document is or is not an edge of an electronic document, as claimed. The Office Action cites to Lira at page 15 for disclosure of translation in a second direction, based on Lira’s snap-to-nearest column function. (Office Action at pages 9-10.) Lira’s snap-to-nearest column function does not include a stop condition of “until the area beyond the edge of the electronic document is no longer displayed”.

Rather, Lira makes clear that the stop condition for the function is based on centering of the column: “the display 1205 **centers** the logical column 1210 as the pen 1200 is lifted from the screen”. (Lira at page 15, lines 23-25 (emphasis added).) Stopping translation based on the column being centered is substantially different than stopping based on the area beyond the edge no longer being displayed.

Moreover, Lira’s centering-based stop condition is wholly consistent with the remainder of its disclosure. Lira makes clear that its logical columns may be sized so as to be “less than or equal to the display window width”. (Lira at page 11, lines 10-11. *See also* Lira at page 1, lines 22-23; and page 2, lines 1-3.) In instances when the column is sized less than the width of the display, a



centering-based stop condition would ensure that the column is “snap[ped] into alignment” with the middle of the display, rather than being skewed to one side. Lira makes no mention or suggestion of employing a different stop conditions, based on logical column width. This is also consistent with the description of the manual actions taken by the user that the snap-to-nearest column function is meant to replace: “the user manually **centers** the desired column in the display window 1205 by making one or more left or right corrections to the stylus 1200”. (Lira at page 14, lines 25-28 (emphasis added).)

In view of Lira’s unequivocal disclosure of a centering-based stop condition, Lira’s description of its snap-to-column function as “caus[ing] the logical column 1220 to snap into alignment with the display window 1205 as the user stops scrolling” is merely a disclosure of the incidental visual result of translating until the edge of column 1220 is aligned with the screen, without being a disclosure of instructions having a stop condition of “until the area beyond the edge of the electronic document is no longer displayed”. Notably, this incidental result only occurs when the width of the column corresponds to the width of the display, as Lira leaves no ambiguity as to the centering-based stop condition used in the snap-to-nearest column function.

Accordingly, Patent Owner asserts that Lira fails to expressly or inherently disclose a device having executable program instructions having the recited translation stop condition of “until the area beyond the edge of the electronic document is no longer displayed”, as required by claim 19.

**B. Claim 20 is also clearly directed to computer instructions**

Claim 20 is directed to a computer readable storage medium having stored therein instructions that cause a device to perform the recited functions. As such, Patent Owner asserts that the arguments presented above with respect to claim 19 are fully applicable to claim 20, as well.

Accordingly, Patent Owner asserts that Lira fails to expressly or inherently disclose computer readable medium having executable program instructions for translating in a second direction with the stop condition of “until the area beyond the edge of the electronic document is no longer displayed”, as required by claim 20.

**C. Claims 1-6, 8-12, and 16: Lira does not expressly or inherently teach every limitation of the claims**

1. *Claim 1 also includes the stop condition of “until the area beyond the edge of the electronic document is no longer displayed”*

Patent Owner notes that rejected claim 1 (from which claims 2-6, 8-12, and 16 depend) clearly requires stopping translation in the second direction based on “until the area beyond the edge of the electronic document is no longer displayed”, as is the case for claim 19.

While claim 1 does not recite executable program instructions, Patent Owner asserts that a person of ordinary skill in the art would understand that “a computer-implemented method” performing translation by a computer after the end of user input requires programming instructions to terminate the translation, as a computer would not do so in the absence of both user input and existing instructions. As discussed above, translation in the second direction differs significantly from translation in the first direction, which is responsive to user input provided by movement of an object and stops based on that movement ending.

As such, Patent Owner submits that a person of ordinary skill in the art would construe the computer-implemented step of “translating the electronic document in the second direction until the area beyond the edge of the electronic document is no longer displayed” as clearly requiring that the step be carried out by executable program instructions having the particularly recited stop condition. While Lira’s snap-to-column function incidentally achieves the visual result of translating in the second direction “until the area beyond the edge of the electronic document is no longer displayed” (only when the width of the column corresponds to the width of the display), Lira’s function clearly does so through the use of executable program instructions having a different stop condition based on centering of the column.

2. *Lira also fails to disclose each and every limitation of 1-6, 8-12, and 16 for the reasons discussed in the response of January 15, 2013.*

Patent Owner also maintains that Lira fails to disclose each and every limitation of rejected claim 1 (from which claims 2-6, 8-12, and 16 depend) for the reasons stated in the response dated January 15, 2013, which is hereby incorporated by reference.

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**D. Conclusion with respect to 35 U.S.C. § 102(b): Lira does not anticipate any claim of the '381 Patent**

For the reasons stated above, Lira does not anticipate any of the pending claims under reexamination. Patent Owner therefore respectfully requests that the rejections of claims 1-6, 8-12, 16, 19 and 20 under 35 U.S.C. § 102(b) as anticipated by Lira be withdrawn.

**III. REJECTION B: CLAIMS 7, 13, AND 15 AS BEING OBVIOUS OVER LIRA**

Claims 7, 13 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lira. Patent Owner respectfully submits that Lira does not teach or suggest each element of any rejected claim.

**A. Lira does not suggest instructions having the recited translation stop condition of “until the area beyond the edge of the electronic document is no longer displayed”**

As discussed above, a person of ordinary skill in the art would understand that claim 1, from which rejected claims 7, 13, and 15 depend, requires instructions having the recited translation stop condition of “until the area beyond the edge of the electronic document is no longer displayed”, by virtue of the method being a “computer-implemented method”.

Nothing in Lira, the general state of the art, or the Office Action (including the portions of the Request incorporated by reference at page 21 of the Office Action) suggests modifying the clear centering-based stop condition of Lira to arrive at instructions having the recited translation stop condition of “until the area beyond the edge of the electronic document is no longer displayed”.

**B. Lira does not render the rejected claims obvious for the reasons discussed in the response of January 15, 2013.**

Patent Owner also maintains that Lira fails to render claims 7, 13, and 15 obvious for the reasons stated in the response dated January 15, 2013, which is hereby incorporated by reference.

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Docket No. 106842803800

**C. Conclusion with respect to 35 U.S.C. § 103(a): Claims 7, 13, and 15 are not obvious in view of Lira**

For the reasons stated above, Lira does not render obvious any of the pending claims under reexamination. Patent Owner therefore respectfully requests that the rejections of claims 7, 13, and 15 under 35 U.S.C. § 103(a) as unpatentable over Lira be withdrawn.

**IV. Confirmation of claims 14, 17, and 18**

Patent Owner thanks the Examiner for confirmation of claims 14, 17, and 18.

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Docket No. 106842803800

**CONCLUSION**

In view of the preceding, Patent Owner believes that each of the claims under reexamination is in immediate condition for allowance. Accordingly, Patent Owner respectfully requests that the Examiner withdraw the outstanding rejections of the claims and issue a reexamination certificate. If the Examiner determines that a telephone conference would expedite the prosecution of this application, Patent Owner invites the Examiner to telephone the undersigned at the number provided below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Patent Owner petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **Docket No. 106842803800**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May 13, 2013

Respectfully submitted,

By /Peter J. Yim/

Peter J. Yim

Registration No.: 44,417

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San Francisco, California 94105-2482

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EX PARTE REEXAMINATION

Docket No. 106842803800

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Ex Parte Reexamination of:

U.S. Patent No. 7,469,381

Control No.: 90/012,304

Confirmation No.: 4807

Filed: May 23, 2012

Art Unit: 3992

For: LIST SCROLLING AND DOCUMENT  
TRANSLATION, SCALING, AND ROTATION  
ON A TOUCH-SCREEN DISPLAY

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Examiner: D. G. Bonshock

**CERTIFICATE OF SERVICE**

MS Ex Parte Reexam  
Central Reexamination Unit  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 1.248, the undersigned, on behalf of Patent Owner, hereby certifies that a copy of the following documents:

1. Transmittal (1 page); and
2. Response to Final Office Action (10 pages)

were served on the Third Party Requester at the following address:

Joseph J. Richetti  
BRYAN CAVE LLP  
1290 Avenue of the Americas  
New York, New York 10104

provided for in § 1.33(c) via first class mail on May 13, 2013.

By           /Brian B. Ho/            
Brian B. Ho  
Registration No. 60,199  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, California 94105-2482  
Attorneys for Apple Inc.

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	15764411
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	20872
<b>Filer:</b>	Brian B. Ho/Chereyce Brown
<b>Filer Authorized By:</b>	Brian B. Ho
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	13-MAY-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	20:33:23
<b>Application Type:</b>	Reexam (Patent Owner)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Trans Letter filing of a response in a reexam	106842803800_Transmittal.pdf	24951 3d7cdd359ca154affd65625d06316818bccdd37d	no	1

**Warnings:****Information:**

2	Reexam Response to Final Rejection	106842803800_Response_to_Final_Office_Action.pdf	51074 284cf50c8567f71c6e8d909e3c7b2b55ca3072c	no	10
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**Warnings:****Information:**

3	Reexam Certificate of Mailing	106842803800_Certificate_of_Service.pdf	15912 0dc21e8e0356d51df55719b4821e6a1e7e8da7fb	no	1
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**Warnings:****Information:****Total Files Size (in bytes):**

91937

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**New International Application Filed with the USPTO as a Receiving Office**

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PTO/SB/21 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<h1>TRANSMITTAL FORM</h1> <p><i>(to be used for all correspondence after initial filing)</i></p>		Control No.	90/012,304
		Filing Date	May 23, 2012
		First Named Inventor	Bas ORDING
		Art Unit	3992
		Examiner Name	D. G. Bonshock
Total Number of Pages in This Submission	12	Attorney Docket Number	106842803800

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (10 pages) <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Certificate of Service (1 page)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer No. 20872)		
Signature	/Brian B. Ho/		
Printed name	Brian B. Ho		
Date	May 13, 2013	Reg. No.	60,199

I hereby certify that this paper is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).	
Dated: May 13, 2013	Signature: /Cheroyce Brown/ (Cheroyce Brown)

PTO/SB/21 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1>TRANSMITTAL FORM</h1> <p><i>(to be used for all correspondence after initial filing)</i></p>		Control No.	90/012,304
		Filing Date	May 23, 2012
		First Named Inventor	Bas ORDING
		Art Unit	3992
		Examiner Name	D. G. Bonshock
Total Number of Pages in This Submission	8	Attorney Docket Number	106842803800

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC <b>(Appeal Notice, Brief, Reply Brief)</b>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. Notice of Prior and Concurrent Proceedings Under 37 C.F.R. 1.565(A) (6 pages)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	2. Certificate of Service (1 page)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	MORRISON & FOERSTER LLP (Customer No. 20872)		
Signature	/Brian B. Ho/		
Printed name	Brian B. Ho		
Date	May 20, 2013	Reg. No.	60,199

I hereby certify that this paper is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: May 20, 2013

Signature: /Cheroyce Brown/ (Cheroyce Brown)

EX PARTE RE-EXAMINATION

Docket No.: 106842803800

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Ex Parte Re-Examination of:  
U.S. Patent No. 7,469,381

Control No.: 90/012,304

Confirmation No.: 4807

Filed: May 23, 2012

Art Unit: 3992

For: LIST SCROLLING AND DOCUMENT  
TRANSLATION, SCALING, AND ROTATION  
ON A TOUCH-SCREEN DISPLAY

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Examiner: D. G. Bonshock

**NOTICE OF PRIOR AND CONCURRENT PROCEEDINGS UNDER 37 C.F.R. § 1.565(A)**

MS Ex Parte Reexam  
Central Reexamination Unit  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

**INTRODUCTORY COMMENTS**

In compliance with 37 C.F.R. § 1.565(a), Patent Owner Apple Inc. (“Apple”) hereby provides notice of prior and concurrent proceedings, and merits-based decisions therein, in which the patent undergoing reexamination in this proceeding (the “381 patent”) has been involved.

This Notice is supplemental to the Notice of Prior and Concurrent Proceedings Under 37 C.F.R. § 1.565(a) filed on February 4, 2013 (the “February 4, 2013 Notice”), which is hereby incorporated by reference.

1. **Civil Action No. 5:11-cv-01846 in the Northern District of California, captioned *Apple Inc. v. Samsung Electronics Co.***: as per the February 4, 2013 Notice. A new

Control No.: 90/012,304

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Docket No.: 106842803800

damages trial is set to proceed on November 12, 2013 as to some accused products that were found to infringe, *inter alia*, claim 19 of the '381 patent.

2. **United States International Trade Commission (“ITC”) Investigation No. 337-TA-797, captioned In the Matter of Certain Portable Electronic Devices and Related Software:** as per the February 4, 2013 Notice.
3. **Civil Action No. 1:10-cv-000167 in the District of Delaware, captioned *Apple Inc. v. HTC Corp.*:** as per the February 4, 2013 Notice.
4. **Civil Action No. 1:09-cv-00791 in the District of Delaware, captioned *Nokia Corp. v. Apple Inc.*:** as per the February 4, 2013 Notice.
5. **Ex parte Reexamination No. 90/010,963:** as per the February 4, 2013 Notice.

In addition to proceedings involving the '381 patent mentioned above pursuant to 37 C.F.R. § 1.565(a), it is respectfully noted that several proceedings in foreign jurisdictions have involved at least one foreign patent or utility model which claims priority to one or more U.S. patent applications to which the '381 patent claims priority.

