

(12) **INTER PARTES REVIEW CERTIFICATE** (2174th)

United States Patent
Yoshida et al.

(10) **Number:** **US 9,384,783 K1**
(45) **Certificate Issued:** **Jun. 29, 2021**

(54) **EDITING METHOD AND RECORDING AND
REPRODUCING DEVICE**

(71) **Applicants:** **Susumu Yoshida; Junji Shiokawa;
Hiroo Okamoto**

(72) **Inventors:** **Susumu Yoshida; Junji Shiokawa;
Hiroo Okamoto**

(73) **Assignee:** **MAXELL, LTD.**

Trial Number:

IPR2018-01432 filed Jul. 20, 2018

Inter Partes Review Certificate for:

Patent No.: 9,384,783
Issued: Jul. 5, 2016
Appl. No.: 14/141,417
Filed: Dec. 26, 2013

The results of IPR2018-01432 are reflected in this inter partes review certificate under 35 U.S.C. 318(b).

INTER PARTES REVIEW CERTIFICATE
U.S. Patent 9,384,783 K1
Trial No. IPR2018-01432
Certificate Issued Jun. 29, 2021

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AS A RESULT OF THE INTER PARTES
REVIEW PROCEEDING, IT HAS BEEN
DETERMINED THAT:

Claims **2**, **5** and **6** are cancelled.

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AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
filed in the U.S. District Court Central District of California on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 2:17-cv-7534AG SSx	DATE FILED 10/13/2017	U.S. DISTRICT COURT Central District of California
PLAINTIFF Maxell, Ltd.		DEFENDANT Fandango Media, LLC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 See Attachment A		
2		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT Motion to Stay Case filed 9/21/2018. Case Terminated.

CLERK Kiry K. Gray	(BY) DEPUTY CLERK /s/ E. Synagogue	DATE 7/31/1029
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

Maxell, Ltd.
Ex. 2014
Page 3 of 284

ATTACHMENT A

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
8,311,389	November 13, 2010	Maxell, Ltd.
9,083,942	July 14, 2015	Maxell, Ltd.
9,773,522	September 26, 2017	Maxell, Ltd.
6,954,583	October 11, 2005	Maxell, Ltd.
7,515,810	April 7, 2009	Maxell, Ltd.
9,384,783	July 5, 2016	Maxell, Ltd.
8,255,679	August 28, 2012	Maxell, Ltd.

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

MAXELL, LTD.,
Plaintiff,

v.

FANDANGO MEDIA, LLC,
Defendant.

Case No. 2:17-cv-07534-AG (SSx)
ORDER

1. Given the parties' agreement and under Rule 54(d) finding no just reason for delay, the Court SEVERES Counts I (infringement of the '389 Patent); II (infringement of the '942 Patent); III (infringement of the '522 Patent); and VII (infringement of the '679 Patent) of the Complaint (Docket 1) from the remaining causes of action in this matter. The parties are ORDERED to meet and confer regarding the form of a proposed final judgment as to these severed counts. Fandango is ORDERED to lodge a proposed final judgment (including indicating whether Maxell has agreed to the form of that judgment) within 7 days of this Order. Shorter judgments are better judgments, and should only include essential items. *See United States Commodity Futures Trading Comm'n v. Intelligent Trades, LLC*, No. SACV 16-0020 AG (DFMx), 2016 WL 6078718, at *1 (C.D. Cal. Oct. 12, 2016).

2. The Court STAYS litigation as to all remaining claims until the later of (a) final written decisions (or denials of institution) from the PTAB in IPR2018-01432 and IPR2018-2018-01434; or (b) resolution of the appeal by the United States Court of Appeals for the Federal Circuit of Counts I, II, III, and VII.

3. Every 60 days or within 10 days of (a) a final determination (or denial of

Maxell, Ltd.

Ex. 2014

Case No. 2:17-cv-07534-AG (SSx)

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1 institution) from the PTAB or (b) final resolution of a Federal Circuit Appeal, the
2 parties are ORDERED to file a Joint Report not to exceed 10 pages stating the status
3 of these proceedings and setting forth each party's recommendation for the efficient
4 resolution of the remainder of the case.

