

**Google LLC,
Petitioner
v.
138 East Advancements Limited,
Patent Owner**

**U.S. Patent No. 7,428,082
IPR2024-00959**

Oral Argument September 30, 2025

138 East's Hearing Demonstratives

Ground 1

Trials@uspto.gov
571-272-7822

Paper 7
Entered: January 8, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**Ground 1: Kuwata (Ex. 1005) in view of Fisher (Ex. 1006),
as to claims 1-3, 5, 6, 10**

IPR2024-00959
Patent 7,428,082 B2

Before KRISTEN L. DROESCH, GEORGE R. HOSKINS, and
CHRISTOPHER M. KAISER, *Administrative Patent Judges*.

HOSKINS, *Administrative Patent Judge*.

DECISION
Granting Institution of *Inter Partes* Review
35 U.S.C. § 314

Paper 10 (Institution Decision).

U.S. Patent No. 7,428,082

Independent Claim 1:

(12) United States Patent
Nakajima

(10) Patent No.: US 7,428,082 B2
(45) Date of Patent: Sep. 23, 2008

(54) UPDATE CONTROL OF IMAGE PROCESSING 6,678,402 B2 * 1/2004 Jones et al. 382/135

1. An image related data generator, connectable to a server, comprising:
an image data generator configured to generate image data;
a control data storage module pre-storing image processing control data to control image processing of the image data;
a relating module configured to relate the image data to the image processing control data; and
a storage manager configured to update at least a part of the image processing control data stored in the control data storage, based on specification data, which specifies the image processing control data to be updated,
wherein the image processing control data is to be used in processing of the image data by an image processing device that receives the image data and the image processing control data that are transferred from the image related data generator.

Kuwata (Ex. 1005)



(19) United States
(12) Patent Application Publication (10) Pub. No.: US 2002/0030833 A1
Kuwata et al. (43) Pub. Date: Mar. 14, 2002

(19) United States

(12) Patent Application Publication (10) Pub. No.: US 2002/0030833 A1
Kuwata et al. (43) Pub. Date: Mar. 14, 2002

(54) APPARATUS, METHOD, SIGNAL AND
COMPUTER PROGRAM PRODUCT
CONFIGURED TO PROVIDE OUTPUT
IMAGE ADJUSTMENT OF AN IMAGE FILE

Feb. 9, 2001 (JP) 2001-34518(P)
Mar. 15, 2001 (JP) 2001-74696(P)
Jul. 18, 2001 (JP) 2001-217878(P)

Publication Classification

(75) Inventors: Naoki Kuwata, Nagano-ken (JP);
Yoshihiro Nakami, Nagano-ken (JP);
Isao Edatsune, Nagano-ken (JP)

(51) Int. Cl.⁷ G06K 15/02; H04N 1/56;
H04N 9/04; H04N 9/64
(52) U.S. Cl. 358/1.9; 358/527; 358/518;
358/519; 358/520; 348/232;
348/223; 348/222

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(57) ABSTRACT

An apparatus, method, signal and computer program product is provided to generate an image file that can correctly reproduce image data at a predetermined output device. The image file includes an image data storage area that stores image data, and a control information storage area stores output control information. The image data is stored in JPEG format for example, and output control information is stored in TIFF format. The output device control information is information set so as to be able to obtain an optimal image output results according to a paired-combination of the input device and output device, taking into consideration their respective image processing characteristics.

(73) Assignee: Seiko Epson Corporation, Shinjuku-ku
(JP)

(21) Appl. No.: 09/941,711

(22) Filed: Aug. 30, 2001

(30) Foreign Application Priority Data

Sep. 1, 2000 (JP) 2000-265794(P)

Kuwata: Camera Manufacturer Does Matching


US 20020030833A1

(19) **United States**
(12) **Patent Application Publication** (10) **Pub. No.: US 2002/0030833 A1**
Kuwata et al. (43) **Pub. Date: Mar. 14, 2002**

(54) APPARATUS, METHOD, SIGNAL AND
COMPUTER PROGRAM PRODUCT
CONFIGURED TO PROVIDE OUTPUT
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(75) Inventors: Naoki Kuwata, Nagano-ken (JP);
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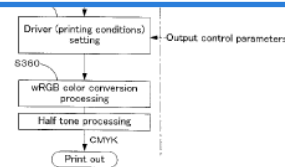
Feb. 9, 2001 (JP) 2001-34518(P)
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Jul. 18, 2001 (JP) 2001-217878(P)

Publication Classification

(51) **Int. Cl.⁷** **G06K 15/02**; H04N 1/56;
H04N 9/04; H04N 9/64
(52) **U.S. CL.** **358/1.9**; 358/527; 358/518;
358/519; 358/520; 348/232;
348/223; 348/222

(57) **ABSTRACT**
An apparatus, method, signal and computer program product

“In this way, the DSC manufacturer goes through the laborious process of identifying the optimum combination of operational characteristics of a DSC-printer pair, and memorizes the characteristics in memory, for later retrieval when the photographer identifies the target printer to be used for printing. By following this approach, the DSC vendor does the matching once, so thousands of DSC photographers never have to do it, yet the photographers can be guaranteed that the results will be optimal for the DSC-printer pair.”

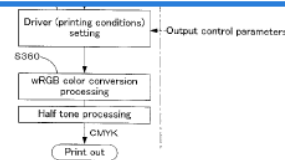


Dr. Papanikolopoulos on Kuwata

 US 20020030833A1	
(19) United States	
(12) Patent Application Publication	(10) Pub. No.: US 2002/0030833 A1
Kuwata et al.	(43) Pub. Date: Mar. 14, 2002
(54) APPARATUS, METHOD, SIGNAL AND COMPUTER PROGRAM PRODUCT CONFIGURED TO PROVIDE OUTPUT IMAGE ADJUSTMENT OF AN IMAGE FILE	Feb. 9, 2001 (JP) 2001-34518(P) Mar. 15, 2001 (JP) 2001-74696(P) Jul. 18, 2001 (JP) 2001-217878(P)
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(75) Inventors: Naoki Kuwata, Nagano-ken (JP); Yoshihiro Nakami, Nagano-ken (JP); Isao Edatsune, Nagano-ken (JP)	(51) Int. Cl.⁷ G06K 15/02 ; H04N 1/56; H04N 9/04; H04N 9/64
Correspondence Address: OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC FOURTH FLOOR 1755 JEFFERSON DAVIS HIGHWAY ARLINGTON, VA 22202 (US)	(52) U.S. CL. 358/1.9 ; 358/527; 358/518; 358/519; 358/520; 348/232; 348/223; 348/222
	(57) ABSTRACT An apparatus, method, signal and computer program product

Dr. Papanikolopoulos: “Kuwata emphasizes the advantages of storing all available information about DSC/printer pairs directly on the camera.”

“Kuwata further teaches storing output control information for multiple devices on the camera so that the user does not have to identify or obtain control information for new DSC/printer pairs. . . . **Kuwata is therefore directed to enabling standalone printing via direct uploads without external dependencies.**”



Fisher (Ex. 1006)



(19) United States

(12) Patent Application Publication (10) Pub. No.: US 2001/0025303 A1
Fisher et al. (43) Pub. Date: Sep. 27, 2001

(19) United States

(12) Patent Application Publication (10) Pub. No.: US 2001/0025303 A1
Fisher et al. (43) Pub. Date: Sep. 27, 2001

(54) SYSTEM AND METHOD FOR ACCESSING
AND UTILIZING ANCILLARY DATA WITH
AN ELECTRONIC CAMERA DEVICE

Publication Classification

(51) Int. Cl.⁷ G06F 15/16

(52) U.S. Cl. 709/217; 709/204

(76) Inventors: Clay H. Fisher, Belmont, CA (US);
Steven G. Goldstein, Los Angeles, CA
(US); Neal J. Manowitz, Mahwah, NJ
(US); David G. Longendyke, Vernon,
NJ (US)

(57) ABSTRACT

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Cupertino, CA 95014 (US)

A system and method for accessing and utilizing ancillary data with an electronic camera device includes a data source that stores various selectable ancillary data files such as image template files, text overlay files, image background files, and special program instruction files. The data source may be implemented in any effective manner, including as a service on an distributed computer network like the Internet, as a discrete electronic device such as a personal computer, or as a removable, non-volatile memory device such as a flash memory. The electronic camera device may then utilize an ancillary data module to access, select, and download the ancillary data files from the data source for subsequently combining with other captured image data to thereby produce new composite images.

(21) Appl. No.: 09/781,917

(22) Filed: Feb. 8, 2001

Related U.S. Application Data

(63) Non-provisional of provisional application No.
60/187,185, filed on Mar. 6, 2000.