Foreign patent and utility model nos. EP 2 126 678, DE 21 2008 000 001, KR 10-950120000, JP 4,743,919, AU 2008201540, AU 2009200366, AU 2008100283 and AU 2009208103 claim priority to Application No. PCT/US2008/050292, which claims priority to the same U.S. provisional patent applications to which the '381 patent claims priority.

Foreign patent nos. EP 2 059 868 and AU 2008100372 claim priority to Application No. PCT/US2007/077441, which claims priority to certain U.S. provisional patent applications to which the '381 patent claims priority.

Foreign proceedings involving such patent or utility model claims include the following:

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Docket No.: 106842803800

1. Korean action 2011 Gahap 6364 7 relating to Korean patent KR 10-0950,120, captioned *Apple Inc. v. Samsung Electronics Co.*<sup>1</sup>
2. Japanese action 2011 (Yo) No. 22049 for preliminary injunctive relief relating to Japanese patent JP 4,743,919, captioned *Apple Inc. v. Samsung Japan Corp. and Samsung Telecommunications Japan Co.*
3. Japanese action 2011 (Wa) No. 27781 for infringement and damages relating to Japanese patent JP 4,743,919, captioned *Apple Inc. v. Samsung Japan Corp. and Samsung Telecommunications Japan Co.*
4. Invalidity proceedings before the Japanese Patent Office relating to Japanese patent JP 4,743,919, captioned *Apple Inc. v. Samsung Electronics Co.*
5. Injunction and infringement proceedings in Netherlands (KG ZA 11-730; KG ZA 11-731; 2012/220) relating to EP 2 059 868, captioned *Apple Inc. v. Samsung Electronics Co.*
6. Action for infringement and damages before the Federal Court of Australia (Docket No. NSD308/2013) relating to Australian patents 2008201540, 2009200366, 2008100283, and 2009208103, captioned *Apple Inc. v. Samsung Electronics Co.*
7. Action before the High Court of Justice in The United Kingdom (Docket No. HC 11 C03079) relating to European Patent EP 2 059 868, captioned *Samsung Electronics (UK) Ltd. v. Apple Inc.*
8. Actions for infringement and damages before the High Court of Justice in The United Kingdom (Docket Nos. HC 11 C02826, HC 11 C02703, and HC 11 C03080) relating to European Patent EP 2 059 868, captioned *Apple Inc. v. HTC Europe.*

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<sup>1</sup> Pending under appeal as Case No. 2012 Na 76203.

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Docket No.: 106842803800

9. Proceedings before the High Court of Justice in the United Kingdom (Docket No. HC 11 C 01465) relating to European Patent EP 2 126 678, captioned *HTC Europe Co. Ltd. v. Apple Inc.*
10. Proceedings before the German Patent and Trademark Office (Docket No. 21 2008 000 001.6) based on German utility model DE 21 2008 000 001, captioned *Apple Inc. v. Nokia Corp.*
11. Action in Germany (Munich) (Docket No.7 0 19716/11) relating to European patent EP 2 059 868, captioned *In the matter Apple Inc. against Motorola Mobility Inc.*
12. Action in Germany (Munich) (Docket No.7 0 29382/11) relating to European patent EP 2 126 678, captioned *In the matter of Apple Inc. against Motorola Mobility Inc.*
13. Action in Germany (Mannheim) (Docket No.7 0 334/11) relating to European patent EP 2 059 868, captioned *In the matter of Apple Inc. against Samsung Electronics GmbH.*
14. Action in Germany (Munich) (Docket No. 6 U 1260/12) relating to European patent EP 2 126 678, captioned *In the matter of Apple Inc. against Samsung Electronics GmbH.*
15. Action in Germany (Mannheim) (Docket No.7 0 70/12) relating to European patent EP 2 126 678, captioned *In the matter of Apple Inc. against Samsung Electronics GmbH.*
16. Action in Germany (Mannheim) (Docket No.7 0 335/11) relating to German utility model DE 21 2008 000 001, captioned *In the matter of Apple Inc. against Samsung Electronics GmbH.*

Control No.: 90/012,304

5

Docket No.: 106842803800

17. Action for Infringement and Damages in Germany (Munich) (Docket Nos. 21 06997/12 and 21 019210/12) relating to European patent EP 2 059 868, captioned *Apple v. HTC*.
18. Action for Infringement and Damages in Germany (Munich) (Docket No. 21 02017/12) relating to European patent EP 2 126 678, captioned *Apple v. HTC*.
19. Patent Nullity Actions (consolidated into Docket No. 2 Ni 58/11) by Motorola, Samsung and HTC before the German Federal Patent Court (Munich) relating to patent EP 2 059 868.
20. Cancellation Request by Samsung in German Patent Office relating to DE 21 2008 000 001.
21. Opposition Proceedings by Motorola, HTC and Samsung before the European Patent Office (Germany, Munich) relating to European Patent EP 2 126 678.





EX PARTE REEXAMINATION

Docket No. 106842803800

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Ex Parte Reexamination of:

U.S. Patent No. 7,469,381

Control No.: 90/012,304

Confirmation No.: 4807

Filed: May 23, 2012

Art Unit: 3992

For: LIST SCROLLING AND DOCUMENT  
TRANSLATION, SCALING, AND ROTATION  
ON A TOUCH-SCREEN DISPLAY

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Examiner: D. G. Bonshock

**CERTIFICATE OF SERVICE**

MS Ex Parte Reexam  
Central Reexamination Unit  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 1.248, the undersigned, on behalf of Patent Owner, hereby certifies that a copy of the following documents:

1. Transmittal (1 page); and
2. Notice of Prior and Concurrent Proceedings Under 37 C.F.R. 1.565(A) (6 pages)

were served on the Third Party Requester at the following address:

Joseph J. Richetti  
BRYAN CAVE LLP  
1290 Avenue of the Americas  
New York, New York 10104

provided for in § 1.33(c) via first class mail on May 20, 2013.

By /Brian B. Ho/  
Brian B. Ho  
Registration No. 60,199  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, California 94105-2482  
Attorneys for Apple Inc.

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	15825120
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	20872
<b>Filer:</b>	Brian B. Ho/Chereyce Brown
<b>Filer Authorized By:</b>	Brian B. Ho
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	20-MAY-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	21:02:04
<b>Application Type:</b>	Reexam (Patent Owner)

**Payment information:**

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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Reexam Miscellaneous Incoming Letter	106842803800_Transmittal.pdf	25091 19f8a0e1eb2aa92b133bc45cf2a28665b72e eb36	no	1

**Warnings:****Information:**

2	Notice of concurrent proceeding(s)	106842803800_Notice_under_37_CFR_1_565.pdf	38943 671de7c81d32622d4d2931f6e5bd15738d47522f	no	6
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**Warnings:****Information:**

3	Reexam Certificate of Service	106842803800_Certificate_of_Service.pdf	15940 b6772b755d444d7e5c750ac35c7c629b29ec754f	no	1
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<b>Total Files Size (in bytes):</b>			79974		
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**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**

ALTERNATIVE TO PTO/SB/08A/B  
(Based on PTO 08-08 version)

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>		
				Control Number	90/012,304	
Sheet		1	of	3	Filing Date	May 23, 2012
					First Named Inventor	Bas ORDING
					Art Unit	3992
					Examiner Name	D. G. Bonshock
					Attorney Docket Number	106842803800

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
	1.	US-5,241,674-A		08-31-1993	Kurosawa et al.	
	2.	US-5,463,725-A		10-31-1995	Henckel et al.	
	3.	US-2002/0189763-A1		12-19-2002	Kwon et al.	
	4.	US-2006/0268020-A1		11-30-2006	Han	
	5.	US-2011/0037725-A1		02-17-2011	Pryor	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)					
	6.	EP-0493128-A2		07-01-1992	Canon KK		
	7.	JP-H09-160713-A		06-20-1997	Toshiba	Translation of abstract only	√
	8.	JP-2000-163193-A		06-16-2000	Seiko Epson Corp	Translation of abstract only	√
	9.	JP-2002-323850-A		11-08-2002	Matsushita Electric Ind. Co. Ltd.	Translation of abstract only	√
	10.	JP-2006-090962-A		04-06-2006	Matsushita Electric Ind. Co. Ltd.	Translation of abstract only	√

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	11.	Baig, "Apple's iPhone Isn't Perfect, But It's Worthy of the Hype," USA Today, June 27, 2007	
	12.	Certificated of Grant dated January 23, 2012, received in the Turkish part of European Patent Application No. 2 126 678, which corresponds to U.S. Application No. 11/956,969, 2 pages.	
	13.	Data sheet of the HP iPAQ h4100 pocket PC series <a href="http://h20000.www2.hp.com/bizsupport/TechSupport/Document.jsp?lang=de&amp;cc=de&amp;taskId=120&amp;prodSeriesId=349042&amp;prodTypeId=215348&amp;objectID=c00350648">http://h20000.www2.hp.com/bizsupport/TechSupport/Document.jsp?lang=de&amp;cc=de&amp;taskId=120&amp;prodSeriesId=349042&amp;prodTypeId=215348&amp;objectID=c00350648</a> , accessed May 17, 2013.	
	14.	Dietz et al., "Touch Recognition Technology "DiamondTouch"" (Abstract), Mitsubishi Denki Giho (August 2002)	
	15.	Esenther et al., "Multi-User Multi-Touch Games on DiamondTouch with the DTFlash Toolkit," Intelligent Technologies for Interactive Entertainment 2005 (December 2005)	
	16.	Final Office Action dated February 14, 2013, received in U.S. Application No. 12/270,815, 13 pages.	

ALTERNATIVE TO PTO/SB/08A/B  
(Based on PTO 08-08 version)

Substitute for form 1449/PTO				<b>Complete if Known</b>	
				Control Number	90/012,304
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Filing Date	May 23, 2012
				First Named Inventor	Bas ORDING
<i>(Use as many sheets as necessary)</i>				Art Unit	3992
				Examiner Name	D. G. Bonshock
Sheet	2	of	3	Attorney Docket Number	106842803800

	17.	Grant dated October 26, 2012, received in Japanese Patent Application No. 2010 157303, which corresponds to U.S. Application No. 11/956,969, 4 pages.	
	18.	Jul and Furnas (1998) "Critical Zones in Desert Fog: Aids to Multiscale Navigation," Proceedings of the 11th annual ACM symposium on User interface software and technology, p. 97-106.	
	19.	Keys, "[CHI] Is Microsoft's (U.S.) New User Interface Made for Next Generation Cell Phones?" Tech-On!, April 8, 2005	
	20.	Levy, "At Last, the iPhone," The Daily Beast, June 25, 2007	
	21.	Mossberg, "The iPhone is a Breakthrough Handheld Computer," ALL Things D, June 26, 2007	
	22.	Notice of Allowance dated September 19, 2012, received in U.S. Application No. 12/270,812, 25 pages.	
	23.	Office Action dated February 18, 2013, received in Chinese Patent Application No. 20088000019.9, which corresponds to U.S. Application No. 11/956,969, 12 pages [translation].	√
	24.	Office Action dated October 15, 2012, received in Japanese Patent Application No. 2010157303, which corresponds to U.S. Application No. 11/956,969, 4 pages.	√
	25.	Office Action dated September 9, 2012, received in Chinese Patent Application No. 20088000019.9, which corresponds to U.S. Application No. 11/956,969, 22 pages.	√
	26.	Pogue, "The iPhone Matches Most of Its Hype," The New York Times, June 27, 2007	
	27.	Printouts of HCIL Webpage: "Interface Supporting One-Handed Use of Small Devices", June 2005.	
	28.	Printouts of Microsoft webpage: "Microsoft Opens R&D to Small Companies and Entrepreneurs", May 4, 2005.	
	29.	Australian Case No. (P) NSD 308 of 2013, "Amended Particulars of Invalidity, Australian Standard Patent No. 2008201540", March 2013.	
	30.	Australian Case No. (P) NSD 308 of 2013, "Amended Particulars of Invalidity, Australian Standard Patent No. 2009200366", March 2013.	
	31.	Australian Case No. (P) NSD 308 of 2013, "Amended Particulars of Invalidity, Australian Standard Patent No. 2009208103", March 2013.	
	32.	Australian Case No. (P) NSD 308 of 2013, "Amended Particulars of Invalidity, Australian Standard Patent No. 2008100283", March 2013.	
	33.	Australian Case No. NSD 1243 of 2011, "Affidavit of Andrew Cockburn", January 14, 2013.	
	34.	Australian Case No. NSD 1243 of 2011, "Affidavit of Ravin Balakrishnan", January 16, 2013.	
	35.	Australian Case No. NSD 1243 of 2011, "Affidavit of Saul Greenberg", January 9, 2013.	
	36.	Australian Case No. NSD 1243 of 2011, "Apple's Outline of Opening Submissions on the Invalidity of HCI Patents", February 21, 2013.	
	37.	Australian Case No. NSD 1243 of 2011, "Samsung's Outline of Opening Submissions on the Invalidity of Apple's HCI Patents", February 14, 2013.	
	38.	Australian Case No. NSD 1243 of 2011, "Second Affidavit of Mark Nathan Billingham", January 16, 2013.	
	39.	Australian Case No. NSD 1243 of 2011, "Second Affidavit of Masahiro Takatsuka", January 15, 2013.	
	40.	Australian Case No. NSD 1243 of 2011, "Second Affidavit of Ravin Balakrishnan", May 2, 2013.	
	41.	Australian Case No. NSD 1243 of 2011, "Second Affidavit of Roderick Alexander Farmer", October 30, 2012.	
	42.	Australian Case No. NSD 1243 of 2011, "Second Affidavit of Saul Greenberg", January 9, 2013.	