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6 4. In light of the parties' joint agreement, Fandango's Motion to Stay (Dkt.
7 100) is DENIED AS MOOT and the hearing on the Motion currently scheduled for
8 Monday, September 24, 2018 at 10 a.m. is TAKEN OFF CALENDAR.

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11 SO ORDERED,

12 September 24, 2018

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15 _____
16 United States District Court Judge
17 Andrew J Guilford
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FANDANGO MEDIA, LLC,
Petitioner,

v.

MAXELL, LTD.,
Patent Owner.

IPR2018-01432
Patent 9,384,783 B2

Before TERRENCE W. McMILLIN, JOHN A. HUDALLA, and
JASON W. MELVIN, *Administrative Patent Judges*.

HUDALLA, *Administrative Patent Judge*.

JUDGMENT
Final Written Decision
Determining All Challenged Claims Unpatentable
35 U.S.C. § 318(a)

Petitioner, Fandango Media, LLC (“Petitioner”), filed a Petition (Paper 1, “Pet.”) requesting an *inter partes* review of claims 2, 5, and 6 of U.S. Patent No. 9,384,783 B2 (Ex. 1001, “the ’783 patent”). Patent Owner, Maxell, Ltd. (“Patent Owner”), filed a Preliminary Response (Paper 8, “Prelim. Resp.”). Taking into account the arguments presented in Patent Owner’s Preliminary Response, we determined that the information

presented in the Petition established that there was a reasonable likelihood that Petitioner would prevail with respect to its unpatentability challenges. Pursuant to 35 U.S.C. § 314, we instituted this proceeding on February 13, 2019, as to all challenged claims and all grounds of unpatentability. Paper 9 (“Dec. on Inst.”).

During the course of trial, Patent Owner filed a Patent Owner Response (Paper 17, “PO Resp.”), and Petitioner filed a Reply to the Patent Owner Response (Paper 20, “Pet. Reply”). Patent Owner also filed a Sur-reply. Paper 21 (“PO Sur-reply”). An oral hearing was held on November 14, 2019, and a transcript of the hearing is included in the record. Paper 31 (“Tr.”).

Petitioner filed a Declaration of Benjamin B. Bederson, Ph.D. (Ex. 1003) with its Petition. Patent Owner filed a declaration of Stuart Lipoff (Ex. 2002) with its Response. The parties also filed transcripts of the depositions of Dr. Bederson (Ex. 2005) and Mr. Lipoff (Ex. 1027).

We have jurisdiction under 35 U.S.C. § 6. This decision is a Final Written Decision under 35 U.S.C. § 318(a) as to the patentability of claims 2, 5, and 6 of the ’783 patent. For the reasons discussed below, Petitioner has demonstrated by a preponderance of the evidence that claims 2, 5, and 6 of the ’783 patent are unpatentable.

I. BACKGROUND

A. Real-Parties-in-Interest

Petitioner identifies Fandango Media, LLC, NBCUniversal Fandango Holdings, LLC, NBCUniversal Media, LLC, and Comcast Corporation as

real-parties-in-interest. Pet. 3; Paper 15, 2; Paper 27, 2. Patent Owner identifies Maxell, Ltd., as the real-party-in-interest. Paper 4, 1.

B. Related Proceedings

The parties identify the following proceeding related to the '783 patent (Pet. 4; Paper 4, 1; Paper 15, 2–3; Paper 27, 2–3):

Maxell, Ltd. v. Fandango Media, LLC, No. 2:2017-cv-7534 (C.D. Cal. filed Oct. 13, 2017).

In addition, Petitioner notes that it filed a petition for *inter partes* review in IPR2018-01434 against U.S. Patent No. 7,515,810 B2, which also is owned by Patent Owner. Pet. 4; Paper 15, 2–3; Paper 27, 2–3. We denied institution in that case.

C. The '783 patent

The '783 patent relates to a device with a recording medium for recording and reproducing audio and video data (AV data) in which the user can select and manage arbitrary play lists. Ex. 1001, 1:22–24, 1:48–52, 2:33–35. Management information for managing the data is generated and recorded together onto the same recording medium as AV data. *Id.* at 1:36–39. Figure 1 of the '783 patent is reproduced below.