Dr. Papanikolopoulos: No “Specification Data”


US 20010025303A1

(19) **United States**
(12) **Patent Application Publication** (10) Pub. No.: **US 2001/0025303 A1**
Fisher et al. (43) Pub. Date: **Sep. 27, 2001**

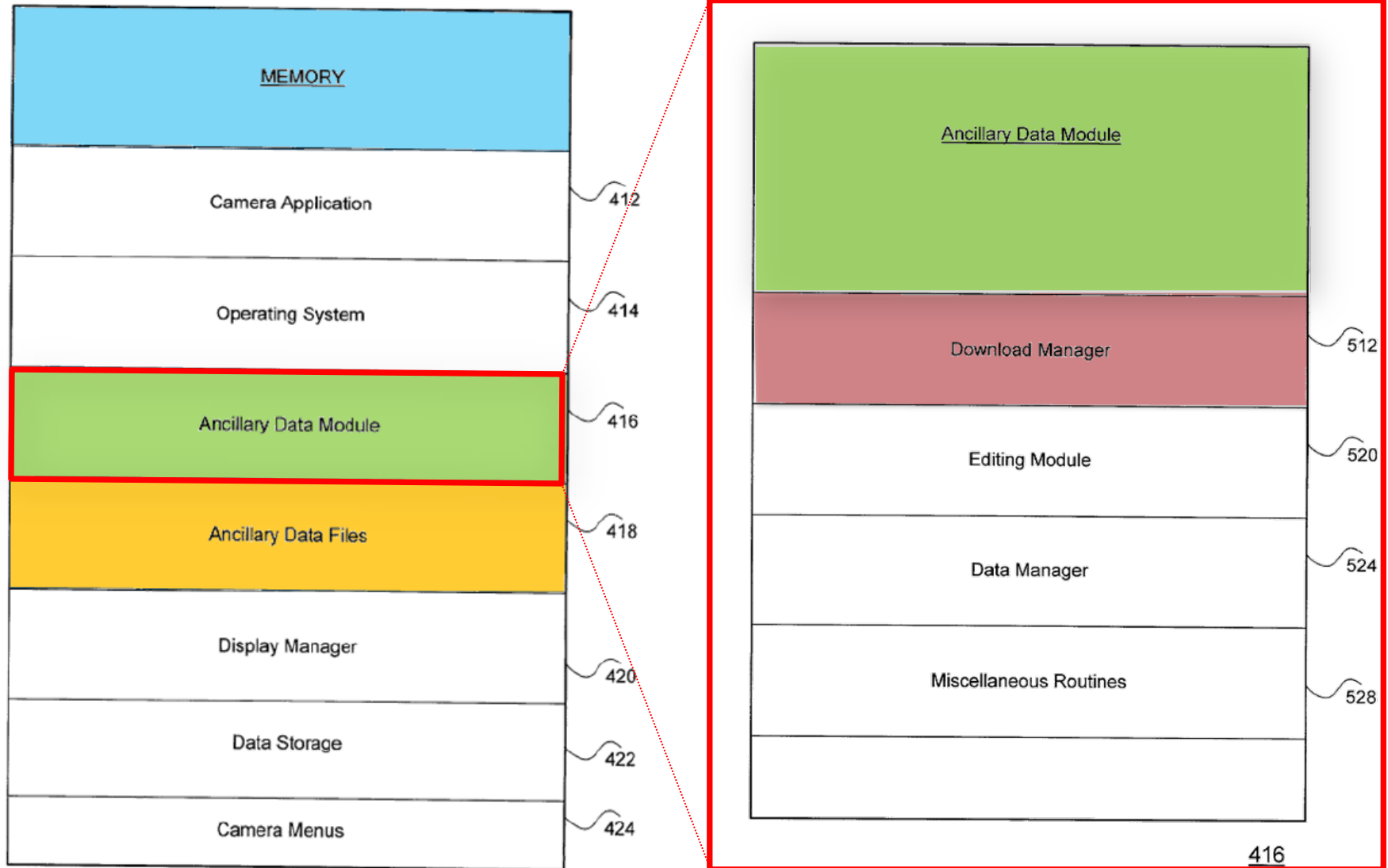
(54) SYSTEM AND METHOD FOR ACCESSING
AND UTILIZING ANCILLARY DATA WITH
AN ELECTRONIC CAMERA DEVICE

Publication Classification
(51) Int. Cl.⁷ G06F 15/16
(52) U.S. Cl. 700/247-250, 254

Dr. Papanikolopoulos: “[I]n my opinion, a POSITA reading Fisher would not have understood the reference to teach any association between descriptors and downloading data from the Internet or any other external server.”

“According to Fisher’s teachings, for example, the descriptors are stored completely separate from the download manager that coordinates downloading of ancillary data files. I have illustrated this separation in the annotated Figure 4, which shows how memory is allocated to different blocks or functions in Fisher’s camera. Fisher’s download manager . . . resides in the Ancillary Data Module 416 (as shown in Figure 5). Fisher’s descriptors, on the other hand, reside in the Ancillary Data Files block 418 (as shown in Figure 7).”

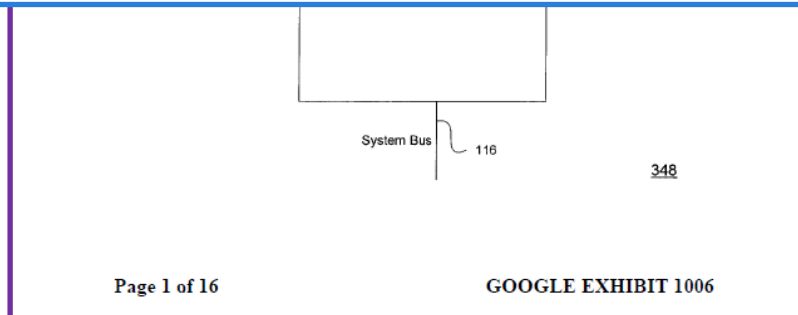
Fisher: Separate Download Manager and Descriptors



Fisher: Separate Download Manager and Descriptors

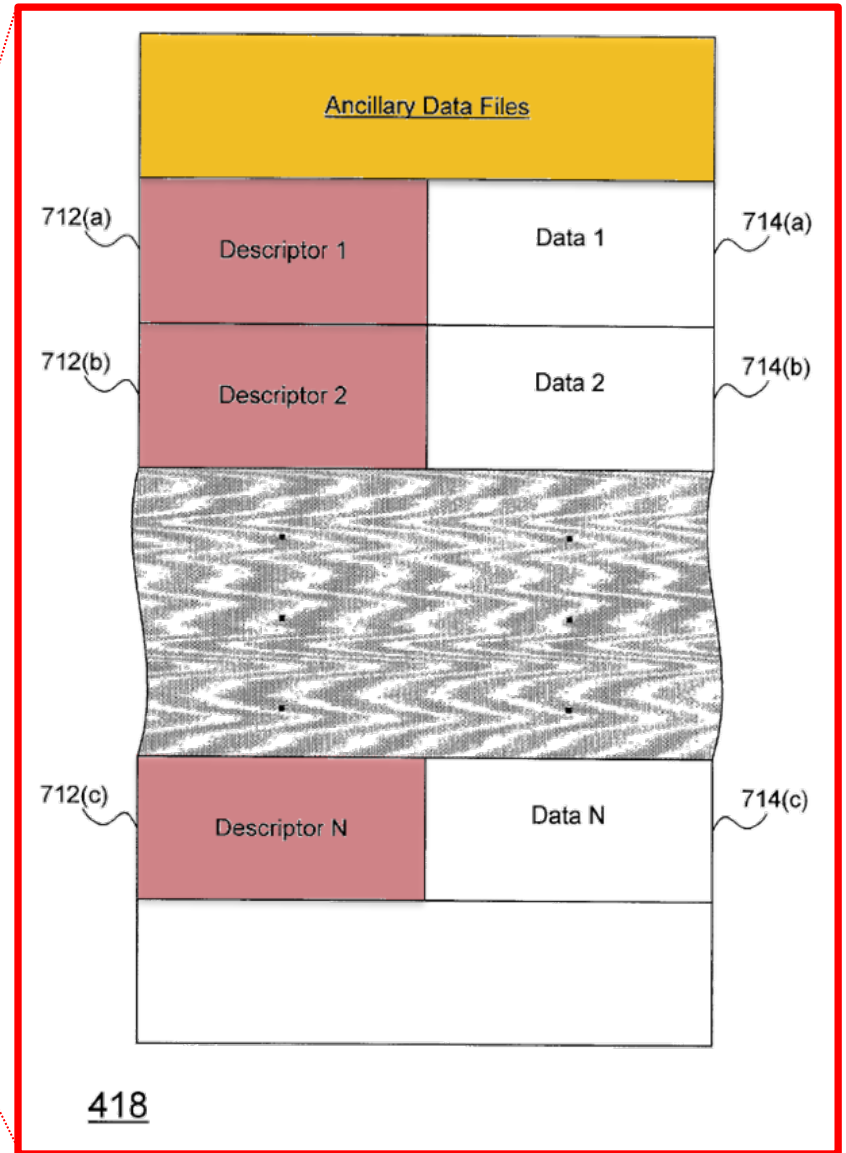
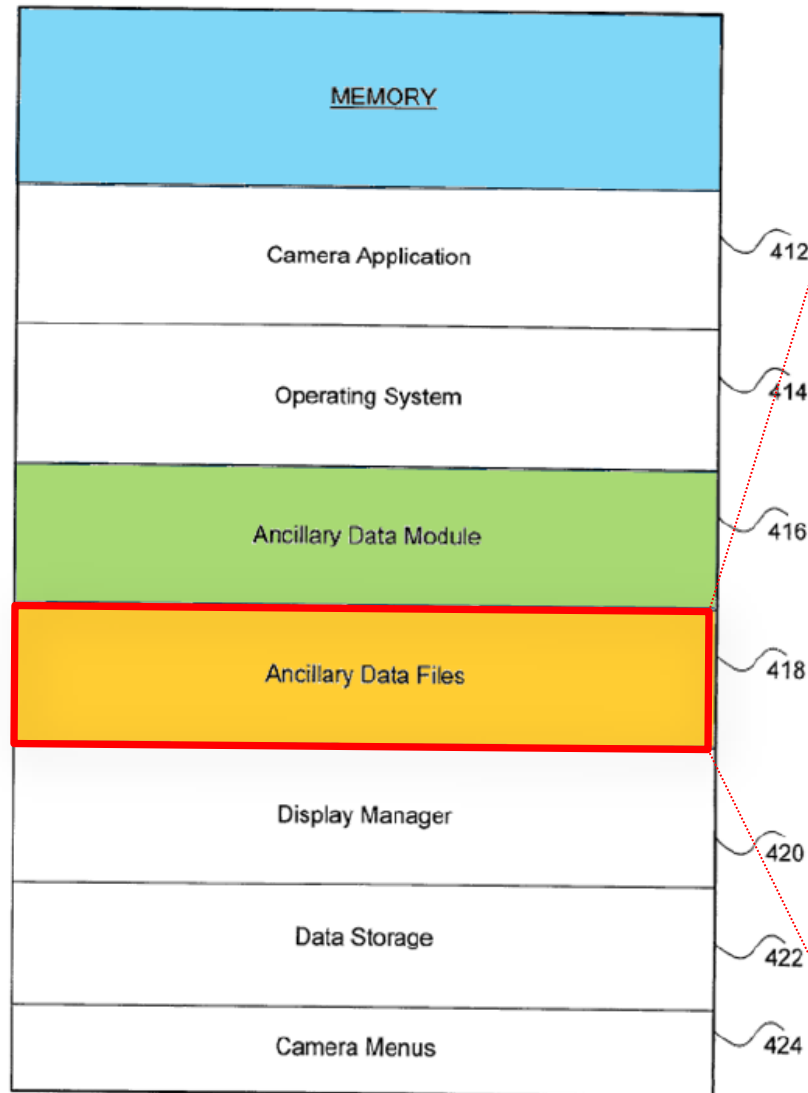
 US 20010025303A1	
(19) United States	
(12) Patent Application Publication	(10) Pub. No.: US 2001/0025303 A1
Fisher et al.	(43) Pub. Date: Sep. 27, 2001
(54) SYSTEM AND METHOD FOR ACCESSING AND UTILIZING ANCILLARY DATA WITH AN ELECTRONIC CAMERA DEVICE	Publication Classification
(76) Inventors: Clay H. Fisher , Belmont, CA (US); Steven G. Goldstein , Los Angeles, CA (US); Neal J. Manowitz , Mahwah, NJ (US); David G. Longendyke , Vernon, NJ (US)	(51) Int. Cl. ⁷ G06F 15/16 (52) U.S. Cl. 709/217, 709/204
Correspondence Address: Gregory J. Koerner SIMON & KOERNER LLP Suite B 10000 B...	(57) ABSTRACT A system and method for accessing and utilizing ancillary data with an electronic camera device includes a data source that stores various selectable ancillary data files such as image template files, text overlay files, image background files, and special-effects animation files. The data source