ALTERNATIVE TO PTO/SB/08A/B  
(Based on PTO 08-08 version)

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Control Number	90/012,304
				Filing Date	May 23, 2012
				First Named Inventor	Bas ORDING
				Art Unit	3992
				Examiner Name	D. G. Bonshock
				Attorney Docket Number	106842803800
Sheet	3	of	3		

	43.	Australian Case No. NSD 1243 of 2011, "Third Affidavit of Roderick Alexander Farmer", February 8, 2013.	
	44.	Australian Case No. NSD 308 of 2013, "Apple's Defence to Samsung's Statement of Cross-Claim", February 25, 2013.	
	45.	Australian Case No. NSD 308 of 2013, "Samsung's Notice of Cross-Claim", February 22, 2013.	
	46.	Australian Case No. NSD 308 of 2013, "Samsung's Statement of Cross-Claim", February 22, 2013.	
	47.	Australian Case Nos. NSD 308 of 2013 / NSD 1243 of 2011, "List of Topics for Discussion Between Experts on the HCI A Patents", February 2013.	
	48.	German Case No. 7070/12, Regional Court Mannheim, 7th Civil Chamber, "Decision", February 8, 2013.	
	49.	Japanese 2011 (Wa) No. 27781, Case of Petition for Damage Compensation, "Apple's Seventh Brief [Translation]", February 2013.	√
	50.	Japanese 2011 (Wa) No. 27781, Case of Petition for Damage Compensation, "Apple's Sixth Brief [Translation]", January 10, 2013.	√
	51.	Japanese 2011 (Wa) No. 27781, Case of Petition for Damage Compensation, "Samsung's Eighth Brief [Translation]", May 14, 2013.	√
	52.	Japanese 2011 (Wa) No. 27781, Case of Petition for Damage Compensation, "Samsung's Seventh Brief [Translation]", January 17, 2013.	√
	53.	Japanese Patent Invalidation Trial No. 2012-800075, "Oral Proceedings Statement Brief [Translation]", April 5, 2013.	√
	54.	Korean Case No. 2012 Na 76203, Action for Injunction to Cease Patent Infringement, etc., "Brief", February 26, 2013.	√
	55.	Korean Case No. 2012 Na 76203, Action for Injunction to Cease Patent Infringement, etc., "Appeal Brief", November 26, 2012.	√
	56.	Korean Case No. 2012 Na 76203, Action for Injunction to Cease Patent Infringement, etc., "Brief", February 1, 2013.	√

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

EX PARTE REEXAMINATION

Docket No. 106842803800

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Ex Parte Reexamination of:  
U.S. Patent No. 7,469,381

Control No.: 90/012,304

Confirmation No.: 4807

Filed: May 23, 2012

Art Unit: 3992

For: LIST SCROLLING AND DOCUMENT  
TRANSLATION, SCALING, AND ROTATION  
ON A TOUCH-SCREEN DISPLAY

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Examiner: D. G. Bonshock

**CERTIFICATE OF SERVICE**

MS Ex Parte Reexam  
Central Reexamination Unit  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 1.248, the undersigned, on behalf of Patent Owner, hereby certifies that a copy of the following documents:

1. Transmittal (1 page);
2. Information Disclosure Statement (3 pages);
3. SB/08A/B; and
4. CD with copies of 51 out of 56 cited references.

EX PARTE REEXAMINATION

Docket No. 106842803800

were served on the Third Party Requester at the following address:

Joseph J. Richetti  
BRYAN CAVE LLP  
1290 Avenue of the Americas  
New York, New York 10104

provided for in § 1.33(c) via first class mail on May 21, 2013.

By Brian B. Ho  
Brian B. Ho  
Registration No. 60,199  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, California 94105-2482  
Attorneys for Apple Inc.



**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	15837521
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	20872
<b>Filer:</b>	Brian B. Ho/Chereyce Brown
<b>Filer Authorized By:</b>	Brian B. Ho
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	21-MAY-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	23:05:03
<b>Application Type:</b>	Reexam (Patent Owner)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Reexam Miscellaneous Incoming Letter	106842803800_Transmittal.pdf	25198 9392946f043a219e302d4aa1c1b598fd71774dcf	no	1

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3	Information Disclosure Statement (IDS) Form (SB08)	106842803800_SB08.pdf	53697 f3897880f3888c8bbea00690b06347ed45323a60	no	3
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This is not an USPTO supplied IDS fillable form					
4	Reexam Certificate of Service	106842803800_Certificate_of_Service.pdf	16877 01647829ef4cf94e05c7b4839ee4750acf2cbab	no	2
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<b>Total Files Size (in bytes):</b>			305652555		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



PTO/SB/21 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1>TRANSMITTAL FORM</h1> <p><i>(to be used for all correspondence after initial filing)</i></p>	Control No.	90/012,304
	Filing Date	May 23, 2012
	First Named Inventor	Bas ORDING
	Art Unit	3992
	Examiner Name	D. G. Bonshock
Total Number of Pages in This Submission	9 + 51 refs	Attorney Docket Number 106842803800

ENCLOSURES <i>(Check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC <b>(Appeal Notice, Brief, Reply Brief)</b>
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
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<input checked="" type="checkbox"/> Information Disclosure Statement (3 pages)	<input type="checkbox"/> CD, Number of CD(s) _____	2. Certificate of Service (2 page)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	3. Copies of 51 out of 56 cited references
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer No. 20872)		
Signature	/Brian B. Ho/		
Printed name	Brian B. Ho		
Date	May 21, 2013	Reg. No.	60,199

I hereby certify that this paper is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).	
Dated: May 21, 2013	Signature: /Cheroyce Brown/ (Cheroyce Brown)

Docket No. 106842803800

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Ex Parte Re-Examination of:  
U.S. Patent No. 7,469,381

Control No.: 90/012,304

Confirmation No.: 4807

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Art Unit: 3992

For: LIST SCROLLING AND DOCUMENT  
TRANSLATION, SCALING, AND ROTATION  
ON A TOUCH-SCREEN DISPLAY

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Examiner: D. G. Bonshock

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.555 IN  
ACCORDANCE WITH 37 C.F.R. § 1.98**

MS Ex Parte Reexam  
Central Reexamination Unit  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

Pursuant to 37 C.F.R. § 1.555 and in accordance with 37 C.F.R. § 1.98, Patent Owner submits for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of U.S. Patent Publications and Patents are not submitted herewith pursuant to 37 C.F.R. § 1.98(a)(2)(ii). Copies of the foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

Patent Owner notes that documents numbered 23 and 49-53 listed on the attached Form PTO/SB/08a/b are English language translations of foreign language documents.

Document number 12 is a non-English document. Patent Owner is not in possession of a written English-language translation of this non-English language document. Patent Owner hereby

Control No.: 90/012,304

2

Docket No.: 106842803800

provides the following concise explanation of the relevance: Document number 12 is a Turkish Patent Office decision to grant European Patent Application No. 2126678 in the Turkish jurisdiction. The document is dated January 23, 2012, and indicates that the duration of the patent is twenty years from the filing date.

Document number 17 is a non-English document. Patent Owner is not in possession of a written English-language translation of this non-English language document. Patent Owner hereby provides the following concise explanation of the relevance: Document number 17 is a Japanese Patent Office decision to grant Japanese Patent Application No. 2010-157302. The document is dated October 26, 2012, and sets forth a one-month window in which to pay the issue fee.

Control No.: 90/012,304

3

Docket No.: 106842803800

**CONCLUSION**

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement pursuant to 37 C.F.R. § 1.555 and in accordance with 37 C.F.R. § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the re-examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, Patent Owner petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing (106842803800).

Dated: May 21, 2013

Respectfully submitted,

By /Peter J. Yim/ \_\_\_\_\_

Peter J. Yim

Registration No.: 44,417

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425 Market Street

San Francisco, California 94105-2482

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**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	15837680
<b>Application Number:</b>	90012304
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4807
<b>Title of Invention:</b>	LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY
<b>First Named Inventor/Applicant Name:</b>	7,469,381
<b>Customer Number:</b>	20872
<b>Filer:</b>	Brian B. Ho/Chereyce Brown
<b>Filer Authorized By:</b>	Brian B. Ho
<b>Attorney Docket Number:</b>	P4304USREX2/120730-002US
<b>Receipt Date:</b>	21-MAY-2013
<b>Filing Date:</b>	23-MAY-2012
<b>Time Stamp:</b>	23:51:00
<b>Application Type:</b>	Reexam (Patent Owner)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Non Patent Literature	KR_76203_Brief_022613_1of3.pdf	9864660 <small>7aec33e96067bc7a8f99b0f9829d723f9f66e9a8</small>	no	47

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<b>Information:</b>					
7	Non Patent Literature	KR_76203_Brief_112612_4of4.pdf	14100341 729e4825c656570e96bf894df98a44dec7b6e6a	no	59
<b>Warnings:</b>					
<b>Information:</b>					
8	Non Patent Literature	KR_76203_Brief_020113_1of4.pdf	1546737 0f615946556688d9b24c9d05470d3ddd2480ee96	no	55
<b>Warnings:</b>					
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9	Non Patent Literature	KR_76203_Brief_020113_2of4.pdf	2713770 55079d3b2495988f6c7e25ee72019c602e2dcbe	no	56
<b>Warnings:</b>					
<b>Information:</b>					
10	Non Patent Literature	KR_76203_Brief_020113_3of4.pdf	3393341 f019989d8d83feda7d8a1e078a4f87a65d01ff00	no	55
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11	Non Patent Literature	KR_76203_Brief_020113_4of4.pdf	3353899 a0c7028fda28428e65d392a6c94ec6e478b aacac	no	56
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**Warnings:****Information:****Total Files Size (in bytes):**

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**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**

EXHIBIT A

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

APPLE INC., A CALIFORNIA CORPORATION,	)	C-11-01846 LHK
	)	
	)	SAN JOSE, CALIFORNIA
PLAINTIFF,	)	
	)	APRIL 29, 2013
VS.	)	
	)	PAGES 1-89
SAMSUNG ELECTRONICS CO., LTD.,	)	
A KOREAN BUSINESS ENTITY;	)	
SAMSUNG ELECTRONICS AMERICA,	)	
INC., A NEW YORK CORPORATION;	)	
SAMSUNG TELECOMMUNICATIONS	)	
AMERICA, LLC, A DELAWARE	)	
LIMITED LIABILITY COMPANY,	)	
	)	
DEFENDANTS.	)	
_____	)	
	)	
	)	

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE LUCY H. KOH  
UNITED STATES DISTRICT JUDGE

APPEARANCES ON NEXT PAGE

OFFICIAL COURT REPORTER: LEE-ANNE SHORTRIDGE, CSR, CRR  
CERTIFICATE NUMBER 9595

PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY  
TRANSCRIPT PRODUCED WITH COMPUTER



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A P P E A R A N C E S :

FOR PLAINTIFF  
APPLE:

MORRISON & FOERSTER  
BY: MICHAEL A. JACOBS  
NATHANIEL B. SABRI  
425 MARKET STREET  
SAN FRANCISCO, CALIFORNIA 94105

BY: ERIK J. OLSON  
755 PAGE MILL ROAD  
PALO ALTO, CALIFORNIA 94304

FOR COUNTERCLAIMANT  
APPLE:

WILMER, CUTLER, PICKERING,  
HALE AND DORR  
BY: WILLIAM F. LEE  
60 STATE STREET  
BOSTON, MASSACHUSETTS 02109

BY: MARK D. SELWYN  
LAUREN FLETCHER  
950 PAGE MILL ROAD  
PALO ALTO, CALIFORNIA 94304

FOR THE DEFENDANT:

QUINN, EMANUEL, URQUHART,  
OLIVER & HEDGES  
BY: WILLIAM C. PRICE  
MICHAEL T. ZELLER  
SCOTT B. KIDMAN  
865 SOUTH FIGUEROA STREET  
10TH FLOOR  
LOS ANGELES, CALIFORNIA 90017

BY: KATHLEEN M. SULLIVAN  
51 MADISON AVENUE, 22ND FLOOR  
NEW YORK, NEW YORK 10022

BY: VICTORIA F. MAROULIS  
555 TWIN DOLPHIN DRIVE  
SUITE 560  
REDWOOD SHORES, CALIFORNIA 94065

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SAN JOSE, CALIFORNIA

APRIL 29K, 2013

P R O C E E D I N G S

(COURT CONVENEED AND THE FOLLOWING PROCEEDINGS WERE HELD:)

THE CLERK: CALLING CASE NUMBER C-11-01846 LHK,  
APPLE, INCORPORATED VERSUS SAMSUNG ELECTRONICS COMPANY LIMITED,  
ET AL.

MR. JACOBS: MICHAEL JACOBS FROM MORRISON & FOERSTER.  
WITH ME ARE ERIC OLSON AND NATHAN SABRI FOR APPLE, YOUR HONOR.

MR. LEE: GOOD AFTERNOON, YOUR HONOR. BILL LEE,  
MARK SELWYN, AND LAUREN FLETCHER FROM WILMER, HALE FROM APPLE.

THE COURT: OKAY. I'M SORRY. I DIDN'T EVEN CATCH  
THE PEOPLE WITH MR. JACOBS.

ERIC OLSON, YOU SAID, AND WHO ELSE?

MR. JACOBS: NATHAN SABRI, YOUR HONOR, S-A-B-R-I.

THE COURT: OKAY. THANK YOU.

AND THEN MR. LEE, OKAY.

MR. LEE: MARK SELWYN, YOUR HONOR.