FIG. 1

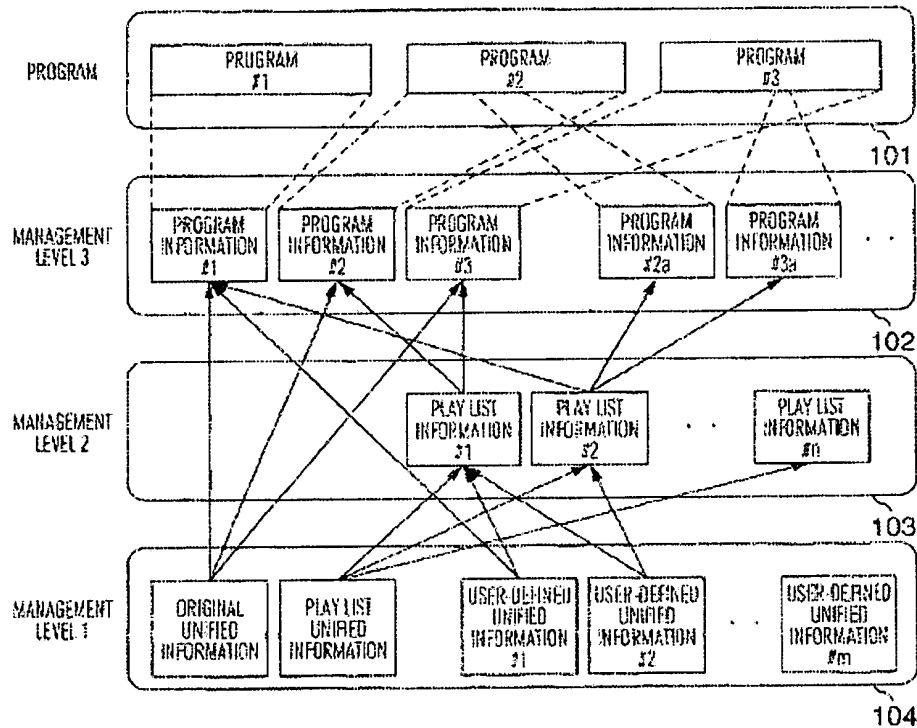


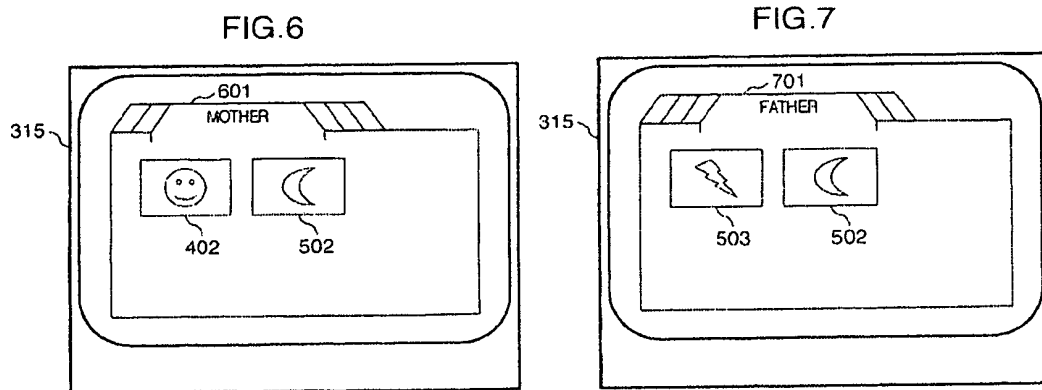
Figure 1 depicts a management state of AV data on a recording medium in an exemplary recording and reproducing device. *Id.* at 3:32–35. Reference numeral 101 designates AV data, and each of Program #1 to Program #3 is a recording unit. *Id.* at 3:35–38.