“In the FIG. 5 embodiment, download manager 512 preferably may coordinate the accessing, selecting, downloading, analyzing, and storing of various types of ancillary data files 418 from any appropriate data source. For example, download manager 416 may access various ancillary data files 418 from a location or service on a distributed computer network such as the Internet. Download manager 512 may then responsively identify and store the downloaded ancillary data files 418 into memory 116 of camera device 110.”



Ex. 1006 at ¶ [0037]; Paper 13 (POR) at 22.

Fisher: Separate Download Manager and Descriptors



Fisher: Separate Download Manager and Descriptors


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(54) SYSTEM AND METHOD FOR ACCESSING AND UTILIZING ANCILLARY DATA WITH AN ELECTRONIC CAMERA DEVICE

Publication Classification

(51) Int. Cl.⁷ G06F 15/16
(52) U.S. Cl. 709/217; 709/204

(76) Inventors: Clay H. Fisher, Belmont, CA (US);
Steven G. Goldstein, Los Angeles, CA (US);
Neal J. Manowitz, Mahwah, NJ (US);
David G. Longendyke, Vernon, NJ (US)

(57) **ABSTRACT**

Mr. LaRoque: Okay. You're not aware of any specific instances sitting there right now where Fisher discloses uploading ancillary data files?

Dr. Stevenson (Google's expert): I don't see where I -- if there is someplace where I rely on it in my declaration that might help me find some reference for you, you know, it's either in my declaration or it's not. Outside -- outside of that context, I don't think I -- I certainly didn't look at the -- you know, **I don't recall without, you know, rereading Fisher whether there is any reference to uploading of the auxiliary data.**

Fisher: Separate Download Manager and Descriptors


US 2001/0025303 A1

(19) **United States**
(12) **Patent Application Publication** (10) Pub. No.: **US 2001/0025303 A1**
Fisher et al. (43) Pub. Date: **Sep. 27, 2001**

(54) **SYSTEM AND METHOD FOR ACCESSING AND UTILIZING ANCILLARY DATA WITH AN ELECTRONIC CAMERA DEVICE**

(76) Inventors: **Clay H. Fisher**, Belmont, CA (US);
Steven G. Goldstein, Los Angeles, CA (US);
Neal J. Manowitz, Mahwah, NJ (US);
David G. Longendyke, Vernon, NJ (US)

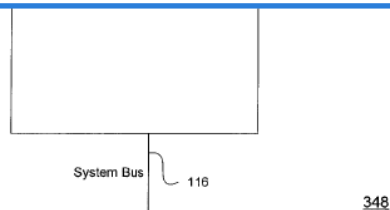
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Publication Classification
(51) Int. Cl.⁷ **G06F 15/16**
(52) U.S. Cl. **709/217; 709/204**

(57) **ABSTRACT**

A system and method for accessing and utilizing ancillary data with an electronic camera device includes a data source that stores various selectable ancillary data files such as

“Indeed, Fisher discloses that each descriptor ‘may include any appropriate information related to a corresponding set of data,’ teaching that the descriptors are used to provide users with appropriate information about the ‘selectable ancillary data files’ on the server during the ‘data-source content review procedures’ and are used to identify the selected files to the server during the ‘ancillary-data file download procedures.’ Fisher, [0023], [0053], [0057], [0059].”



Fisher: [0023], [0053], [0057], [0059]

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BRIEF DESCRIPTION OF THE DRAWINGS

- [0014] FIG. 1 is a block diagram for one embodiment of a camera device, in accordance with the present invention;
- [0015] FIG. 2 is a block diagram for one embodiment of the capture subsystem of FIG. 1, in accordance with the present invention;
- [0016] FIG. 3 is a block diagram for one embodiment of the control module of FIG. 1, in accordance with the present invention;
- [0017] FIG. 4 is a block diagram for one embodiment of the memory of FIG. 3, in accordance with the present invention;
- [0018] FIG. 5 is a block diagram for one embodiment of the ancillary data module of FIG. 4, in accordance with the present invention;
- [0019] FIG. 6 is a block diagram for one embodiment of the I/O interface(s) of FIG. 3, in accordance with the present invention;
- [0020] FIG. 7 is a block diagram for one embodiment of the ancillary data files of FIG. 4, in accordance with the present invention; and
- [0021] FIG. 8 is a flowchart of method steps for accessing and utilizing ancillary data, in accordance with one embodiment of the present invention.

DETAILED DESCRIPTION

[0022] The present invention relates to an improvement in data access and management techniques. The following description is presented to enable one of ordinary skill in the art to make and use the invention and is provided in the context of a patent application and its requirements. Various modifications to the disclosed embodiments will be readily apparent to those skilled in the art and the generic principles herein may be applied to other embodiments. Thus, the present invention is not intended to be limited to the embodiments shown, but is to be accorded the widest scope consistent with the principles and features described herein.

[0023] The present invention comprises a system and method for accessing and utilizing ancillary data with an electronic camera device, and preferably includes a data source that may store various selectable ancillary data files such as image template files, text overlay files, image background files, and special program instruction files. The data source may be implemented in any effective manner, including as a service on an distributed computer network like the Internet, as a discrete electronic device such as a personal computer, or as a removable, non-volatile memory device such as a flash memory. The electronic camera device may preferably then utilize an ancillary data module to access, select, and download the ancillary data files from the data source for subsequently combining with other captured image data to thereby produce new composite images.

[0024] Referring now to FIG. 1, a block diagram for one embodiment of a camera device 110 is shown, in accordance with the present invention. In the FIG. 1 embodiment, camera device 110 may include, but is not limited to, a capture subsystem 114, a system bus 116, and a control module 118. In the FIG. 1 embodiment, capture subsystem

114 may be optically coupled to a target object 112, and may also be electrically coupled via system bus 116 to control module 118.

[0025] In alternate embodiments, camera device 110 may readily include various other components in addition to, or instead of, those components discussed in conjunction with the FIG. 1 embodiment. In addition, in certain embodiments, the present invention may alternately be embodied in any appropriate type of electronic device other than the camera device 110 of FIG. 1. For example, camera device 110 may readily be implemented as another type of portable electronic device, such as a hand-held personal digital assistant device.

[0026] In the FIG. 1 embodiment, once a system user has focused capture subsystem 114 on target object 112 and requested camera device 110 to capture image data corresponding to target object 112, then control module 118 may preferably instruct capture subsystem 114 via system bus 116 to capture image data representing target object 112. The captured image data may then be transferred over system bus 116 to control module 118, which may then alternatively perform various processes and functions with the image data. System bus 116 may also bi-directionally pass various status and control signals between capture subsystem 114 and control module 118.

[0027] Referring now to FIG. 2, a block diagram for one embodiment of the FIG. 1 capture subsystem 114 is shown, in accordance with the present invention. In the FIG. 2 embodiment, imaging device 114 preferably comprises a lens 220 having an iris (not shown), a filter 222, an image sensor 224, a timing generator 226, an analog signal processor (ASP) 228, an analog-to-digital (A/D) converter 230, an interface 232, and one or more motors 234 to adjust the focus of lens 220. In alternate embodiments, capture subsystem 114 may readily include various other components in addition to, or instead of, those components discussed in conjunction with the FIG. 2 embodiment.