THE COURT: OKAY.

MR. LEE: AND LAUREN FLETCHER, F-L-E-T-C-H-E-R.

MR. PRICE: GOOD AFTERNOON, YOUR HONOR. BILL PRICE  
WITH QUINN, EMANUEL FOR SAMSUNG.

AND WITH ME AT COUNSEL TABLE ARE KATHLEEN SULLIVAN,  
SCOTT KIDMAN, WHO PROBABLY WON'T BE SPEAKING, MICHAEL ZELLER,  
AND VICTORIA MAROULIS.

THE COURT: OKAY. GOOD AFTERNOON.

1 MR. PRICE: GOOD AFTERNOON.

2 THE COURT: OKAY. I HAVE A FEW QUESTIONS, BUT I'M  
3 OTHERWISE READY TO RULE ON EVERYTHING.

4 LET ME JUST ASK THE FEW QUESTIONS FIRST. SO WHEN IS THE  
5 PTO LIKELY TO ISSUE A RE-EXAM CERTIFICATE FOR THE '381 AND THE  
6 '915 PATENTS?

7 MR. JACOBS: BY ISSUING A RE-EXAMINATION CERTIFICATE,  
8 YOUR HONOR, I THINK YOUR HONOR IS ASKING WHEN IS THIS GOING TO  
9 BE OVER.

10 THE COURT: AS FAR AS THE PTO.

11 MR. JACOBS: AS FAR AS THE PTO.

12 THE COURT: I DON'T CARE ABOUT THE APPEALS BOARD. I  
13 DON'T CARE ABOUT THE APPELLATE CIRCUIT. WHEN IS THE PTO GOING  
14 TO BE OVER?

15 MR. JACOBS: THE PTO'S ROLE -- LET ME CHECK AND MAKE  
16 SURE I HAVE THE RIGHT ANSWER. I BELIEVE THE ANSWER IS NOT TOO  
17 FAR AWAY, BUT SUBJECT TO THOSE APPEALS, ET CETERA.

18 THE COURT: SO MARCH 29TH, 2013 IS WHEN THE PTO  
19 ISSUED THE FINAL OFFICE ACTION IN THE '381?

20 MR. JACOBS: YES.

21 THE COURT: AND WHAT IS IT THAT YOU ARE FILING ON  
22 MAY 29TH OF 2013?

23 MR. JACOBS: MAY I HAVE A MOMENT, YOUR HONOR?

24 MS. MAROULIS: I'M SORRY, YOUR HONOR. IS THE  
25 QUESTION WHAT IS BEING FILED ON MAY 29TH?

1 THE COURT: YES, PLEASE.

2 MS. MAROULIS: IT'S THE NOTICE OF APPEAL TO PTAB, AND  
3 THAT'S THE NOTICE THAT APPLE WOULD BE FILING PRESUMABLY.

4 AND THEN THEREAFTER, THE PARTIES DIFFER IN THEIR ESTIMATE  
5 OF WHEN THE PTAB WILL ISSUE A FINAL DECISION.

6 THE COURT: RIGHT.

7 MS. MAROULIS: SAMSUNG ESTIMATES JULY 2014.

8 THE COURT: SO LET ME ASK A QUESTION. IS THERE ANY  
9 FURTHER ACTION ANTICIPATED BY THE PTO ITSELF?

10 I MEAN, SOME OF THE CLAIMS SURVIVE; IS THAT CORRECT?

11 MS. MAROULIS: NO, YOUR HONOR. APPLE GETS TO FILE A  
12 NOTICE OF APPEAL AND THEN IT GOES TO PTAB, WHICH IS PART OF THE  
13 PTO, BUT IT'S THE APPELLATE WING, AND THEY CAN HOLD A HEARING  
14 AND HAVE BRIEFING.

15 BUT THE EXAMINER, IN OUR UNDERSTANDING, HIMSELF OR HERSELF  
16 DOES NOT DO ANYTHING ADDITIONAL.

17 MR. JACOBS: AND YOUR HONOR --

18 THE COURT: I SEE. SO THERE IS NO FINAL CERTIFICATE  
19 THAT GETS ISSUED UNTIL THE APPEALS BOARD --

20 MS. MAROULIS: WHICH CAN ISSUE THE CERTIFICATE OF  
21 CANCELLATION CANCELLING THE PATENT.

22 SO RIGHT NOW WE HAVE A FINAL REJECTION, OR FINAL OFFICE  
23 ACTION, BUT APPLE GETS TO APPEAL IT.

24 THE COURT: RIGHT.

25 MS. MAROULIS: AND ONCE THE DECISION IS CONFIRMED,

1 WHICH WE BELIEVE IT WOULD BE, THE CERTIFICATE OF CANCELLATION  
2 WILL BE ISSUED.

3 MR. JACOBS: AND WE DISAGREE WITH THAT, YOUR HONOR.  
4 THAT IS NOT WHAT WE EXPECT TO FILE ON MAY 29TH.

5 WE RESPOND TO THE FINAL OFFICE ACTION ON MAY 29TH, AND AT  
6 THAT POINT THE EXAMINER HAS ANOTHER OPPORTUNITY TO ADDRESS OUR  
7 RESPONSE.

8 THE COURT: BUT DIDN'T YOU ALREADY RESPOND TO THE  
9 FIRST OFFICE ACTION REJECTING CLAIM 19?

10 MR. JACOBS: OH, YES.

11 THE COURT: OKAY.

12 MR. JACOBS: BUT THERE'S ANOTHER OPPORTUNITY TO  
13 RESPOND TO THE LATEST ART -- TO THE LATEST ARGUMENTS THE  
14 EXAMINER HAS ADVANCED, AND THAT'S BEFORE IT GOES TO THE PTAB.

15 THIS IS THE STEP --

16 THE COURT: DO YOU AGREE WITH THAT, OR NOT?

17 MS. MAROULIS: IT IS NOT OUR UNDERSTANDING.

18 OUR UNDERSTANDING IS THE ONLY OTHER THING THAT CAN HAPPEN  
19 IS APPLE CAN ASK FOR AN EXTENSION TO FILE A NOTICE OF APPEAL.

20 BUT BASED ON OUR READING OF PTAB, THAT IS THE NEXT STEP.

21 MR. JACOBS: THIS IS THE MISSING STEP IN SAMSUNG'S  
22 ARTICULATION OF THE PROCESS, YOUR HONOR. YOU CAN FIND THE  
23 SPECIFIC REFERENCE TO THE NEXT STEP AT PAGE 1, LINE 37 OF OUR  
24 RE-EXAMINATION BRIEF CITING C.F.R. 1.116.

25 THE COURT: OKAY. SO WHEN YOU -- IF YOUR RENDITION

1 OF THE PROCESS IS CORRECT, THEN WHEN WOULD YOU EXPECT TO HEAR  
2 BACK FROM THE PTO EXAMINER?

3 MR. JACOBS: I DON'T THINK WE HAVE A PARTICULAR  
4 EXPECTATION ON THAT STEP.

5 IF THE EXAMINER DOES NOTHING, THEN BY OUR ACCOUNT -- IN  
6 OTHER WORDS, IF THE EXAMINER SIMPLY MAINTAINS THE REJECTION,  
7 THEN WE FILE A NOTICE OF APPEAL BY JUNE 29TH.

8 SO THAT'S IF THE EXAMINER DOES NOTHING IN RESPONSE TO OUR  
9 RESPONSE.

10 THE COURT: OKAY. AND AS FAR AS THE EXAMINER, ARE  
11 THEY REQUIRED TO DO ANYTHING OR IS LACK OF ACTION ASSUMED TO BE  
12 A REJECTION OF YOUR CURRENT RESPONSE AND THEN YOU JUST FILE  
13 YOUR APPEAL?

14 MR. JACOBS: I'M SORRY, YOUR HONOR, I JUST DON'T KNOW  
15 THE ANSWER TO THAT SPECIFIC ASPECT OF THE RE-EXAMINATION  
16 PROCEDURE.

17 THE COURT: OKAY.

18 MS. MAROULIS: IT IS OUR UNDERSTANDING, YOUR HONOR,  
19 THAT EVEN IF APPLE WERE TO RESPOND, YOU STILL NEED TO FILE A  
20 NOTICE OF APPEAL, BUT THIS IS A VERY SPECIFIC PTO PROCEDURE.

21 THE COURT: YOU MEAN THAT ON MAY 29TH, THEY CAN BOTH  
22 FILE A RESPONSE TO THE FINAL OFFICE ACTION AND FILE THEIR  
23 APPEAL?

24 MS. MAROULIS: ONE OF MY COLLEAGUES JUST PASSED ME A  
25 NOTE THAT EVEN IF THEY WERE TO RESPOND, THEY HAVE TO FILE A

1 NOTICE OF APPEAL NO LATER THAN JUNE 29TH.

2 THE COURT: OH, I SEE. OKAY.

3 SO IT SOUNDS LIKE ONE WAY OR THE OTHER, WE'LL GET  
4 DEFINITIVE WORD AS TO THE EXAMINER'S RESPONSE AND WHETHER THIS  
5 IS GOING UP ON APPEAL OR WHETHER THE EXAMINER IS GOING TO TAKE  
6 MORE TIME TO HAVE BACK AND FORTH CORRESPONDENCE BY JUNE 29TH.

7 DOES THAT SOUND CORRECT? IT SOUNDS LIKE IT.

8 MR. JACOBS: I DON'T THINK SAMSUNG CAN PROMISE YOU  
9 THAT, YOUR HONOR.

10 MS. MAROULIS: WELL, WE DON'T HAVE CONTROL OVER WHAT  
11 THE PTO DOES.

12 THE COURT: SURE.

13 MS. MAROULIS: BUT WE DO KNOW THAT APPLE HAS TO FILE  
14 A NOTICE TO PRESERVE THEIR APPELLATE RIGHTS, AND OUR ESTIMATION  
15 OF WHEN THE FINAL DECISION WILL ISSUE IS BASED ON WHAT WE KNOW  
16 ABOUT OTHER RE-EXAMS KEYED OFF FROM THAT NOTICE OF APPEAL.

17 THE COURT: I SEE.

18 MS. MAROULIS: THAT'S THE TIMELINE THAT WE'RE GOING  
19 ON.

20 THE COURT: I SEE. AND AS FAR AS THE '915, THE FINAL  
21 OFFICE ACTION IS EXPECTED NEXT MONTH? WELL, POTENTIALLY IN A  
22 COUPLE DAYS.

23 MS. MAROULIS: WE'RE ESTIMATING IT TO BE IN MAY. IT  
24 HAS NOT ISSUED, YOUR HONOR, SO THIS IS A PROJECTION BASED ON,  
25 AGAIN, OTHER RE-EXAMS.

1 THE COURT: I SEE.

2 MR. JACOBS: YOUR HONOR, IF I CAN REFER YOU TO THE --  
3 THERE'S A HELPFUL CHART ATTACHED TO OUR PAPER AND IT EXPLAINS  
4 THE PROCESS FLOW VISUALLY.

5 THE COURT: UM-HUM.

6 MR. JACOBS: THIS IS AT DOCKET 2309-1, PAGE 2 OF 3,  
7 AND IF YOU LOOK DOWN AT THE BOTTOM, YOU CAN SEE THE STAGE  
8 MARKED IN THE FLOW CHART AT WHICH WE CURRENTLY -- THE STAGE AT  
9 WHICH WE CURRENTLY ARE.

10 '381 PATENT RE-EXAM, EXAMINER ISSUES WHAT THEY CALL A FINAL  
11 REJECTION.

12 AND THEN PATENT OWNER PAPER AFTER FINAL REJECTION, THAT'S  
13 THE PATENT -- THAT'S THE STEP WE'RE LOOKING AT NOW. THAT'S THE  
14 REFERENCE TO 1.116.

15 THE COURT: RIGHT.

16 MR. JACOBS: AND THEN EXAMINER CONSIDERS THE PAPER.

17 THE COURT: UM-HUM.

18 MR. JACOBS: THAT'S THE STEP THAT I THINK IS  
19 INDETERMINATE IN TERMS OF ITS LENGTH.

20 AND THEN THERE'S AN ARROW DOWN TO EXAMINER REOPENS  
21 PROSECUTION, NO, THEN THE PATENT OWNER FILES THE NOTICE OF  
22 APPEAL.

23 THE COURT: RIGHT.

24 MR. JACOBS: YES, THEN WE GO BACK THROUGH THE LOOP.

25 THE COURT: OKAY. ALL RIGHT.



1 WELL, WHY DON'T I GO AHEAD -- I WOULD LIKE TO RULE ON  
2 THE -- ON THE STAY PENDING RE-EXAM NOW, AND WHAT I'M GOING TO  
3 DO TODAY, TO TRY TO MOVE THIS CASE MORE QUICKLY, IS I'M GOING  
4 TO GIVE YOU ALL OF MY RULINGS ORALLY, AS WELL AS MY REASONS,  
5 AND PLEASE JUST REQUEST A COPY OF THE TRANSCRIPT OF TODAY'S  
6 HEARING FROM MS. SHORTRIDGE AND THAT'LL BE THE ORDER.

7 I WILL ISSUE A CASE MANAGEMENT ORDER THAT JUST SAYS "FOR  
8 THE REASONS STATED ON THE RECORD, THE FOLLOWING MOTIONS WERE  
9 GRANTED OR DENIED IN PART OR IN WHOLE." OKAY?