Reference numeral 102 designates a third management hierarchical level (Management Level 3), wherein Program Information #1 to Program Information #3 indicate the whole reproduction ranges of recording units, i.e., Program #1 to Program #3, respectively. *Id.* at 3:42–44. Management Level 3 also includes Program Information #2a to Program Information #3a, each of which indicates a reproduction range of the whole or a part of a program arbitrarily specified by the user. *Id.* at 3:44–49.

Reference numeral 103 designates a second management hierarchical level (Management Level 2), which includes Play List Information #1 to Play List Information #n. *Id.* at 3:56–60. Each play list information indicates a reproduction sequence of arbitrary program information pieces in Management Level 3. *Id.* at 3:60–62.

Reference numeral 104 designates a first management hierarchical level (Management Level 1) including a plurality of unified information pieces. *Id.* at 3:64–4:1. Original Unified Information contains Program Information #1 to Program Information #3 on Management Level 3. *Id.* at 4:1–5. Play List Unified Information contains Play List Information #1 to Play List Information #n on Management Level 2. *Id.* 4:8–10. User-Defined Unified Information #1 to User-Defined Unified Information #m contain one or more from among play list information pieces on Management Level 2 and program information pieces on Management Level 3. *Id.* at 4:14–18.

Figures 6 and 7 of the '783 patent are reproduced below.



Figures 6 and 7 depict output menu displays on TV set 315 utilizing User-Defined Unified Information #1 and User-Defined Unified Information #2, respectively. *Id.* at 3:9–12, 5:65–67, 6:7–11. Menu display tag 601 is related to user #1 ("Mother") in Figure 6, whereas menu display tag 701 is

related to user #2 (“Father”) in Figure 7. *Id.* at 5:65–6:1, 6:7–11.

Thumbnails 402 and 502 in Figure 6 indicate Program Information #1 and Play List Information #1, respectively. *Id.* at 6:2–4. Thumbnails 503 and 502 in Figure 7 indicate Play List Information #2 and Play List Information #1, respectively. *Id.* at 6:11–14.

The ’783 patent claims priority to three Japanese patent applications dating to as early as December 2, 2004. *Id.*, code (30). As discussed below, Petitioner establishes that, at a minimum, its asserted references qualify as prior art relative to the December 2, 2004, date of the earliest Japanese patent application (i.e., the earliest possible effective filing date).

D. Illustrative Claim

Of the challenged claims, only claim 2 is independent. Claims 5 and 6 depend from claim 2. Claim 2 is illustrative of the challenged claims and recites:

2. A method comprising:

reproducing selected video information from among a plurality of video information recorded on a recording medium by the recording unit,

displaying, on a display device, a user interface for a user to select desired video information to be reproduced from among the plurality of video information recorded on the recording medium by the recording unit;

reproducing the selected video information read out from the recording medium, wherein a first area and a second area are displayed within a menu display,

wherein the first area is configured to display at least first indication associated with a first group of video information for a first classification and second indication associated with a

second group of video information for a second classification different from the first classification, and

wherein the second area is configured to display thumbnails corresponding to video information recorded on the recording medium by the recording unit;

wherein, when the first indication shown in the first area is selected, displaying, in the second area, a first group of thumbnails corresponding to the first group of video information;

wherein, when the second indication shown in the first area is selected, displaying, in the second area, a second group of thumbnails corresponding to the second group of video information,

wherein, even if one video information recorded on the recording medium included in both the first group of video information and the second group of video information is deleted from the first group of video information, the one video information continue to be included in the second group of video information.

Ex. 1001, 8:55–9:20.

E. Prior Art

Petitioner relies on the following prior art:

U.S. Patent Application Publication No. 2001/0056434 A1, filed Mar. 29, 2001, published Dec. 27, 2001 (Ex. 1004, “Kaplan”); and

U.S. Patent Application Publication No. 2004/0201691 A1, filed Apr. 11, 2003, published Oct. 14, 2004 (Ex. 1005, “Bryant”).