[0028] In the FIG. 2 embodiment, capture subsystem 114 may preferably capture image data corresponding to target object 112 via reflected light impacting image sensor 224 along optical path 236. Image sensor 224, which may preferably include a charged-coupled device (CCD), may responsively generate a set of image data representing the target object 112. The image data may then be routed through ASP 228, A/D converter 230, and interface 232. Interface 232 may preferably include separate interfaces for controlling ASP 228, motors 234 and timing generator 226. From interface 232, the image data passes over system bus 116 to control module 118 for appropriate processing and storage.

[0029] Referring now to FIG. 3, a block diagram for one embodiment of the FIG. 1 control module 118 is shown, in accordance with the present invention. In the FIG. 3 embodiment, control module 118 preferably includes, but is not limited to, a viewfinder 308, a central processing unit (CPU) 344, a memory 346, and one or more input/output interface(s) (I/O) 348. Viewfinder 308, CPU 344, memory 346, and I/O 348 preferably are each coupled to, and communicate via common system bus 116 that also communicates with capture subsystem 114. In alternate embodiments, control module 118 may readily include various other components in addition to, or instead of, those components discussed in conjunction with the FIG. 3 embodiment.

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Sep. 27, 2001

in conjunction with the FIG. 6 embodiment. In addition, I/O interface(s) 348 may be implemented and configured using any effective technology or method.

[0042] In the FIG. 6 embodiment, camera device 110 may utilize I/O interface(s) 348 to bi-directionally communicate with one or more network(s) 612. For example, camera device 110 may advantageously communicate with the Internet or other distributed computer networks to download various types of ancillary data files 418. Camera device 110 may also utilize I/O interface(s) 348 to bi-directionally communicate with a host computer 616.

[0043] For example, camera device 110 may communicate with a personal computer device over a Universal Serial Bus (USB) to effectively download various types of ancillary data files 418.

[0044] In the FIG. 6 embodiment, camera device 110 may also utilize I/O interface(s) 348 to bi-directionally communicate with various types of wireless communications 632. Wireless communications 632 preferably may include any effective means to remotely communicate with an external entity such as an Internet server, to thereby download various types of ancillary data files 418 and other information from a wireless data source. Wireless communications 632 may be implemented using any appropriate wireless technology, including radio-frequency transmission, infrared transmission, or micro-wave transmission.

[0045] In the FIG. 6 embodiment, removable storage media 636 may preferably be utilized to receive or provide any desired information for facilitating the operation of camera device 110. For example, removable storage media 636 may provide means for bi-directional transfers of information between camera device 110 and other appropriate entities, such as a discrete personal computer device. In certain embodiments, removable storage media 636 may include memory devices to support any desired type or combination of removable storage media. For example, removable storage media 636 may include memory sticks, flash memory devices, compact disks, mini-disks, or floppy disks.

[0046] In addition to the various foregoing enumerated types of I/O interface(s) 348, camera device 110 preferably may also include any required types of interfaces or connectors (not shown) for coupling camera device 110 and other electronic devices or entities to thereby support bi-directional electronic communications.

[0047] In the FIG. 6 embodiment, user interface 640 preferably may include any effective means to allow a system user to communicate with camera device 110. For example, user interface 640 may support a keyboard device, a wireless remote control device, a speech-recognition module with corresponding microphone, a graphical user interface with touch-screen capability, or a selection button array mounted externally on camera device 110.

[0048] Referring now to FIG. 7, a block diagram for one embodiment of the FIG. 4 ancillary data files 418 is shown, in accordance with the present invention. In alternate embodiments of the present invention, ancillary data files 418 may readily be implemented to include various other configurations, and may also include various items and components that are different from those discussed in conjunction with the FIG. 7 embodiment.

[0049] In the FIG. 7 embodiment, ancillary data files 418 preferably may include individual sets of data 1 (714a) through data N (714n) that each preferably corresponds with a specific type of ancillary data. In the FIG. 7 embodiment, ancillary data files 418 may preferably also include a descriptor 1 (712a) through a descriptor N (712n) that are each preferably associated with a different respective set of data 714.

[0050] In the FIG. 7 embodiment, each of the sets of data 714 may preferably include any appropriate information, data, or program instructions to facilitate successful operation of camera device 110. In the FIG. 7 embodiment, ancillary data files 418 may preferably include various types of information for combination with image data that is captured by camera device 110 to thereby produce composite images. For example, ancillary data files 418 may include one or more template files (such as still templates, animated templates, voice-animated templates) that may be utilized as a setting or a framework for presenting one or more images captured by camera device 110. Ancillary data files 418 may also include one or more text overlay files that may be superimposed upon an image captured by camera device 110. In addition, ancillary data files 418 may also include background files that include visual background data for combining with one or more images that are captured by camera device 110.

[0051] Furthermore, ancillary data files 418 may include special program instructions that directly enable or instruct camera device 110 how to utilize corresponding downloaded ancillary data files 418. For example, a particular set of downloaded data 714 may include template data and special instructions that instruct camera device 110 how to successfully combine various sets of captured image data with the downloaded template data.

[0052] Ancillary data files 418 may be implemented using any effective format. For example, in certain embodiments, ancillary data files 418 may include information that is formatted in a hypertext markup language (HTML) or an extensible markup language (XML). In addition, the special program instructions may be configured as a separate file or may be embodied in an ancillary data file 418 that also includes an associated set of graphics information, such as a template file that imaging device 110 may then combine with captured image data according to the downloaded special program instructions. In alternate embodiments, ancillary data files 418 may also include one or more web pages from the Internet.

[0053] In the FIG. 7 embodiment, descriptors 712 may include any appropriate information related to a corresponding set of data 714. For example, a descriptor 712 may include information regarding the nature of the associated data 714, such as a data format or a data type. Descriptor 712 may also include information regarding how the associated data 714 is organized, such as a data structure or a data size. In accordance with the present invention, ancillary data module 416 may advantageously analyze downloaded ancillary data files 418 using descriptors 712 and other means to thereby update camera menus 424, and otherwise provide current information to a system user for effectively utilizing the ancillary data files 418.

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[0054] Referring now to FIG. 8, a flowchart of method steps for accessing and utilizing ancillary data 418 is shown, in accordance with one embodiment of the present invention. The FIG. 8 embodiment is presented for purposes of illustration, and in alternate embodiments, the present invention may readily utilize various other steps and sequences than those discussed in conjunction with the FIG. 8 embodiment.

[0055] In the FIG. 8 embodiment, initially, in step 810, one or more ancillary data files 418 may preferably be created by any appropriate entity and stored in a particular data source. For example, in one embodiment, a system user may create various ancillary data files 418 on a computer device for subsequent downloading and utilization by camera device 110. Alternatively, a manufacturer may create various ancillary data files 418, and make the ancillary data files 418 available on a distributed computer network like the Internet for subsequent downloading and utilization by camera device 110.

[0056] In step 812, camera device 110 may preferably establish an electronic communication path with the particular data source in any appropriate manner to download one or more of the ancillary data files 418 that were created above in step 810. The foregoing electronic communication path between a data source and camera device 110 may be established using any effective technique. For example, camera device 110 may access and download one or more ancillary data files 418 using a removable non-volatile memory device, a hard-wired connection, or a wireless connection. Similarly, camera device 110 may access and download one or more ancillary data files 418 from a either a stand-alone electronic device, or a distributed computer network. The foregoing electronic communication may path be established using one or both of an automatic connection protocol or a user-initiated connection protocol.

[0057] In step 816, camera device 110 may perform various on-line management procedures with ancillary data files 418 by means of the electronic communication path established in foregoing step 812. The on-line management procedures may include any appropriate processes or functionalities. For example, a download manager 512 from ancillary data module 416 of camera device 110 may advantageously select and download one or more of the ancillary data files 418 that were created in foregoing step 810. In certain embodiments, a system user may interactively view, manipulate, select, and download ancillary data files 418 from the data source using appropriate respective data source content review procedures and ancillary-data file download procedures.

[0058] In step 820, after download manager 512 preferably downloads and locally stores one or more selected ancillary data files 418, the electronic communication path between the data source and camera device 110 may be terminated. The foregoing electronic communication path may be terminated using one or both of an automatic termination protocol and a user-initiated termination protocol. Then, in step 826, ancillary data module 416 may preferably analyze the downloaded ancillary data files 418 and coordinate any required off-line file management procedures, either automatically or through an interactive process with a system user.

[0059] In certain embodiments, ancillary data module 416 may preferably analyze one or more descriptors 712 corresponding to the downloaded ancillary data files 418 to identify relevant information regarding the downloaded ancillary data files 418. For example, ancillary data module 416 may assign each downloaded ancillary data file 418 to an appropriate file category, such as a template category, an overlay category, a background category, an Internet web page category, or an instructions category.

[0060] A display manager 420 may also update camera menus 424 in camera device 110 to include any changes in the locally-stored ancillary data files 418. In certain embodiments, a data manager 524 from ancillary data module 416 may preferably reorganize or delete local ancillary data files 418 in camera device 110, depending upon the particular type of downloaded ancillary data files 418.

[0061] Finally, in step 828, a system user may advantageously access and utilize ancillary data files 418 in camera device 110 by viewing one or more camera menus 424 on viewfinder 308. In certain embodiments, display manager 420 may display a selected ancillary data file 419 in viewfinder 308 while a system user positions and captures related image data. In alternate embodiments, editing module 520 from ancillary data module 416 may allow a system user to view and edit a combination image of selected ancillary data files 418 and selected captured images from data storage 422 of camera device 110.