10 MR. JACOBS: THANK YOU, YOUR HONOR.

11 THE COURT: SO THIS IS REGARDING THE STAY PENDING  
12 RE-EXAM.

13 A STAY FOR PURPOSES OF RE-EXAM -- AND RE-EXAMINATION IS  
14 WITHIN THE DISTRICT COURT'S DISCRETION. THE COURT IS NOT  
15 REQUIRED TO STAY JUDICIAL RESOLUTION IN LIGHT OF  
16 RE-EXAMINATIONS. SEE VISKASE, V-I-S-K-A-S-E, CORP. VERSUS  
17 AMERICA NATIONAL CAN COMPANY, 269 F.3D 1316, FEDERAL CIRCUIT  
18 2001.

19 IN DETERMINING WHETHER TO STAY A CASE PENDING  
20 RE-EXAMINATION, THE COURT CONSIDERS FACTORS SUCH AS: NUMBER  
21 ONE, THE STAGE OF THE CASE; TWO, WHETHER A STAY WILL SIMPLIFY  
22 THE COURT PROCEEDINGS; AND THREE, WHETHER A STAY WOULD UNDULY  
23 PREJUDICE OR PRESENT A CLEAR TACTICAL DISADVANTAGE TO THE  
24 NON-MOVING PARTY. TELEMAC CORP. VERSUS TELEDIGITAL,  
25 INCORPORATED, 450 F.SUPP.2D 1107, NORTHERN DISTRICT OF

1 CALIFORNIA, 2006.

2 SO AT THIS TIME, BECAUSE THE QUESTION OF WHETHER THE  
3 RE-EXAMINATION COULD BE REOPENED IS STILL UNRESOLVED, THE COURT  
4 MAKES THE FOLLOWING FINDINGS: THAT THE STAGE OF THE CASE  
5 FAVORS APPLE SINCE WE ARE POST-TRIAL AND POST-POST-TRIAL  
6 MOTIONS AND POST-VERDICT.

7 THE SECOND FACTOR, WHETHER A STAY WOULD SIMPLIFY THE COURT  
8 PROCEEDINGS, FAVORS SAMSUNG BECAUSE IT CERTAINLY WOULD SIMPLIFY  
9 THE PROCEEDINGS TO HAVE THE '381 OR THE '915 PATENT NOT BE  
10 RETRIED OR -- IT STILL -- IT WOULD CERTAINLY SIMPLIFY THE  
11 PROCEEDINGS.

12 NUMBER THREE, RIGHT NOW, WHILE THE QUESTION IS STILL OPEN  
13 BECAUSE AS FAR AS THE '915 PATENT WE DON'T YET HAVE A FINAL  
14 OFFICE ACTION, SO WE DON'T KNOW HOW THE PTO EXAMINER IS GOING  
15 TO ULTIMATELY RESOLVE ANY INVALIDITY CHALLENGES, AND RIGHT NOW  
16 WHILE THE '381 STILL HAS A POTENTIAL OF HAVING THE  
17 RE-EXAMINATION REOPENED, THE COURT BELIEVES THAT THE THIRD  
18 FACTOR, WHETHER A STAY WOULD UNDULY PREJUDICE OR PRESENT A  
19 CLEAR TACTICAL DISADVANTAGE TO THE NON-MOVING PARTY, THAT THAT  
20 FAVORS APPLE AT THIS TIME BECAUSE THEY DO HAVE A JURY VERDICT  
21 OF DAMAGES ON THESE PATENTS AND FURTHER DELAYING ACTUAL RELIEF  
22 WOULD BE UNDULY PREJUDICIAL AND PRESENT A CLEAR TACTICAL  
23 DISADVANTAGE.

24 NOW, HAVING SAID THAT, IF THE EXAMINER DECIDES NOT TO  
25 REOPEN THE CASE AND APPLE IS FORCED TO FILE A NOTICE OF APPEAL,

1 THEN I THINK THAT THAT THIRD FACTOR MAY THEN SWING INTO  
2 SAMSUNG'S FAVOR, BECAUSE IF THIS IS AN INVALID PATENT, THEN  
3 CERTAINLY IT WOULD BE MORE PREJUDICIAL AND MORE OF A TACTICAL  
4 DISADVANTAGE TO SAMSUNG TO HAVE TO DO A SECOND TRIAL AND TO  
5 HAVE TO DO, YOU KNOW, FURTHER LITIGATION ON I.P. THAT MAY  
6 ULTIMATELY NOT BE VALID.

7 SO WHAT I'M GOING TO DO IS FOR NOW I AM DENYING THE STAY  
8 REQUEST.

9 HOWEVER, I WOULD ASK THAT YOU KEEP THE COURT INFORMED OF  
10 ANY NEW DEVELOPMENTS WITH THE PTO, BECAUSE IF THE EXAMINER DOES  
11 NOT REOPEN THE PROSECUTION AND APPLE IS FORCED TO FILE A NOTICE  
12 OF APPEAL, THEN THE COURT WILL LIKELY STAY ANY PROCEEDINGS AS  
13 TO THE '381. OKAY?

14 AND THAT WILL NOT BE ANY -- IN ANY RETRIAL. OKAY?

15 SO THAT'S MY RULING ON THE RE-EXAMS.

16 MR. JACOBS: THANK YOU, YOUR HONOR.

17 MS. MAROULIS: YOUR HONOR, MAY WE BE HEARD ON THE  
18 FIRST FACTOR OR THIS IS THE FINAL RULING?

19 THE COURT: I'M SORRY, THAT'S THE FINAL RULING.

20 MS. MAROULIS: OKAY. THANK YOU.

21 THE COURT: BUT, MS. MAROULIS, YOU LET ME KNOW IF  
22 THERE'S NO --

23 MS. MAROULIS: YES, YOUR HONOR, ABSOLUTELY. WE WILL  
24 BE FILING SOMETHING IN MAY AND IN JUNE TO APPRISE THE COURT OF  
25 THE PROCESS OF THE RE-EXAMINATION.

1 THE COURT: THAT'S FINE.

2 MS. MAROULIS: DO WE NEED TO REFILE THE MOTION OR  
3 SIMPLY APPRISE THE COURT VIA ATTACHING PTO NOTICES?

4 THE COURT: WHAT I WOULD --

5 MR. JACOBS: WE WOULD LIKE AN OPPORTUNITY AT THAT  
6 STAGE TO BRIEF WHAT HAPPENS NEXT, YOUR HONOR.

7 THE COURT: WELL, I WOULD ONLY GIVE YOU THREE PAGES  
8 BECAUSE THIS HAS BEEN LITIGATED AT LEAST TWO -- TWICE NOW. WE  
9 DID PREVIOUSLY HAVE A MOTION TO STAY.

10 SO, AT MOST, IF THE EXAMINER REJECTS A REQUEST TO REOPEN  
11 THE PROSECUTION, THEN SAMSUNG WILL HAVE THREE PAGES TO BRIEF A  
12 REQUEST FOR A STAY AND APPLE WILL HAVE THREE PAGES TO RESPOND.

13 MR. JACOBS: THANK YOU, YOUR HONOR.

14 MS. MAROULIS: THANK YOU, YOUR HONOR.

15 THE COURT: I DON'T THINK A STAY -- A REPLY WILL BE  
16 NECESSARY, BUT IF I CHANGE MY MIND, I'LL LET YOU KNOW.

17 BUT I THINK AT THIS POINT WE'VE BEEN THROUGH THIS SO MANY  
18 TIMES, I'M NOT GOING TO REQUIRE AND WASTE A JURY'S TIME OR THIS  
19 COURT'S TIME ON A PATENT THAT MIGHT BE INVALIDATED.

20 MS. MAROULIS: THANK YOU, YOUR HONOR.

21 THE COURT: ALL RIGHT. SO THAT'S THAT ISSUE.

22 LET'S -- WELL, THIS ONE IS AN EASY ONE.

23 I WAS VERY SAD THAT BOTH SIDES AGREE THAT THE MARCH 1 ORDER  
24 IS NOT RIPE FOR APPEAL AND ULTIMATELY THE FEDERAL CIRCUIT MAY,  
25 IN ITS DISCRETION, REJECT THE COURT'S REQUEST FOR AN APPEAL

1 MR. JACOBS: WE'VE COVERED EVERYTHING FROM APPLE'S  
2 STANDPOINT, YOUR HONOR.

3 THE COURT: OKAY. MR. PRICE AND MS. MAROULIS, DID  
4 YOU HAVE ANYTHING ELSE THAT WE NEEDED TO --

5 MS. MAROULIS: YOUR HONOR, WE DON'T HAVE ADDITIONAL  
6 ISSUES RIGHT NOW. WE WILL BE BACK TO THE COURT WITH ANY  
7 FINDINGS FROM THE PTO.

8 THE COURT: OKAY.

9 MS. MAROULIS: PROBABLY WITHIN 30 TO 60 DAYS.

10 THE COURT: OKAY. LET ME ASK YOU, ARE ANY OF THE  
11 OTHER -- THE '163 IS NOT IN RE-EXAM?

12 MS. MAROULIS: NO, YOUR HONOR.

13 THE COURT: OR THE D'305 OR THE D'677?

14 MR. JACOBS: THAT'S CORRECT, YOUR HONOR, THEY'RE NOT.

15 MS. MAROULIS: NOT TO MY KNOWLEDGE.

16 THE COURT: OKAY. THEN, YES, PLEASE LET ME KNOW ON  
17 THE '381 AND THE '915.

18 MS. MAROULIS: AND YOUR HONOR, WE WILL GET BACK TO  
19 YOU WHEN THE '381 BECOMES FINAL, BECAUSE THE '915 IS A SLIGHTLY  
20 DIFFERENT SITUATION.

21 THE COURT: OKAY. ALL RIGHT.

22 MS. MAROULIS: THANK YOU.

23 THE COURT: THANK YOU ALL.

24 MR. JACOBS: THANK YOU, YOUR HONOR.

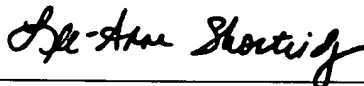
25 (THE PROCEEDINGS IN THIS MATTER WERE CONCLUDED.)

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CERTIFICATE OF REPORTER

I, THE UNDERSIGNED OFFICIAL COURT REPORTER OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, 280 SOUTH FIRST STREET, SAN JOSE, CALIFORNIA, DO HEREBY CERTIFY:

THAT THE FOREGOING TRANSCRIPT, CERTIFICATE INCLUSIVE, IS A CORRECT TRANSCRIPT FROM THE RECORD OF PROCEEDINGS IN THE ABOVE-ENTITLED MATTER.



\_\_\_\_\_  
LEE-ANNE SHORTRIDGE, CSR, CRR  
CERTIFICATE NUMBER 9595

DATED: MAY 3, 2013



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- For the reasons stated on the record, the Court DENIED without prejudice Samsung's Request for a Stay pending reexamination of the '381 and '915 patents at issue in the new damages trial.
    - Samsung may renew its motion for a stay of the new trial on damages as to the '381 patent if the USPTO does not re-open the prosecution of the '381 reexamination following Apple's response to the final office action finding claim 19 of the '381 patent invalid. Any such motion, and any opposition to such motion, may not exceed three (3) pages in length. The parties shall contact Ms. Parker Brown for a hearing date. The response to any such motion is due ten days after the filing of a motion.
    - Similarly, if the USPTO issues a final office action finding claim 8 of the '915 patent invalid, and does not re-open the prosecution of the '915 reexamination following Apple's response to the final office action, Samsung may re-new its motion for a stay of the new trial on damages as to the '915 patent. Such a motion will be subject to the same limitations and procedures as set forth above.
  - For the reasons stated on the record, the Court GRANTED-IN-PART and DENIED-IN-PART Apple's Conditional Motion for Reconsideration of Order Granting New Damages Trial on Galaxy S II AT&T and Infuse 4G.
    - The Court reinstates the jury award of \$40,494,356.00 for the Galaxy S II AT&T. Accordingly, the Galaxy SII AT&T will not be included in the new trial on damages.
    - The Court does not reinstate the jury award of \$44,792,974.00 for the Infuse 4G. The Infuse 4G will be included in the new trial on damages. The parties may not introduce any data regarding Infuse 4G sales that occurred prior to May 15, 2011.
  - For the reasons stated on the record, the Court REJECTED Samsung's argument that the Seventh Amendment requires a new trial on both damages and liability issues.
  - For the reasons stated on the record, the Court DENIED Apple's request for the Court to determine the amount of prejudgment interest or supplemental damages prior to resolution of the appeals in this case.

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**TRIAL RULINGS:**

- The Court ORDERED that the new trial on damages will take place on November 12, 13, 14, 15, and 18, 2013. Trial will last daily from 9:00 a.m. to noon, and 1:00 p.m. to 4:30 p.m. The Court will empanel 8 jurors. Each side may exercise up to 3 peremptory challenges.
- The Court's prior rulings on the parties' *Daubert* motions, motions in limine, discovery disputes, and evidentiary objections will remain in effect as law of the case. The parties may not relitigate these issues.