F. The Instituted Grounds

We instituted *inter partes* review of claims 2, 5, and 6 of the '783 patent on the following grounds (Dec. on Inst. 32), which are all the grounds presented in the Petition (Pet. 5):

Claims Challenged	35 U.S.C. §	Reference(s)
2, 5, 6	103(a) ¹	Kaplan, Bryant
2, 5, 6	103(a)	Bryant, Kaplan
2, 5, 6	103(a)	Kaplan
2, 5, 6	103(a)	Bryant

II. ANALYSIS

A. Legal Standards

A claim is unpatentable under 35 U.S.C. § 103(a) if the differences between the claimed subject matter 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. *See KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 406 (2007). The question of obviousness is resolved on the basis of underlying factual determinations, including (1) the scope and content of the prior art; (2) any differences between the claimed subject matter and the prior art; (3) the level of skill in the art; and (4) where in evidence, so-called secondary

¹ The Leahy-Smith America Invents Act ("AIA"), Pub. L. No. 112-29, 125 Stat. 284, 287–88 (2011), amended 35 U.S.C. § 103. Because the effective filing date of the '783 patent is before March 16, 2013 (the effective date of the relevant amendment), the pre-AIA version of § 103 applies.

considerations.² *See Graham v. John Deere Co.*, 383 U.S. 1, 17–18 (1966). We also recognize that prior art references must be “considered together with the knowledge of one of ordinary skill in the pertinent art.” *In re Paulsen*, 30 F.3d 1475, 1480 (Fed. Cir. 1994) (quoting *In re Samour*, 571 F.2d 559, 562 (CCPA 1978)). We analyze Petitioner’s obviousness grounds with the principles identified above in mind.

B. Level of Ordinary Skill in the Art

In the Decision on Institution, we determined that a person of ordinary skill in the art would have had a bachelor’s degree in Computer Science, Electrical Engineering, Computer Engineering, or a related field, and two years of practical experience in digital data management. Dec. on Inst. 7–8 (citing Ex. 1001, 1:22–24, 1:36–39; Ex. 1003 ¶ 69). Neither party disputes our determination. *Cf.* Ex. 2002 ¶ 29 (Mr. Lipoff applying our definition). We discern no reason to change our determination and apply it for purposes of this Decision.

C. Claim Interpretation

Because this *inter partes* review is based on a petition filed before November 13, 2018,³ we construe the claims by applying the broadest

² Patent Owner does not put forth any evidence of secondary considerations of nonobviousness.

³ On October 11, 2018, the USPTO revised its rules to harmonize the Board’s claim construction standard with that used in federal district court. Changes to the Claim Construction Standard for Interpreting Claims in Trial Proceedings Before the Patent Trial and Appeal Board, 83 Fed. Reg. 51,340 (Oct. 11, 2018) (codified at 37 C.F.R. 42.100(b) (2019)). This rule change

reasonable interpretation in light of the specification. 37 C.F.R. § 42.100(b) (2018); *see Cuozzo Speed Techs., LLC v. Lee*, 136 S. Ct. 2131, 2144–46 (2016). Under the broadest reasonable interpretation standard, and absent any special definitions, claim terms are given their ordinary and customary meaning, as would have been understood by one of ordinary skill in the art in the context of the entire disclosure. *See In re Translogic Tech. Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007). Any special definitions for claim terms or phrases must be set forth “with reasonable clarity, deliberateness, and precision.” *Paulsen*, 30 F.3d at 1480.

Petitioner puts forth several terms for construction. Pet. 13–17. Patent Owner responded to Petitioner’s proposed constructions in its Preliminary Response. Prelim. Resp. 9–12. In our Decision on Institution, we determined that no terms required explicit construction. Dec. on Inst. 9 (citing *Vivid Techs., Inc. v. Am. Sci. & Eng’g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999)). After institution, Patent Owner provided no express response to either Petitioner’s proposed terms or our determination not to construe any terms in the Decision on Institution. *See* Tr. 25:8–11 (Patent Owner’s counsel conceding that it did not include a claim construction section in its post-institution papers). Notwithstanding, Patent Owner makes arguments related to the final limitation in claim 2, i.e., limitation 2.9⁴, that compel us to interpret certain aspects of that limitation, as set forth below.

applies only to petitions filed after November 13, 2018, however. Thus, the revised claim construction standard does not apply to this proceeding. *Id.*