[0062] The invention has been explained above with reference to certain embodiments. Other embodiments will be apparent to those skilled in the art in light of this disclosure. For example, the present invention may readily be implemented using configurations and techniques other than those described in the embodiments above. Additionally, the present invention may effectively be used in conjunction with systems other than those described above. Therefore, these and other variations upon the disclosed embodiments are intended to be covered by the present invention, which is limited only by the appended claims.

What is claimed is:

1. A system for manipulating image data, comprising:
 - a data source configured to store one or more ancillary data files;
 - an imaging device configured to capture said image data; and
 - an ancillary data module for transferring said one or more ancillary data files from said data source to said imaging device for manipulating said image data.
2. The system of claim 1 wherein said data source includes one of a computer in a distributed computer network, an image station site on an Internet network, a stand-alone computer device, a portable electronic device, and a removable non-volatile memory device.
3. The system of claim 1 wherein said ancillary data files include at least one of an image template file, a text overlay file, an image background file, an Internet webpage file, and a program instruction file.
4. The system of claim 1 wherein said imaging device includes at least one of a digital still camera device, a video camera device, and an electronic scanner device.

Ex. 1006 at [0023], [0053], [0057], [0059];
see also Paper 19 (Patent Owner Sur-Reply) at 4.

Fisher: ¶¶ [0023], [0053], [0057], [0059]

[0023] The present invention comprises a system and method for accessing and utilizing ancillary data with an electronic camera device, and preferably includes a data source that may store various selectable ancillary data files such as image template files, text overlay files, image background files, and special program instruction files. The data source may be implemented in any effective manner, including as a service on an distributed computer network like the Internet, as a discrete electronic device such as a personal computer, or as a removable, non-volatile memory device such as a flash memory. The electronic camera device may preferably then utilize an ancillary data module to access, select, and download the ancillary data files from the data source for subsequently combining with other captured image data to thereby produce new composite images.

[0053] In the FIG. 7 embodiment, descriptors 712 may include any appropriate information related to a corresponding set of data 714. For example, a descriptor 712 may include information regarding the nature of the associated data 714, such as a data format or a data type. Descriptor 712 may also include information regarding how the associated data 714 is organized, such as [sic] a data structure or a data size. In accordance with the present invention, ancillary data module 416 may advantageously analyze downloaded ancillary data files 418 using descriptors 712 and other means to thereby update camera menus 424, and otherwise provide current information to a system user for effectively utilizing the ancillary data files 418.

Ex. 1006 at ¶¶ [0023], [0053];
see also Paper 19 (Patent Owner Sur-Reply) at 4.

Fisher: ¶¶ [0023], [0053], [0057], [0059]

[0057] In step 816, camera device 110 may perform various on-line management procedures with ancillary data files 418 by means of the electronic communication path established in foregoing step 812. The on-line management procedures may include any appropriate processes or functionalities. For example, a download manager 512 from ancillary data module 416 of camera device 110 may advantageously select and download one or more of the ancillary data files 418 that were created in foregoing step 810. In certain embodiments, a system user may interactively view, manipulate, select, and download ancillary data files 418 from the data source using appropriate respective data-source content review procedures and ancillary-data file download procedures.

[0059] In certain embodiments, ancillary data module 416 may preferably analyze one or more descriptors 712 corresponding to the downloaded ancillary data files 418 to identify relevant information regarding the downloaded ancillary data files 418. For example, ancillary data module 416 may assign each downloaded ancillary data file 418 to an appropriate file category, such as a template category, an overlay category, a background category, an Internet web page category, or an instructions category.

Ex. 1006 at ¶¶ [0057], [0059];
see also Paper 19 (Patent Owner Sur-Reply) at 4.

Dr. Papanikolopoulos's Unrebutted Testimony


US 20010025303A1

(19) **United States**
(12) **Patent Application Publication** (10) Pub. No.: **US 2001/0025303 A1**
Fisher et al. (43) Pub. Date: **Sep. 27, 2001**

(54) SYSTEM AND METHOD FOR ACCESSING
AND UTILIZING ANCILLARY DATA WITH
AN ELECTRONIC CAMERA DEVICE

Publication Classification
(51) Int. Cl.⁷ G06F 15/16

Dr. Papanikolopoulos: “A POSITA [] would have faced challenges in adding extra print functionality to Kuwata from external sources, teachings that Fisher does not provide.”

“Printer drivers in 2002 were complex and not always as easy to write as of now. . . . A POSITA would have been aware that printer drivers at that time were not typically updated to handle newer camera formats or shooting modes, resulting in challenges in how a POSITA would have translated an image printing task with a particular mode to reality.”

“A POSITA starting with Kuwata would not have looked to Fisher to get information regarding printer drivers because Fisher provides none of these teachings.”

Dr. Papanikolopoulos on Kuwata/Fisher


US 20010025303A1

(19) **United States**
(12) **Patent Application Publication** (10) Pub. No.: **US 2001/0025303 A1**
Fisher et al. (43) Pub. Date: **Sep. 27, 2001**

(54) **SYSTEM AND METHOD FOR ACCESSING AND UTILIZING ANCILLARY DATA WITH AN ELECTRONIC CAMERA DEVICE**

(76) Inventors: **Clay H. Fisher**, Belmont, CA (US);
Steven G. Goldstein, Los Angeles, CA (US);
Neal J. Manowitz, Mahwah, NJ (US);
David G. Longendyke, Vernon, NJ (US)

Correspondence Address:
Gregory J. Koerner

Publication Classification

(51) Int. Cl.⁷ **G06F 15/16**
(52) U.S. Cl. **709/217; 709/204**

(57) **ABSTRACT**

A system and method for accessing and utilizing ancillary data with an electronic camera device includes a data source

Dr. Papanikolopoulos: “Kuwata is [] directed to enabling standalone printing via direct uploads without external dependencies.”

“Fisher’s teachings point in the opposite direction. Unlike Kuwata, which is concerned with convenience and ease of use for the camera user, Fisher is concerned with scalability of hardware devices. Fisher teaches storing ancillary data at an external server, off the imaging device, for search and download by the user. . . . Fisher’s teachings are therefore antithetical to Kuwata’s teachings of loading the camera in advance with as much information about camera/printer pairs as possible.”

System Bus 116

348

U.S. Patent No. 7,428,082

Independent Claim 10:

(12) United States Patent
Nakajima

(10) Patent No.: US 7,428,082 B2
(45) Date of Patent: Sep. 23, 2008

(54) UPDATE CONTROL OF IMAGE PROCESSING 6,678,402 B2 * 1/2004 Jones et al. 382/135

10. A digital camera for generating an image file including image data and image processing control data, the image processing control data being used for controlling image processing of the image data, the digital camera comprising: an image data generating module configured to generate image data of an image captured by the digital camera; a display device; a control data storage for storing in advance image processing control data to control image processing of the image data; and an image file generating module configured to generate an image file that includes the image data and the image processing control data; and

a memory management module configured to acquire additional image processing control data from an external memory device separate from the digital camera, and to store the additional image processing control data into the control data storage,

wherein the image file generating module displays a user interface screen including a plurality of processing modes on the display device to enable a user to select one of the plurality of processing modes, and generates the image file using specific image processing control data associated with the selected processing mode, and

when the additional image processing control data has been stored in the control data storage, the image file generating module displays on the display device a plurality of processing modes which includes an additional processing mode related to the additional image processing control data.

Petitioner Cannot Meet Its Burden on Claim 10

(19) United States

(12) Patent Application Publication (10) Pub. No.: US 2001/0025303 A1
Fisher et al. (43) Pub. Date: Sep. 27, 2001

(54) SYSTEM AND METHOD FOR ACCESSING
AND UTILIZING ANCILLARY DATA WITH

Publication Classification



Dr. Papanikolopoulos: “A POSITA would have found Kuwata, which teaches a self-contained camera system with DSC-printer pairs preloaded by the DSC manufacturer, to be incompatible with Fisher, which teaches storing data on an external server to preserve memory and scalability, as I described at ¶¶ 62-64 above. Because Fisher does not remedy the shortcomings of Kuwata, in my opinion, the combination of Kuwata and Fisher fails to teach this claim element.”

Petitioner’s (Insufficient) Response: “Patent Owner argues that ‘Fisher does not teach how to modify Kuwata to acquire these additional preset conditions.’ POR 30. But Fisher discloses a camera that downloads ancillary data files from the Internet, providing all the necessary teachings for acquiring preset conditions. *E.g.*, Fisher, [0054]-[0057].”

Ground 2

Trials@uspto.gov
571-272-7822

Paper 7
Entered: January 8, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ground 2: Kuwata (Ex. 1005), Fisher (Ex. 1006), and Ohga (Ex. 1007), as to claims 1-6, 10

IPR2024-00959
Patent 7,428,082 B2

Before KRISTEN L. DROESCH, GEORGE R. HOSKINS, and
CHRISTOPHER M. KAISER, *Administrative Patent Judges*.

HOSKINS, *Administrative Patent Judge*.

DECISION
Granting Institution of *Inter Partes* Review
35 U.S.C. § 314

Paper 10 (Institution Decision).