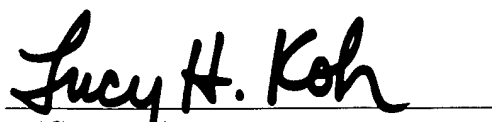
- 1       • The Court GRANTED Apple's request to substitute a new damages expert for Terry  
2       Musika, who passed away in December 2012, but DENIED the parties' requests for  
3       supplemental fact discovery. The Court ORDERED that the new trial on damages will be  
4       extremely limited. The sole purpose of the trial is to correct the erroneous notice dates.  
5       The Court will not permit the parties to expand the scope of the damages trial by relying  
6       upon: (1) new sales data, including any sales after June 30, 2013; (2) new products; and (3)  
7       new methodologies or theories. Consequently, Apple's new damages expert may not  
8       include different methodologies in his or her expert report, and may not draw upon new  
9       data. Per the parties' discussion, Apple has agreed to replace Mr. Musika, who was a CPA,  
10      with another CPA.
- 11      • Each side shall be limited to one motion to strike, which may not exceed seven (7) pages in  
12      length. Each side's opposition shall not exceed seven (7) pages in length. Each side's reply  
13      shall not exceed four (4) pages in length. The parties shall meet and confer and stipulate to  
14      a proposed briefing schedule regarding any potential motions to strike. The briefing on  
15      these motions must be completed at least three weeks prior to the hearing on the motions.
- 16      • The parties shall also meet and confer and stipulate to a proposed briefing schedule  
17      regarding any motion filed by Samsung, pursuant to Rule 702 of the Federal Rules of  
18      Evidence, regarding the qualifications of Apple's new expert. The briefing on this motion  
19      must be completed at least three weeks prior to the hearing on this motion. Samsung's Rule  
20      702 motion, if filed, shall not exceed four (4) pages in length. Apple's response shall not  
21      exceed (4) pages in length. There shall be no reply.
- 22      • The parties shall also meet and confer regarding how to present information regarding  
23      infringement and validity to the jury.

The following pretrial schedule was set:

May 13, 2013	Apple identifies its substitute damages expert
June 24, 2013	Apple serves supplemental expert report on damages
July 26, 2013	Samsung serves rebuttal expert report on damages
August 23, 2013	Completion of expert discovery
October 10, 2013, at 1:30 p.m.	Hearing on Samsung's FRE 702 motion, if filed, and the motions to strike, if any
October 17, 2013, at 1:30 p.m.	Pretrial Conference (including discussion of how to present infringement and validity findings to new jury)
November 12, 2012, at 9:00 a.m.	Jury Trial

**IT IS SO ORDERED.**

Dated: April 29, 2013

  
LUCY H. KOH  
United States District Judge

Control No. 90/012,304  
Certificate of Service

MAY 31 2013

CENTRAL REEXAMINATION UNIT

**CERTIFICATE OF SERVICE**

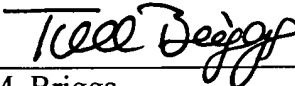
Pursuant to 37 C.F.R. §§ 1.248, the undersigned hereby certifies that copies of Third-Party Samsung's Notice of Concurrent Proceedings were served on the Patent Owner and Third Party Requester via first class mail on May 31, 2013, at the following addresses:

Brian B. Ho  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, CA 94105-2482

Joseph J. Richetti  
BRYAN CAVE LLP  
1290 Avenue of the Americas  
New York, NY 10104

DATED: May 31, 2013

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

By   
Todd M. Briggs  
Registration No. 44,040  
555 Twin Dolphin Drive, 5th Floor  
Redwood Shores, California 94065  
Telephone: (650) 801-5000

Attorney for SAMSUNG ELECTRONICS CO.,  
LTD., SAMSUNG ELECTRONICS AMERICA,  
INC., and SAMSUNG  
TELECOMMUNICATIONS AMERICA, LLC


Document Description: Transmittal Letter

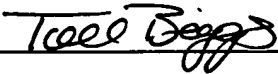
PTO/SB/21 (07-09)  
 Approved for use through 07/31/2012. OMB 0651-0031  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	90/012304	<b>RECEIVED</b>  <b>MAY 31 2013</b>  <b>CENTRAL REEXAMINATION UNIT</b>
	Filing Date	May 23, 2013	
	First Named Inventor	Bas ORDING	
	Art Unit	3992	
	Examiner Name	D. G. Bonshock	
Total Number of Pages in This Submission	23	Attorney Docket Number	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Third-Party Samsung's Notice of Concurrent Proceedings and Exhibits 2. Certificate of Service (1 page)
<input type="text"/> Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	QUINN EMANUEL URQUHART & SULLIVAN, LLP		
Signature			
Printed name	Todd M. Briggs		
Date	May 31, 2013	Reg. No.	44,040

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Todd M. Briggs	Date	May 31, 2013

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Control No. 90/012,304  
Samsung's Notice of Concurrent Proceedings

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*Ex Parte* Reexamination of  
U.S. Patent No. 7,469,381  
  
Reexam Control No. 90/012,304  
  
Confirmation No. 4807  
  
Reexam Filing Date: May 23, 2012

Patent Owner: Apple, Inc.  
  
Group Art Unit: 3992  
  
Examiner: D. G. Bonshock

**RECEIVED**

**MAY 31 2013**

**CENTRAL REEXAMINATION UNIT**

Title: LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND  
ROTATION ON A TOUCH-SCREEN DISPLAY

Mail Stop *Ex Parte* Reexam  
Central Reexamination Unit  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**THIRD-PARTY SAMSUNG'S NOTICE OF CONCURRENT PROCEEDINGS**

Sir:

Pursuant to MPEP 2282, third-party Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively "Samsung") provides this notice of concurrent proceedings to provide information about a relevant development in a civil action involving the same patent under reexamination here –U.S. Patent No. 7,469,381.<sup>1</sup>

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<sup>1</sup> MPEP 2282 provides: "[I]n order to ensure a complete file, with updated status information regarding prior or concurrent proceedings regarding the patent under reexamination, the Office will, at any time, accept from any parties, for entry into the reexamination file, copies of notices of suits and other proceedings involving the patent and copies of decisions or papers filed in the court from litigations or other proceedings involving the patent."

Control No. 90/012,304  
Samsung's Notice of Concurrent Proceedings

On May 20, 2013, Apple filed a notice of concurrent proceedings informing the Office that "[a] new damages trial is set to proceed on November 12, 2013 as to some accused products that were found to infringe, *inter alia*, claim 19 of the '381 patent" in the *Apple v. Samsung* civil action pending in the Northern District of California, Civil Action No. 5:11-cv-1846. See May 20, 2013 Notice of Prior and Concurrent Proceedings under 37 C.F.R. § 1.565(a) at 1-2.

However, Apple did not inform the Office of other relevant information regarding the new damages trial in the civil action. In particular, on April 29, 2013, the Court in the Northern District of California held a hearing on Samsung's request to stay the new damages trial with respect to the '381 patent based on the Office's March 29, 2013 final rejection of claim 19 of the '381 patent – the only '381 claim at issue in the Northern District of California case. While denying the request without prejudice, the Court ruled that it "will likely" stay any damages retrial on claim 19 of the '381 patent in the event that the Examiner did not re-open the prosecution of the '381 reexamination. Thus, at the hearing, the Court stated:

"SO WHAT I'M GOING TO DO IS FOR NOW I AM DENYING THE STAY REQUEST. HOWEVER, I WOULD ASK THAT YOU KEEP THE COURT INFORMED OF ANY NEW DEVELOPMENTS WITH THE PTO, BECAUSE IF THE EXAMINER DOES NOT REOPEN THE PROSECUTION AND APPLE IS FORCED TO FILE A NOTICE OF APPEAL, THEN THE COURT WILL LIKELY STAY ANY PROCEEDINGS AS TO THE '381. OKAY? AND THAT WILL NOT BE ANY -- IN ANY RETRIAL. OKAY? SO THAT'S MY RULING ON THE RE-EXAMS."

April 29, 2013 Hearing Transcript at 12:7-15 (attached hereto as Exhibit A). Subsequently, the Court issued a written order confirming that "Samsung may renew its motion for a stay of the new trial on damages as to the '381 patent if the USPTO does not re-open the prosecution of the '381 reexamination following Apple's response to the final office action finding claim 19 of the

Control No. 90/012,304  
Samsung's Notice of Concurrent Proceedings

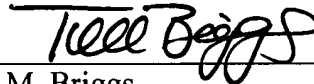
'381 patent invalid." April 29, 2013 Case Management Order, Dkt. 2316 at 2 (attached hereto as Exhibit B).

If additional information is required, the Examiner is invited to telephone the undersigned at the number given below.

DATED: May 31, 2013

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

By



Todd M. Briggs  
Registration No. 44,040  
555 Twin Dolphin Drive, 5th Floor  
Redwood Shores, California 94065  
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Attorney for SAMSUNG ELECTRONICS CO.,  
LTD., SAMSUNG ELECTRONICS AMERICA,  
INC., and SAMSUNG  
TELECOMMUNICATIONS AMERICA, LLC

Control No. 90/012,304

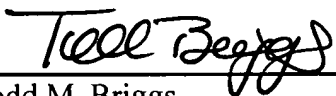
Samsung's Notice of Concurrent Proceedings

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to:

Mail Stop *Ex Parte* Reexam  
Central Reexamination Unit  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

on May 31, 2013.

By   
Todd M. Briggs  
Registration No. 44,040  
Telephone: (650) 801-5000

Application/Control Number: 90/012,304  
Art Unit: 3992

Page 2

### **DETAILED ACTION**

#### ***ex parte* Reexamination**

This Office Action address claims 1-20 of U.S. Patent Number: 7,469,381 and is responsive to the Patent Owner's after final response filed 5-13-2013. It has been determined in the Order Granting *ex parte* Reexamination mailed 7-30-2012 that a substantial new question of patentability was raised in the Request for *ex parte* reexamination filed 5-23-2012.

### **INTRODUCTION**

During an interview on 5-9-2013, Patent Owner's Representatives presented their position that the Lira reference lacked the "stop condition" of the claims, where the translating in the second direction occurs "until the area beyond the edge of the electronic document is no longer displayed". To this, the Office noted that Lira does provide for animated snap-on-column functionality from an area off of the column upon pen lift (see page 15, lines 18-31), where the width of the column is sized to the window size so as to be less than or equal to the window width (see page 11, lines 10-17), with specific recitations to the column widths corresponding to the display width 425 (see column 10, lines 1-5). The Office believes this is important to point out as when the window snaps back to the column, corrective scrolling is stopped when the display is centered over the column, thereby placing the edges of the column at the edges of the equally sized display, where at the exact instance that the widow is centered the area beyond the edge ceases to be displayed (same result).



Application/Control Number: 90/012,304  
Art Unit: 3992

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The Patent Owner's Representatives noted that claim 19, specifically teaches "instructions for" translating "until the area beyond the edge of the electronic document is no longer displayed", where the Office asked for further clarification as to whether there is support for actual coded instructions that effect this process, and noted that if there where this would be a good area to focus. The Office noted that though *corrective traversal* in Lira appears to stop when the area beyond the edge of the document is no longer displayed, it is not specifically responsive to instructions requiring said *stop condition* (area beyond the edge of the electronic document is no longer displayed) but rather a result of instructions to center (same effect, different cause).

In a subsequent response filed 5-13-2013, Patent Owner provided specific support in the specification for "instructions for" translating "until the area beyond the edge of the electronic document is no longer displayed" (specifically paragraphs [0009], [0012], [0013], and [0100]).

After further review by the Examiner, a call was placed to the Patent Owner on 5-22-2013 during which a decision was made to confirm claim 19 and cancel claims 1-13, 15, 16, and 20, where these canceled claims were neither previously confirmed (as were claims 14, 17, and 18) nor provided said specific recitation to "instructions for" translating... "until the area beyond the edge of the electronic document is no longer displayed".

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### **EXAMINER'S AMENDMENT**

During a telephonic interview with Peter Yim and Brian Ho on May 22, 2013 an agreement was made to cancel claims 1-13, 15, 16, and 20.

An examiner's amendment to the record appears below. The changes made by this examiner's amendment will be reflected in the reexamination certificate to issue in due course.

Claims 1-13 (cancelled)

Claim 15 (cancelled)

Claim 16 (cancelled)

Claim 20 (cancelled)

### **STATEMENT OF REASONS FOR PATENTABILITY AND/OR CONFIRMATION**

The following is an examiner's statement of reasons for patentability and/or confirmation of the claims over the prior art currently of record in this reexamination proceeding:

Claim 19 recites the feature of:

*"programs including... instructions for translating the electronic document in a second direction until the area beyond the edge of the electronic document is no longer displayed to display a fourth portion of the electronic document,*

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*wherein the fourth portion is different from the first portion, in response to detecting that the object is no longer on or near the touch screen display.”*

**The ‘381 Patent Specification defines these "instructions" as (from column 3, lines 33-37) (paragraph [0012]):**

“The one or more programs further include instructions for translating the document in a second direction until the area beyond the edge of the document is no longer displayed, after the object is no longer detected on or near the touch screen display.”

Further reference to this program based executable instructions can be found in the specification at paragraphs [0009], [0013], and [0100].

In the supplemental response filed 5/13/2013, Patent Owner concedes that:

**“While Lira’s snap-to-column function incidentally achieves the visual result of translating in the second direction “until the area beyond the edge of the electronic document is no longer displayed” (only when the width of the column corresponds to the width of the display), Lira’s function clearly does so through the use of executable program instructions having a different stop condition based on centering of the column.”** (see page 7)

Van Den Hoven is further lacking in this respect, as there is no reliance on Van Den Hoven by the third party requestor, nor could support be found in the reference.

The rejections over the Ording ‘975 reference have been removed in response to the 37 C.F.R. § 1.131 declaration filed by Mr. Ording.

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In summary, Claim 19 is Confirmed, as there is no prior art disclosure of a similar device with “*programs including... **instructions for translating the electronic document in a second direction until the area beyond the edge of the electronic document is no longer displayed to display a fourth portion of the electronic document, wherein the fourth portion is different from the first portion, in response to detecting that the object is no longer on or near the touch screen display.***”

**Reasons for confirmation of 14, 17, and 19 (as previously provided):**

Claims 14 specifically teach "the area beyond the edge of the document is visually distinct from the document", where Lira at no point mentions displaying the area beyond the edge of the document as visually distinct from the document. Claim 14 is herein confirmed for the reasons provided above.