Ohga (Ex. 1007)



US006788305B1

(12) **United States Patent**
Ohga

(10) Patent No.: **US 6,788,305 B1**
(45) Date of Patent: **Sep. 7, 2004**

(12) **United States Patent**
Ohga

(10) Patent No.: **US 6,788,305 B1**
(45) Date of Patent: **Sep. 7, 2004**

(54) **IMAGE PROCESSING APPARATUS AND METHOD**

6,151,675 A * 11/2000 Smith 713/153
6,157,735 A * 12/2000 Holub 382/167

(76) Inventor: **Manabu Ohga**, c/o Canon Kabushiki Kaisha, 30-2, Shimomaruko 3-chome, Ohta-ku, Tokyo (JP)

* cited by examiner

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

Primary Examiner—Matthew Luu

(57) **ABSTRACT**

There is a method of executing color matching for image data obtained via a network using a profile of an input device embedded in image data received from a server, a profile of an output device selected by the user, and a color matching module (CMM) of the client. This processing method is suitable for distributed processing since the load on the server is light. However, since the CMM of the client is used, different color matching results may be obtained if clients use different CMMs. Furthermore, when the user has no CMM, color matching cannot be done. Hence, upon downloading an HTML document on the server designated by the user, the HTML document is interpreted by a WWW browser, and when the HTML document contains a link for downloading a CMM program, the CMM program is downloaded via the network.

(21) Appl. No.: **09/358,479**

(22) Filed: **Jul. 21, 1999**

(30) **Foreign Application Priority Data**

Jul. 24, 1998 (JP) 10-209946

(51) Int. Cl.⁷ **G09G 5/02**

(52) U.S. Cl. **345/589; 358/504**

(58) Field of Search 382/167; 358/504;
713/153; 345/600, 603, 589, 595

(56) **References Cited**

U.S. PATENT DOCUMENTS

6,043,909 A * 3/2000 Holub 358/504

13 Claims, 8 Drawing Sheets

Petitioner Cannot Meet Its Burden on Ground 2

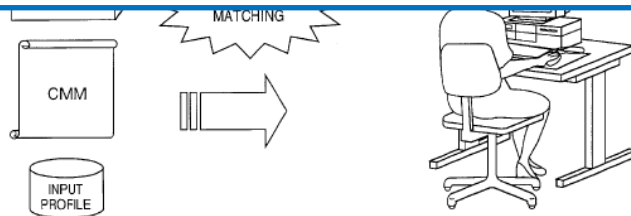


(12) **United States Patent**
Ohga

(10) Patent No.: **US 6,788,305 B1**
(45) Date of Patent: **Sep. 7, 2004**

Petitioner: “If Patent Owner argues or the Board finds that Kuwata and Fisher do not render obvious updating ‘based on specification data, which specifies the image processing control data to be updated,’ then a POSITA would have found this obvious in further view of Ohga.”

Petitioner’s ONLY evidence of “specification data” in Ohga: “A PC acquires input profile P1 ‘from the downloaded image data’ or downloads it separately based on a ‘designation’ (specification data for input profile) and downloads output profile P2 based on a user selecting a ‘given profile name’ (specification data for output profile) from a list.”



Petitioner Cannot Meet Its Burden on Ground 2



(12) **United States Patent**
Ohga

(10) Patent No.: **US 6,788,305 B1**
(45) Date of Patent: **Sep. 7, 2004**

Petitioner: “If Patent Owner argues or the Board finds that Kuwata and Fisher do not render obvious updating ‘based on specification data, which specifies the image processing control data to be updated,’ then a POSITA would have found this obvious in further view of Ohga.”

Petitioner’s ONLY evidence of “specification data” in Ohga: “A PC acquires input profile P1 ‘from the downloaded image data’ or downloads it separately based on a ‘designation’ (specification data for input profile) and downloads output profile P2 based on a user selecting a ‘given profile name’ (specification data for output profile) from a list.”

Petitioner fails to identify any teaching in the Kuwata/Fisher/Ohga combination of “specification data, which specifies the image processing control data to be updated,” and fails to meet its burden to show that a POSITA would have combined these three references to arrive at that limitation.

Ohga: No Image Processing Control Data

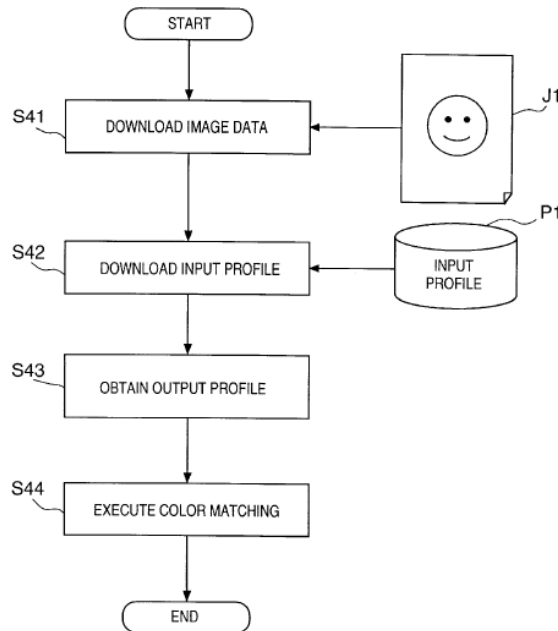
U.S. Patent

Sep. 7, 2004

Sheet 6 of 8

US 6,788,305 B1

FIG. 6



Page 7 of 14

In step S41, the image data J1 is downloaded based on the set link. The input profile P1 which is associated with the image data J1 is downloaded in step S42. Note that the input profile P1 on the WWW server S1 is stated in advance in the HTML document H1, and is passed as a parameter to the CMM program M1. More specifically, a designated one of a plurality of profiles on the WWW server S1 is downloaded in accordance with the designation of the input profile on the HTML document H1 in step S42. The format of the profile matches or complies with that specified by International Color Consortium (ICC).

Ex. 1007 at Fig. 6, 3:36-46.

ICC Profile: Not Image Processing Control Data



White Paper #7

Level: Introductory

Date: Dec 2004

The role of ICC profiles in a colour reproduction system

2.0 ICC profiles – what are they and how are they used?

Each ICC input (or source) profile provides a number of colour transformations (in the form of look-up tables, matrices, and/or parametric curves) that define the colour expected from the encoded data of the digital image, in an open format. In other words, **the profile defines the colour to be expected with any set of image values** – which are often device values, but may be in some standard colour image encoding (such as sRGB).

In many systems where colour reproduction is limited to a small number of input and output devices, the mathematical transformation which has to be applied to the image data to achieve the desired colour is often heavily optimised for each device pair. In such situations the colour reproduction requirements of each stage of the workflow are usually well defined, and the transformations are optimised for those requirements and the devices used. Although ICC profiles can be, and are, used to replicate such systems, many of them are based on proprietary algorithms – often utilising measurement equipment specific to that system. In addition, they may well provide procedures for fine tuning the algorithms. In the hands of reasonably skilled users these systems can - and do - produce results of very high quality.

Google v. 138 East (IPR2024-00959)
Patent Owner 138 East Ex. 2004
Page 001

ICC Profile: Device-Specific Properties



White Paper #7

Level: Introductory

Date: Dec 2004

Dr. Papanikolopoulos: “[T]he [ICC] profiles cannot be image processing control data, because they do not control image processing. They are simply profiles that describe certain color properties of the input (e.g., imaging) device and output (e.g., monitor) device.”

“ICC profiles are device-specific. . . . A POSITA would therefore have understood ICC profiles to describe the color transformation properties of their respective devices, without regard for the instructions that must be executed to properly display image data from an input device on a separate output device. In my opinion, then, a POSITA would have understood that an input or output profile cannot be ‘image processing control data’ because the information in the profile is independent of the image and does not in any way specify how to process the image data so as to have some different appearance on another device.”

Google v. 138 East (IPR2024-00959)
Patent Owner 138 East Ex. 2004
Page 001

Ex. 2001 (Papanikolopoulos Decl.) at ¶¶ 86, 88;
see also Paper 19 (Patent Owner Sur-Reply) at 11-12.

ICC Profile: Device-Specific Properties



White Paper #7

Level: Introductory

Date: Dec 2004

Mr. LaRoque: Or maybe a cleaner way of asking that, in order to obtain the output profile by any of those four methods, do – do you have to have the input profile?

Dr. Stevenson: There could be advantages to having that information. . . . But, you know, you could also not know that information and still make a choice if you wanted to.

. . .

Mr. LaRoque: And similar question there. In order to get that input profile, do you have to know anything about the output device, the monitor, for example?

Dr. Stevenson: Depending on what you're trying to accomplish there is – there is advantages. . . . If you – if you didn't or if you were trying to be flexible to accommodate a bunch of different output models, for instance, you didn't necessarily have to do that.

Google v. 138 East (IPR2024-00959)
Patent Owner 138 East Ex. 2004
Page 001

**Ex. 2003 (Stevenson Dep.) at 93:3-14,
93:22-94:11; see also Paper 13 (POR) at 42.**

PIM: Controls Image Processing



US007428082B2

(12) United States Patent
Nakajima

(10) Patent No.: US 7,428,082 B2
(45) Date of Patent: Sep. 23, 2008

“The printer 11 receives the image file from the DSC 10, analyzes it, and extracts the image data and the PIM from the image file. The printer 11, then, executes the image processing of the image data according to the PIM and prints out the image.”

“The user can set the processing mode by selecting the “OK” button in the interface shown in FIG. 6A. In this embodiment, several processing modes are available: ‘1. Standard’; ‘2. Portrait’; ‘3. Landscape’: and ‘4. Sunset’, as shown in FIG. 6B. The selection of the processing mode defines the PIM to be used when the image file is generated.”

“FIG. 7 shows an example of the parameters of the PIM. There are four processing modes that are suitable for the four kinds of situations that may occur. The parameters of the PIM are pre-determined for each of these processing modes.”