Claim 17 specifically teaches “translating in the first direction prior to reaching the edge of the electronic document has a first associated translating distance that corresponds to a distance of movement of the object prior to reaching the edge of the electronic document; and wherein displaying an area beyond the edge of the electronic document comprises translating the electronic document in the first direction for a second associated translating distance, wherein the second associated translating distance is less than a distance of movement of the object after reaching the edge of the electronic document.” This basically has to do with dampening the movement of the display once the edge is crossed, where Lira at no point mentions such as dampening

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Page 7

Art Unit: 3992

of the movement once the edge is crossed. Claim 17 is herein confirmed for the reasons provided above.

Van Den Hoven is further lacking in this respect, as there is no disclosure of the deceleration being resultant upon the edge of a list or the edge of a document being reached and crossed.

Claim 18 specifically teaches “translating in the first direction prior to reaching the edge of the electronic document has a first associated translating speed that corresponds to a speed of movement of the object, and wherein displaying an area beyond the edge of the electronic document comprises translating the electronic document in the first direction at a second associated translating speed, wherein the second associated translating speed is slower than the first associated translating speed”. This basically has to do with dampening the speed of translation of the display once the edge is crossed, where Lira at no point mentions such as dampening of the speed of translation once the edge is crossed. Claim 18 is herein confirmed for the reasons provided above.

Van Den Hoven is further lacking in this respect, as there is no disclosure of the deceleration being resultant upon the edge of a list or the edge of a document being reached and crossed.

**In summary, Claims 14, 17, 18, and 19 are Confirmed.**

Application/Control Number: 90/012,304  
Art Unit: 3992

Page 8

Any comments considered necessary by PATENT OWNER regarding the above statement must be submitted promptly to avoid processing delays. Such submission by the patent owner should be labeled: "Comments on Statement of Reasons for Patentability and/or Confirmation" and will be placed in the reexamination file.

***Conclusion***

All correspondence relating to this *ex parte* reexamination proceeding should be directed:

By Mail to: Mail Stop Ex Parte Reexam  
Central Reexamination Unit  
Commissioner for Patents  
United States Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

By FAX to: (571) 273-9900  
Central Reexamination Unit

Application/Control Number: 90/012,304  
Art Unit: 3992

Page 9

By hand: Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

By EFS-Web:

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<https://efs.uspto.gov/efile/myportal/efs-registered>

EFS-Web offers the benefit of quick submission to the particular area of the Office that needs to act on the correspondence. Also, EFS-Web submissions are “soft scanned” (i.e., electronically uploaded) directly into the official file for the reexamination proceeding, which offers parties the opportunity to review the content of their submissions after the “soft scanning” process is complete.

Any inquiry concerning this communication or earlier communications from the Reexamination Legal Advisor or Examiner, or as to the status of this proceeding, should be directed to the Central Reexamination Unit at telephone number (571) 272-7705.

/Dennis G. Bonshock/

Primary Examiner, Art Unit 3992

Conferees:

Application/Control Number: 90/012,304

Page 10

Art Unit: 3992

/Adam L Basehoar/

Primary Examiner, Art Unit 3992


/Alexander J Kosowski/

Supervisory Patent Examiner, Art Unit 3992








<b>Issue Classification</b> 	<b>Application/Control No.</b> 90012304	<b>Applicant(s)/Patent Under Reexamination</b> 7,469,381
	<b>Examiner</b> DENNIS BONSHOCK	<b>Art Unit</b> 3992

<input checked="checked" type="checkbox"/> <b>Claims renumbered in the same order as presented by applicant</b> <input type="checkbox"/> <b>CPA</b> <input type="checkbox"/> <b>T.D.</b> <input type="checkbox"/> <b>R.1.47</b>															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original

NONE		<b>Total Claims Allowed:</b>	
(Assistant Examiner)		4	
/DENNIS BONSHOCK/ Primary Examiner. Art Unit 3992		O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)		19	8C
(Date)		(Date)	
6/5/201			

<b>Reexamination</b> 	<b>Application/Control No.</b> 90012304	<b>Applicant(s)/Patent Under Reexamination</b> 7,469,381
	<b>Certificate Date</b>	<b>Certificate Number</b> C2

<b>Requester Correspondence Address:</b>	<input type="checkbox"/> <b>Patent Owner</b>	<input checked="" type="checkbox"/> <b>Third Party</b>
BRYAN CAVE LLP 1290 AVENUE OF THE AMERICAS NEW YORK, NY 10104		

<b>LITIGATION REVIEW</b> <input checked="" type="checkbox"/>	DGB (examiner initials)	07/23/2012 (date)
Case Name		Director Initials
APPLE INC. v. SAMSUNG ELECTRONICS CO. case no. 5:11CV1846		
case no. 1:10CV167		

COPENDING OFFICE PROCEEDINGS	
TYPE OF PROCEEDING	NUMBER

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ALTERNATIVE TO PTO/SB/08A/B  
(Based on PTO 08-08 version)

Substitute for form 1449/PTO			<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			Control Number	90/012,304	
			Filing Date	May 23, 2012	
			First Named Inventor	Bas ORDING	
			Art Unit	3992	
			Examiner Name	D. G. Bonshock	
Sheet	1	of	3	Attorney Docket Number	106842803800

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1.	US-5,241,674-A	08-31-1993	Kurosawa et al.	
	2.	US-5,463,725-A	10-31-1995	Henckel et al.	
	3.	US-2002/0189763-A1	12-19-2002	Kwon et al.	
	4.	US-2006/0268020-A1	11-30-2006	Han	
	5.	US-2011/0037725-A1	02-17-2011	Pryor	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	6.	EP-0493128-A2	07-01-1992	Canon KK		
	7.	JP-H09-160713-A	06-20-1997	Toshiba	Translation of abstract only	√
	8.	JP-2000-163193-A	06-16-2000	Seiko Epson Corp	Translation of abstract only	√
	9.	JP-2002-323850-A	11-08-2002	Matsushita Electric Ind. Co. Ltd.	Translation of abstract only	√
	10.	JP-2006-090962-A	04-06-2006	Matsushita Electric Ind. Co. Ltd.	Translation of abstract only	√

Examiner Signature	/Dennis Bonshock/	Date Considered	05/30/2013
--------------------	-------------------	-----------------	------------

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	11.	Baig, "Apple's iPhone Isn't Perfect, But It's Worthy of the Hype," USA Today, June 27, 2007	
	12.	Certificated of Grant dated January 23, 2012, received in the Turkish part of European Patent Application No. 2 126 678, which corresponds to U.S. Application No. 11/956,969, 2 pages.	
	13.	Data sheet of the HP iPAQ h4100 pocket PC series <a href="http://h20000.www2.hp.com/bizsupport/TechSupport/Document.jsp?lang=de&amp;cc=de&amp;taskId=120&amp;prodSeriesId=349042&amp;prodTypeId=215348&amp;objectID=c00350648">http://h20000.www2.hp.com/bizsupport/TechSupport/Document.jsp?lang=de&amp;cc=de&amp;taskId=120&amp;prodSeriesId=349042&amp;prodTypeId=215348&amp;objectID=c00350648</a> , accessed May 17, 2013.	
	14.	Dietz et al., "Touch Recognition Technology "DiamondTouch" (Abstract), Mitsubishi Denki Giho (August 2002)	
	15.	Esenther et al., "Multi-User Multi-Touch Games on DiamondTouch with the DTFlash Toolkit," Intelligent Technologies for Interactive Entertainment 2005 (December 2005)	
	16.	Final Office Action dated February 14, 2013, received in U.S. Application No. 12/270,815, 13 pages.	

sf-3287705

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.B./

ALTERNATIVE TO PTO/SB/08A/B  
(Based on PTO 08-08 version)

Substitute for form 1449/PTO				<b>Complete if Known</b>	
				Control Number	90/012,304
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Filing Date	May 23, 2012
				First Named Inventor	Bas ORDING
				Art Unit	3992
				Examiner Name	D. G. Bonshock
				Attorney Docket Number	106842803800
Sheet	2	of	3		
<i>(Use as many sheets as necessary)</i>					

	17.	Grant dated October 26, 2012, received in Japanese Patent Application No. 2010 157303, which corresponds to U.S. Application No. 11/956,969, 4 pages.	
	18.	Jul and Furnas (1998) "Critical Zones in Desert Fog: Aids to Multiscale Navigation," Proceedings of the 11th annual ACM symposium on User interface software and technology, p. 97-106.	
	19.	Keys, "[CHI] Is Microsoft's (U.S.) New User Interface Made for Next Generation Cell Phones?" Tech-On!, April 8, 2005	
	20.	Levy, "At Last, the iPhone," The Daily Beast, June 25, 2007	
	21.	Mossberg, "The iPhone is a Breakthrough Handheld Computer," ALL Things D, June 26, 2007	
	22.	Notice of Allowance dated September 19, 2012, received in U.S. Application No. 12/270,812, 25 pages.	
	23.	Office Action dated February 18, 2013, received in Chinese Patent Application No. 20088000019.9, which corresponds to U.S. Application No. 11/956,969, 12 pages [translation].	√
	24.	Office Action dated October 15, 2012, received in Japanese Patent Application No. 2010157303, which corresponds to U.S. Application No. 11/956,969, 4 pages.	√
	25.	Office Action dated September 9, 2012, received in Chinese Patent Application No. 20088000019.9, which corresponds to U.S. Application No. 11/956,969, 22 pages.	√
	26.	Pogue, "The iPhone Matches Most of Its Hype," The New York Times, June 27, 2007	
	27.	Printouts of HCIL Webpage: "Interface Supporting One-Handed Use of Small Devices", June 2005.	
	28.	Printouts of Microsoft webpage: "Microsoft Opens R&D to Small Companies and Entrepreneurs", May 4, 2005.	
	29.	Australian Case No. (P) NSD 308 of 2013, "Amended Particulars of Invalidity, Australian Standard Patent No. 2008201540", March 2013.	
	30.	Australian Case No. (P) NSD 308 of 2013, "Amended Particulars of Invalidity, Australian Standard Patent No. 2009200366", March 2013.	
	31.	Australian Case No. (P) NSD 308 of 2013, "Amended Particulars of Invalidity, Australian Standard Patent No. 2009208103", March 2013.	
	32.	Australian Case No. (P) NSD 308 of 2013, "Amended Particulars of Invalidity, Australian Standard Patent No. 2008100283", March 2013.	
	33.	Australian Case No. NSD 1243 of 2011, "Affidavit of Andrew Cockburn", January 14, 2013.	
	34.	Australian Case No. NSD 1243 of 2011, "Affidavit of Ravin Balakrishnan", January 16, 2013.	
	35.	Australian Case No. NSD 1243 of 2011, "Affidavit of Saul Greenberg", January 9, 2013.	
	36.	Australian Case No. NSD 1243 of 2011, "Apple's Outline of Opening Submissions on the Invalidity of HCI Patents", February 21, 2013.	
	37.	Australian Case No. NSD 1243 of 2011, "Samsung's Outline of Opening Submissions on the Invalidity of Apple's HCI Patents", February 14, 2013.	
	38.	Australian Case No. NSD 1243 of 2011, "Second Affidavit of Mark Nathan Billingham", January 16, 2013.	
	39.	Australian Case No. NSD 1243 of 2011, "Second Affidavit of Masahiro Takatsuka", January 15, 2013.	
	40.	Australian Case No. NSD 1243 of 2011, "Second Affidavit of Ravin Balakrishnan", May 2, 2013.	
	41.	Australian Case No. NSD 1243 of 2011, "Second Affidavit of Roderick Alexander Farmer", October 30, 2012.	
	42.	Australian Case No. NSD 1243 of 2011, "Second Affidavit of Saul Greenberg", January 9, 2013.	

ALTERNATIVE TO PTO/SB/08A/B  
(Based on PTO 08-08 version)

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Control Number	90/012,304
				Filing Date	May 23, 2012
				First Named Inventor	Bas ORDING
				Art Unit	3992
				Examiner Name	D. G. Bonshock
Sheet	3	of	3	Attorney Docket Number	106842803800

	43.	Australian Case No. NSD 1243 of 2011, "Third Affidavit of Roderick Alexander Farmer", February 8, 2013.	
	44.	Australian Case No. NSD 308 of 2013, "Apple's Defence to Samsung's Statement of Cross-Claim", February 25, 2013.	
	45.	Australian Case No. NSD 308 of 2013, "Samsung's Notice of Cross-Claim", February 22, 2013.	
	46.	Australian Case No. NSD 308 of 2013, "Samsung's Statement of Cross-Claim", February 22, 2013.	
	47.	Australian Case Nos. NSD 308 of 2013 / NSD 1243 of 2011, "List of Topics for Discussion Between Experts on the HCI A Patents", February 2013.	
	48.	German Case No. 7070/12, Regional Court Mannheim, 7th Civil Chamber, "Decision", February 8, 2013.	
	49.	Japanese 2011 (Wa) No. 27781, Case of Petition for Damage Compensation, "Apple's Seventh Brief [Translation]", February 2013.	√
	50.	Japanese 2011 (Wa) No. 27781, Case of Petition for Damage Compensation, "Apple's Sixth Brief [Translation]", January 10, 2013.	√
	51.	Japanese 2011 (Wa) No. 27781, Case of Petition for Damage Compensation, "Samsung's Eighth Brief [Translation]", May 14, 2013.	√
	52.	Japanese 2011 (Wa) No. 27781, Case of Petition for Damage Compensation, "Samsung's Seventh Brief [Translation]", January 17, 2013.	√
	53.	Japanese Patent Invalidation Trial No. 2012-800075, "Oral Proceedings Statement Brief [Translation]", April 5, 2013.	√
	54.	Korean Case No. 2012 Na 76203, Action for Injunction to Cease Patent Infringement, etc., "Brief", February 26, 2013.	√
	55.	Korean Case No. 2012 Na 76203, Action for Injunction to Cease Patent Infringement, etc., "Appeal Brief", November 26, 2012.	√
	56.	Korean Case No. 2012 Na 76203, Action for Injunction to Cease Patent Infringement, etc., "Brief", February 1, 2013.	√

Examiner Signature	/Dennis Bonshock/	Date Considered	05/30/2013
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

<b><i>Ex Parte Reexamination Interview Summary</i></b>	<b>Control No.</b>	<b>Patent Under Reexamination</b>
	90/012,304	7,469,381
	<b>Examiner</b>	<b>Art Unit</b>
	DENNIS BONSHOCK	3992
All participants (USPTO personnel, patent owner, patent owner's representative):		
(1) <u>DENNIS BONSHOCK</u>	(3) <u>ADAM BASEHOAR</u>	
(2) <u>ALEXANER KOSOWSKI</u>	(4) <u>PETER YIM</u>	
<p>Date of Interview: <u>13 May 2013</u></p> <p>Type: a) <input checked="" type="checkbox"/> Telephonic    b) <input type="checkbox"/> Video Conference  c) <input type="checkbox"/> Personal (copy given to: 1) <input type="checkbox"/> patent owner    2) <input type="checkbox"/> patent owner's representative)</p> <p>Exhibit shown or demonstration conducted: d) <input type="checkbox"/> Yes    e) <input checked="" type="checkbox"/> No.  If Yes, brief description: _____</p> <p>Agreement with respect to the claims f) <input checked="" type="checkbox"/> was reached. g) <input type="checkbox"/> was not reached. h) <input type="checkbox"/> N/A.  Any other agreement(s) are set forth below under "Description of the general nature of what was agreed to..."</p> <p>Claim(s) discussed: <u>1-20</u>.</p> <p>Identification of prior art discussed: <u>Lira</u>.</p> <p>Description of the general nature of what was agreed to if an agreement was reached, or any other comments:  <u>Agreement was reached that Lira does not provide for "instructions for" translating... "until the area beyond the edge of the electronic document is no longer displayed" as is stated in claim 19. Additionally Patent Owner agreed to cancel via Examiner's Amendment claims 1-13, 15, 16, and 20, where these claims were neither previously confirmed (as were claims 14, 17, and 18) nor provide said specific recitation to "instructions for" translating... "until the area beyond the edge of the electronic document is no longer displayed" .</u></p> <p>(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims patentable, if available, must be attached. Also, where no copy of the amendments that would render the claims patentable is available, a summary thereof must be attached.)</p> <p>A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION MUST INCLUDE PATENT OWNER'S STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. (See MPEP § 2281). IF A RESPONSE TO THE LAST OFFICE ACTION HAS ALREADY BEEN FILED, THEN PATENT OWNER IS GIVEN <b>ONE MONTH</b> FROM THIS INTERVIEW DATE TO PROVIDE THE MANDATORY STATEMENT OF THE SUBSTANCE OF THE INTERVIEW (37 CFR 1.560(b)). THE REQUIREMENT FOR PATENT OWNER'S STATEMENT CAN NOT BE WAIVED. <b>EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).</b></p>		
/Dennis G. Bonshock/ Primary Examiner, Art Unit 3992	/AJK/	
cc: Requester (if third party requester)		



**Continuation Sheet (PTOL-474)**

**Reexam Control No.**

All participants (continued)

(5) Brian Ho

<b>Ex Parte Reexamination Interview Summary</b>	<b>Control No.</b> 90/012,304	<b>Patent Under Reexamination</b> 7,469,381
	<b>Examiner</b> DENNIS BONSHOCK	<b>Art Unit</b> 3992

All participants (USPTO personnel, patent owner, patent owner's representative):

(1) DENNIS BONSHOCK

(3) ADAM BASEHOAR

(2) ALEXANDER KOSOWSKI

(4) JASON SKINDER

Date of Interview: 09 May 2013

Type: a)  Telephonic b)  Video Conference  
c)  Personal (copy given to: 1)  patent owner 2)  patent owner's representative)

Exhibit shown or demonstration conducted: d)  Yes e)  No.

If Yes, brief description: Patent Owner's Representatives displayed a copy of the claims of the 11/956,969 application as they were initially presented prior to examination, the claims since being amended resulting in the '381 Patent.

Agreement with respect to the claims f)  was reached. g)  was not reached. h)  N/A.

Any other agreement(s) are set forth below under "Description of the general nature of what was agreed to..."

Claim(s) discussed: 1, 19, and 20.

Identification of prior art discussed: Lira.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Patent Owner's Representatives presented their position that the Lira reference lacked the "stop condition" in the claims where the translating in the second direction occurs "until the area beyond the edge of the electronic document is no longer displayed". To this, the Office noted that Lira does provide for animated snap-on-column functionality from an area off of the column upon pen lift (see page 15, lines 18-31), where the width of the column is sized to the window size so as to be less than or equal to the window width (see page 11, lines 10-17), with specific recitations to the column widths corresponding to the display width 425 (see column 10, lines 1-5). The Office believes this is important as when the window snaps back to the column, corrective scrolling is stopped when the display is centered over the column, thereby placing the edges of the column at the edges of the equally sized display, where at the exact instance that the widow is centered the area beyond the edge ceases to be displayed (same result). The Patent Owner's Representatives noted that claim 19, specifically teaches "instructions for" translating "until the area beyond the edge of the electronic document is no longer displayed", where the Office asked for further clarification as to whether there is support for actual coded instructions that effect this process, and noted that if there where this would be a good area to focus. The Office noted that though a corrective traversal appears in Lira to stop when the area beyond the edge of the document is no longer displayed, it may not be responsive to instructions requiring that but rather a result of instructions to center (same effect, different cause), pending further review. Patent Owner's Representatives noted that they would provide support.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims patentable, if available, must be attached. Also, where no copy of the amendments that would render the claims patentable is available, a summary thereof must be attached.)

A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION MUST INCLUDE PATENT OWNER'S STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. (See MPEP § 2281). IF A RESPONSE TO THE LAST OFFICE ACTION HAS ALREADY BEEN FILED, THEN PATENT OWNER IS GIVEN **ONE MONTH** FROM THIS INTERVIEW DATE TO PROVIDE THE MANDATORY STATEMENT OF THE SUBSTANCE OF THE INTERVIEW (37 CFR 1.560(b)). THE REQUIREMENT FOR PATENT OWNER'S STATEMENT CAN NOT BE WAIVED.

**EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).**



/Dennis G. Bonshock/ Primary Examiner, Art Unit 3992	/AJK/	
cc: Requester (if third party requester)		

**Continuation Sheet (PTOL-474)**

**Reexam Control No.**

All participants (continued)

(5) Peter Yim

(6) Brian Ho



UNITED STATES PATENT AND TRADEMARK OFFICE

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Bib Data Sheet

CONFIRMATION NO. 4807

<b>SERIAL NUMBER</b> 90/012,304	<b>FILING OR 371(c) DATE</b> 05/23/2012 <b>RULE</b>	<b>CLASS</b> 715	<b>GROUP ART UNIT</b> 3992	<b>ATTORNEY DOCKET NO.</b> 0331834.381
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**APPLICANTS**  
 7,469,381, Residence Not Provided;  
 APPLE INC. (OWNER), CUPERTINO, CA;  
 JOSEPH J. RICETTI (3RD PTY. REQ.), NEW YORK, NY;  
~~BRYAN CAVE LLP, NEW YORK, NY~~

**\*\* CONTINUING DATA \*\*\*\*\***  
 This application is a REX of 11/956,969 12/14/2007 PAT 7469381  
 which claims benefit of 60/879,253 01/07/2007  
 and claims benefit of 60/883,801 01/07/2007  
 and claims benefit of 60/879,469 01/08/2007  
 and claims benefit of 60/945,858 06/22/2007  
 and claims benefit of 60/946,971 06/28/2007  
 and claims benefit of 60/937,993 06/29/2007


**\*\* FOREIGN APPLICATIONS \*\*\*\*\***

Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	<b>STATE OR COUNTRY</b>	<b>SHEETS DRAWING</b>	<b>TOTAL CLAIMS</b> 20	<b>INDEPENDENT CLAIMS</b> 3
35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after Allowance				
Verified and Acknowledged <u>/Dennis Bonshock/</u> <u>DGB</u> Examiner's Signature Initials				

**ADDRESS**  
61725

**TITLE**  
LIST SCROLLING AND DOCUMENT TRANSLATION, SCALING, AND ROTATION ON A TOUCH-SCREEN DISPLAY

<b>FILING FEE RECEIVED</b> 2520	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees
		<input type="checkbox"/> 1.16 Fees ( Filing )
		<input type="checkbox"/> 1.17 Fees ( Processing Ext. of time )
		<input type="checkbox"/> 1.18 Fees ( Issue )
		<input type="checkbox"/> Other _____
		<input type="checkbox"/> Credit

<b>Search Notes</b>  	<b>Application/Control No.</b>  90012304	<b>Applicant(s)/Patent Under Reexamination</b>  7,469,381
	<b>Examiner</b>  DENNIS BONSHOCK	<b>Art Unit</b>  3992

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
Reviewed Previous Prosecution History	7-23-12	dgb
Reviewed Previous Prosecution History	10-9-12	dgb
Reviewed Previous Prosecution History	3-21-13	dgb
Reviewed Previous Prosecution History	5-30-13	dgb

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

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<b>Notice of Intent to Issue Ex Parte Reexamination Certificate</b>	<b>Control No.</b> 90/012,304	<b>Patent Under Reexamination</b> 7,469,381
	<b>Examiner</b> DENNIS BONSHOCK	<b>Art Unit</b> 3992

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

1.  Prosecution on the merits is (or remains) closed in this *ex parte* reexamination proceeding. This proceeding is subject to reopening at the initiative of the Office or upon petition. Cf. 37 CFR 1.313(a). A Certificate will be issued in view of
- (a)  Patent owner's communication(s) filed: 13 May 2013 and 20 May 2013.
- (b)  Patent owner's failure to file an appropriate timely response to the Office action mailed: \_\_\_\_\_.
- (c)  Patent owner's failure to timely file an Appeal Brief (37 CFR 41.31).
- (d)  The decision on appeal by the  Board of Patent Appeals and Interferences  Court dated \_\_\_\_\_
- (e)  Other: \_\_\_\_\_.
2. The Reexamination Certificate will indicate the following:
- (a) Change in the Specification:  Yes  No
- (b) Change in the Drawing(s):  Yes  No
- (c) Status of the Claim(s):
- (1) Patent claim(s) confirmed: 14 and 17-19.
- (2) Patent claim(s) amended (including dependent on amended claim(s)): \_\_\_\_\_
- (3) Patent claim(s) canceled: 1-13, 15-16, and 20.
- (4) Newly presented claim(s) patentable: \_\_\_\_\_.
- (5) Newly presented canceled claims: \_\_\_\_\_.
- (6) Patent claim(s)  previously  currently disclaimed: \_\_\_\_\_
- (7) Patent claim(s) not subject to reexamination: \_\_\_\_\_.
3.  Note the attached statement of reasons for patentability and/or confirmation. Any comments considered necessary by patent owner regarding reasons for patentability and/or confirmation must be submitted promptly to avoid processing delays. Such submission(s) should be labeled: "Comments On Statement of Reasons for Patentability and/or Confirmation."
4.  Note attached NOTICE OF REFERENCES CITED (PTO-892).
5.  Note attached LIST OF REFERENCES CITED (PTO/SB/08 or PTO/SB/08 substitute).
6.  The drawing correction request filed on \_\_\_\_\_ is:  approved  disapproved.
7.  Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).
- a)  All b)  Some\* c)  None of the certified copies have
- been received.
- not been received.
- been filed in Application No. \_\_\_\_\_.
- been filed in reexamination Control No. \_\_\_\_\_.
- been received by the International Bureau in PCT Application No. \_\_\_\_\_.
- \* Certified copies not received: \_\_\_\_\_.
8.  Note attached Examiner's Amendment.
9.  Note attached Interview Summary (PTO-474).
10.  Other: \_\_\_\_\_.

**All correspondence** relating to this reexamination proceeding should be directed to the **Central Reexamination Unit** at the mail, FAX, or hand-carry addresses given at the end of this Office action.

/Dennis G. Bonshock/  
Primary Examiner, Art Unit 3992

cc: Requester (if third party requester)



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/012,304	05/23/2012	7,469,381	P4304USREX2/120730-002US	4807

20872 7590 06/12/2013  
MORRISON & FOERSTER LLP  
425 MARKET STREET  
SAN FRANCISCO, CA 94105-2482

EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
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3992

MAIL DATE	DELIVERY MODE
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06/12/2013

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.





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BRYAN CAVE LLP

1290 AVENUE OF THE AMERICAS

NEW YORK, NY 10104

**EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO. 90/012,304.

PATENT NO. 7,469,381.

ART UNIT 3992.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).