Dr. Papanikolopoulos's Unrebutted Testimony



White Paper #7

Level: Introductory

Date: Dec 2004

The role of ICC profiles in a colour reproduction system

Dr. Papanikolopoulos: “The technical foundations of the ICC profile specification present barriers to modification or extension. The binary structure of ICC profiles, with their carefully defined header blocks, tag tables, and transformation matrices, was created for efficient color space transformations rather than generalized data handling. Attempts to repurpose this architecture for other types of visual information would require a fundamental restructuring of the format itself, essentially creating an entirely new standard rather than extending the existing one.”

In many systems where colour reproduction is limited to a small number of input and output devices, the mathematical transformation which has to be applied to the image data to achieve the desired colour is often heavily optimised for each device pair. In such situations the colour reproduction requirements of each stage of the workflow are usually well defined, and the transformations are optimised for those requirements and the devices used. Although ICC profiles can be, and are, used to replicate such systems, many of them are based on proprietary algorithms – often utilising measurement equipment specific to that system. In addition, they may well provide procedures for fine tuning the algorithms. In the hands of reasonably skilled users these systems can - and do - produce results of very high quality.

Google v. 138 East (IPR2024-00959)
Patent Owner 138 East Ex. 2004
Page 001

Dr. Papanikolopoulos on Kuwata/Ohga

	
US006788305B1	
(12) United States Patent Ohga	(10) Patent No.: US 6,788,305 B1 (45) Date of Patent: Sep. 7, 2004
(54) IMAGE PROCESSING APPARATUS AND METHOD	6,151,675 A * 11/2000 Smith 713/153 6,157,735 A * 12/2000 Holub 382/167
(76) Inventor: Manabu Ohga , c/o Canon Kabushiki Kisha, 30-2, Shiomoto-2-chome	* cited by examiner

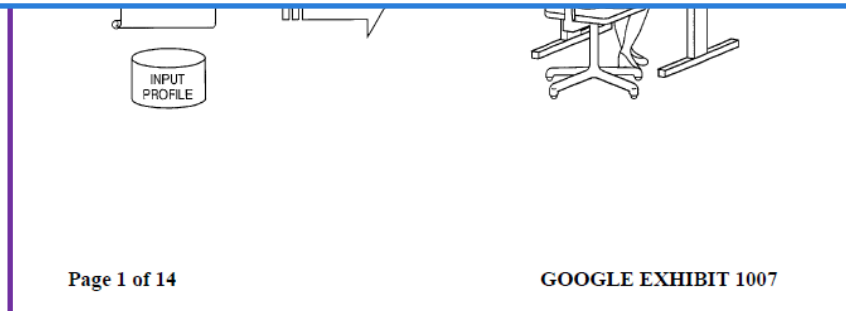
Dr. Papanikolopoulos: “In my opinion, a POSITA would not have looked at the Kuwata and Ohga combination since Ohga is dependent on network connectivity to download ancillary data (e.g., color profiles, CMM programs) for display while Kuwata explicitly describes a camera system that does not connect to the Internet and avoids external dependencies. Combining these would fundamentally contradict the Kuwata’s main design philosophy of eliminating reliance on servers or external data sources.”

“Kuwata’s camera avoids client-side processing (e.g., no CMM requirement) to ensure consistent output. In my opinion, a POSITA would have understood that incorporating Ohga’s client-dependent CMM with into Kuwata would reintroduce the very inconsistencies (e.g., varying color results) that the Kuwata’s upload-only approach avoids.”

Dr. Papanikolopoulos on Kuwata/Fisher/Ohga

 US006788305B1	
(12) United States Patent Ohga	(10) Patent No.: US 6,788,305 B1 (45) Date of Patent: Sep. 7, 2004
(54) IMAGE PROCESSING APPARATUS AND METHOD	6,151,675 A * 11/2000 Smith 713/153 6,157,735 A * 12/2000 Holub 382/167
(76) Inventor: Manabu Ohga , c/o Canon Kabushiki Kaisha, 30-2, Shimomaruko 3-chome, Ohta-ku, Tokyo (JP)	* cited by examiner
(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.	<i>Primary Examiner</i> —Matthew Lau (57) ABSTRACT There is a method of executing color matching for image data obtained via a network using a profile of an input device embedded in image data received from a server, a profile of an output device selected by the user, and a color matching module (CMM) of the client. This processing method is suitable for distributed processing since the load on the
(21) Appl. No.: 09/358,479	
(22) Filed: Jul. 21, 1999	
(30) Foreign Application Priority Data	

Dr. Papanikolopoulos: “A POSITA would have recognized that Ohga solves a different problem than Kuwata (Ohga solves the problem of managing server load and color consistency via client-side CMM downloads). Kuwata focuses on reliability for DSC/prINTER pairs via self-contained, upload-only design. Combining them at the time of the patent would not have been reasonable and the whole combination as of now seems like hindsight.”



Ex. 2001 (Papanikolopoulos Decl.) at ¶ 93;
see also Paper 13 (POR) at 45-46.

Petitioner Cannot Meet Its Burden on Ground 2

 US006788305B1	
(12) United States Patent Ohga	(10) Patent No.: US 6,788,305 B1 (45) Date of Patent: Sep. 7, 2004
(54) IMAGE PROCESSING APPARATUS AND METHOD	6,151,675 A * 11/2000 Smith 713/153 6,157,735 A * 12/2000 Holub 382/167
(76) Inventor: Manabu Ohga , c/o Canon Kabushiki Kaisha, 30-2, Shimomaruko 3-chome, Ohta-ku, Tokyo (JP)	* cited by examiner
(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.	<i>Primary Examiner</i> —Matthew Lau (57) ABSTRACT There is a method of executing color matching for image data obtained via a network using a profile of an input device embedded in image data received from a server, a profile of an output device selected by the user, and a color matching module (CMM) of the client. This processing method is suitable for distributed processing since the load on the server is light. However, since the CMM of the client is used, different color matching results may be obtained if
(21) Appl. No.: 09/358,479 (22) Filed: Jul. 21, 1999 (30) Foreign Application Priority Data Jul. 24, 1998 (JP) 10-209946	

“The addition of Ohga does not cure the deficiencies of the Kuwata/Fisher combination, even if Petitioner brings in Ohga only to teach the ‘specification data’ missing from Kuwata and Fisher. Nothing in the Kuwata/Fisher/Ohga combination teaches using specification data as claimed, that is, to ‘update at least a part of the image processing control data stored in the control data storage.’ POR, 42-43.”

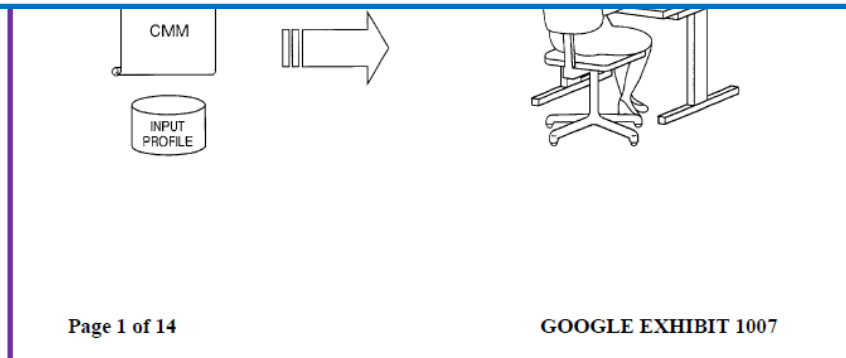
	
Page 1 of 14	GOOGLE EXHIBIT 1007

**Paper 19 (Patent Owner’s Sur-Reply) at 56;
see also Paper 13 (POR) at 42-43.**

Petitioner Cannot Meet Its Burden on Ground 2

 US006788305B1	
(12) United States Patent Ohga	(10) Patent No.: US 6,788,305 B1 (45) Date of Patent: Sep. 7, 2004
(54) IMAGE PROCESSING APPARATUS AND METHOD	6,151,675 A * 11/2000 Smith 713/153 6,157,735 A * 12/2000 Holub 382/167
(76) Inventor: Manabu Ohga , c/o Canon Kabushiki Kaisha, 30-2, Shimomaruko 3-chome, Ohta-ku, Tokyo (JP)	* cited by examiner
(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.	<i>Primary Examiner</i> —Matthew Lau (57) ABSTRACT There is a method of executing color matching for image data obtained via a network using a profile of an input device embedded in image data received from a server, a profile of
(21) Appl. No.: 09/358,479	

“Further, as described *supra* at § II.A.2 and at § VI.A.3 of the POR, a POSITA would not have been motivated to combine Kuwata and Fisher and would not have had a reasonable expectation of success in doing so. **Ohga does not fix this incompatibility.** Ohga is set against the rigid backdrop of ICC standardization and does not supply the teachings a POSITA would have needed to modify Kuwata in view of Fisher to work with new printers or other output devices. See Ex. 2001, ¶¶ 77-78.”



Paper 19 (Patent Owner’s Sur-Reply) at 5-10, 56-57; see also Paper 13 (POR) at 26-29.

Ground 3

Trials@uspto.gov
571-272-7822

Paper 7
Entered: January 8, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**Ground 3: Kuwata (Ex. 1005) in view of Ohga (Ex. 1007),
as to claim 7**

IPR2024-00959
Patent 7,428,082 B2

Before KRISTEN L. DROESCH, GEORGE R. HOSKINS, and
CHRISTOPHER M. KAISER, *Administrative Patent Judges*.

HOSKINS, *Administrative Patent Judge*.

DECISION
Granting Institution of *Inter Partes* Review
35 U.S.C. § 314

Paper 10 (Institution Decision).

U.S. Patent No. 7,428,082

Independent Claim 7:

(12) United States Patent Nakajima	(10) Patent No.: US 7,428,082 B2 (45) Date of Patent: Sep. 23, 2008
(54) UPDATE CONTROL OF IMAGE PROCESSING CONTROL DATA	6,678,402 B2 * 1/2004 Jones et al. 382/135 6,724,926 B2 * 4/2004 Jones et al. 382/135 7,139,087 B2 * 11/2006 Hayashi 358/115 7,206,081 B2 * 4/2007 Saita et al. 358/113 7,271,932 B2 * 9/2007 Izumi 358/119
(75) Inventor: Yasumasa Nakajima, Nagano-ken (JP)	

7. An image related data editor, connectable to a server, comprising:

an input module configured to input image data and attribute data related to the image data, the attribute data including at least one of image processing control data to control image processing of the image data and identification data to identify the image processing control data;

an update data acquiring module configured to acquire update data of the image processing control data based on the attribute data from the server; and

a relating module configured to relate the image data to the update data, wherein the image processing control data is to be used in processing of the image data by an image processing device that receives the image data and the image processing control data that are transferred from the image related data editor.

Petitioner Cannot Meet Its Burden on Ground 3

(19) United States

(12) Patent Application Publication (10) Pub. No.: US 2001/0025303 A1
Fisher et al. (43) Pub. Date: Sep. 27, 2001

(54) SYSTEM AND METHOD FOR ACCESSING
AND UTILIZING ANCILLARY DATA WITH

Publication Classification



US 20010025303A1

Dr. Papanikolopoulos: “But the ‘names of the devices,’ which Dr. Stevenson identifies as ‘attribute data,’ are neither ‘image processing control data’ nor ‘identification data to identify the image processing control data.’ They are not ‘image processing control data’ because they do not control image processing in any way—they are simply names. And they are not ‘identification data to identify the image processing control data’ because they identify input and output devices, rather than any data that controls image processing.”

Petitioner’s (Insufficient) Response: “The names of the camera and printer identify the preset conditions for that DSC-printer pair. That is all the claim requires for ‘attribute data.’ See Ex. 1001, 13:6-10 (data that ‘includes at least one of the PIM and the identification data to identify the PIM’ means that the ‘data includes predetermined data to specify the update data corresponding to the image data’).”

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GOOGLE EXHIBIT 1006

Ex. 2001 (Papanikolopoulos Decl.) at ¶ 101;
Paper 16 (Petitioner’s Reply) at 24
see also Paper 19 (Patent Owner’s Sur-Reply) at 15.

DEMONSTRATIVE EXHIBIT–NOT EVIDENCE

Petitioner Cannot Meet Its Burden on Ground 3


US 20010025303A1

(19) **United States**
(12) **Patent Application Publication** (10) Pub. No.: **US 2001/0025303 A1**
Fisher et al. (43) Pub. Date: **Sep. 27, 2001**

(54) **SYSTEM AND METHOD FOR ACCESSING AND UTILIZING ANCILLARY DATA WITH AN ELECTRONIC CAMERA DEVICE**

(76) Inventors: **Clay H. Fisher**, Belmont, CA (US);
Steven G. Goldstein, Los Angeles, CA (US); **Neal J. Manowitz**, Mahwah, NJ (US); **David G. Longendyke**, Vernon, NJ (US)

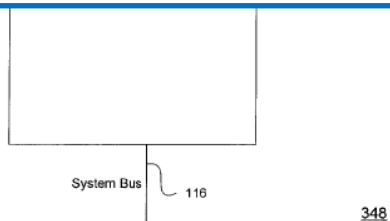
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Publication Classification
(51) Int. Cl.⁷ **G06F 15/16**
(52) U.S. Cl. **709/217; 709/204**

(57) **ABSTRACT**

A system and method for accessing and utilizing ancillary data with an electronic camera device includes a data source that stores various selectable ancillary data files such as image template files, text overlay files, image background files, and special program instruction files. The data source may be implemented in any effective manner, including as a service on an distributed computer network like the

Dr. Papanikolopoulos: “Because Ohga does not teach the claimed “update data” or “attribute data,” it does not supply the missing teachings of Kuwata, and in my opinion, Kuwata in view of Ohga fails to disclose this claim element. Further, for the reasons I discussed at § VII.B.1 above, it is further my opinion a POSITA would not have been motivated to combine Kuwata with Ohga either.”



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GOOGLE EXHIBIT 1006

**Ex. 2001 (Papanikolopoulos Decl.) at ¶ 102;
see also *id.* at ¶¶ 89-93.**

Ground 4

Trials@uspto.gov
571-272-7822

Paper 7
Entered: January 8, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC

**Ground 4: Ohga (Ex. 1007) in view of Kuwata (Ex. 1005),
as to claim 8**

IPR2024-00959
Patent 7,428,082 B2

Before KRISTEN L. DROESCH, GEORGE R. HOSKINS, and
CHRISTOPHER M. KAISER, *Administrative Patent Judges*.

HOSKINS, *Administrative Patent Judge*.

DECISION
Granting Institution of *Inter Partes* Review
35 U.S.C. § 314

Paper 10 (Institution Decision).

U.S. Patent No. 7,428,082

Independent Claim 8:

(12) United States Patent
Nakajima

(10) Patent No.: US 7,428,082 B2
(45) Date of Patent: Sep. 23, 2008

8. An update data transmit apparatus, connectable to a predetermined peripheral device, comprising:

an update data storage module for storing in advance update data for image processing control data to control image processing of image data, the update data being associated with at least one of the image processing control data and identification data to identify the image processing control data;

an input module configured to input predetermined data from the peripheral device, the predetermined data including the image processing control data to be updated or the identification data; and

an update data transmission module configured to transmit the update data corresponding to the predetermined data to the peripheral device,

wherein the image processing control data is to be used in processing of the image data by an image processing device that receives the image data and the image processing control data that are transferred from the peripheral device.

Petitioner Cannot Meet Its Burden on Ground 4

(19) **United States**

(12) **Patent Application Publication** (10) Pub. No.: US 2001/0025303 A1
Fisher et al. (43) Pub. Date: Sep. 27, 2001

(54) SYSTEM AND METHOD FOR ACCESSING
AND UTILIZING ANCILLARY DATA WITH

Publication Classification



Dr. Papanikolopoulos: “Dr. Stevenson then states these [input and output] profiles ‘are associated with the names of the devices,’ and points to those names as ‘identification data.’ I disagree with Dr. Stevenson’s mapping, because, while those names may identify the input and output devices, they are not ‘identification data’ as recited in the patent claim. As recited in the claim, ‘identification data’ must ‘identify the image processing control data,’ which Dr. Stevenson’s ‘names of the devices’ fail to do.”

Petitioner’s (Insufficient) Response: “Patent Owner’s arguments against the Ohga-Kuwata combination challenging claim 8 and the grounds challenging claim 9 based on Ohga all depend on its argument that Ohga’s input and output profiles are not image processing control data.”

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GOOGLE EXHIBIT 1006

Ex. 2001 (Papanikolopoulos Decl.) at ¶ 105;
Paper 16 (Petitioner’s Reply) at 25;

see also Paper 19 (Patent Owner’s Sur-Reply) at 15-16.

DEMONSTRATIVE EXHIBIT–NOT EVIDENCE

Grounds 5, 6

Trials@uspto.gov
571-272-7822

Paper 7
Entered: January 8, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

Ground 5: Ohga (Ex. 1007) (§ 102) as to claim 9

Ground 6: Ohga (Ex. 1007) (§ 103(a)) as to claim 9

Before KRISTEN L. DROESCH, GEORGE R. HOSKINS, and
CHRISTOPHER M. KAISER, *Administrative Patent Judges*.

HOSKINS, *Administrative Patent Judge*.

DECISION
Granting Institution of *Inter Partes* Review
35 U.S.C. § 314

Paper 10 (Institution Decision).

Independent Claim 9:

9. A method for transmitting update data for image processing control data, which is used to control image processing of image data, to a peripheral device, the method comprising steps of:

inputting predetermined data from the peripheral device, the predetermined data including the image processing control data to be updated or the identification data corresponding to the image processing control data to be updated; and

Petitioner Cannot Meet Its Burden on Grounds 5, 6


US 20010025303A1

(19) **United States**
(12) **Patent Application Publication** (10) Pub. No.: **US 2001/0025303 A1**
Fisher et al. (43) Pub. Date: **Sep. 27, 2001**

(54) **SYSTEM AND METHOD FOR ACCESSING AND UTILIZING ANCILLARY DATA WITH AN ELECTRONIC CAMERA DEVICE** Publication Classification
(51) Int. Cl.⁷ **G06F 15/16**
(52) U.S. Cl. **709/217; 709/204**

(76) Inventors: **Clay H. Fisher**, Belmont, CA (US);
Steven G. Goldstein, Los Angeles, CA (US); **Neal J. Manowitz**, Mahwah, NJ

Dr. Papanikolopoulos: “First, Dr. Stevenson opines that Ohga ‘discloses or suggests [9a] for the reasons explained for Ground 4, [8a].’ I disagree with Dr. Stevenson for the same reasons I described for claim element [8a] above. In particular, Ohga does not teach the claimed ‘update data’ or ‘identification data,’ and therefore does not disclose or suggest this claim element.”

Petitioner’s (Insufficient) Response: “Patent Owner’s arguments against the Ohga-Kuwata combination challenging claim 8 and the grounds challenging claim 9 based on Ohga all depend on its argument that Ohga’s input and output profiles are not image processing control data.”