⁴ Both parties have adopted Petitioner’s numbering convention for claim limitations, which is set forth at pages 9–11 of the Petition. Limitation 2.9 recites: “wherein, even if one video information recorded on the recording medium included in both the first group of video information and the second

First, we consider the usage of the singular “one” in “one video information.” Limitation 2.9 requires that the “one video information” is “recorded on the recording medium” and “continue[s] to be included in the second group of video information” even if it “is deleted from the first group of video information.” At oral argument, Patent Owner’s counsel argued that “one video information” could refer to separate copies of the same video information that are included in the first and second groups. *See* Tr. 29:1–6 (Patent Owner’s counsel arguing that one video information could be included in two different groups “[b]y having multiple copies of the video information”); 32:13–14 (Patent Owner’s counsel stating that “[o]ur view is that there would be multiple copies of video information”). Thus, under Patent Owner’s view, each instance of the “one video information” included in a group would require a separate copy of that “one video information” to be recorded on the recording medium.

We do not agree with Patent Owner’s argument. Importantly, this limitation uses the article “one” to refer to “one video information,” and the subsequent reference recites “*the* one video information” (emphasis added). The plain usage of these words implies that the same “one video information” is initially included in each group, contrary to Patent Owner’s argument. Similarly, Patent Owner’s supposition about multiple copies of the same underlying data is logically inconsistent with limitation 2.9. Specifically, if different copies of video information existed in the first and second groups, then the “one video information” deleted from the first group

group of video information is deleted from the first group of video information, the one video information continue to be included in the second group of video information.” Ex. 1001, 9:16–21.

could not “continue to be included in the second group,” because there would be different video information in the second group.

The specification of the '783 patent also contradicts Patent Owner's interpretation. In particular, the '783 patent is directed to unified management of AV data where users can share a single recording medium. Ex. 1001, 2:47–55. Importantly, the exemplary unified management scheme in Figure 1 of the '783 patent, which is reproduced below, depicts management information for different users referring to the same video information.

FIG. 1

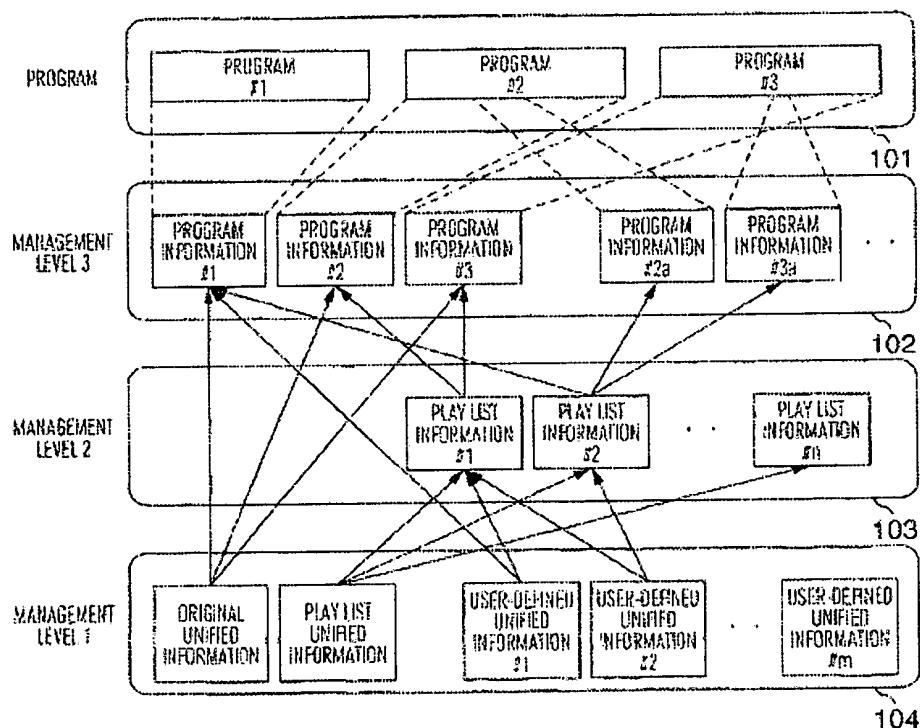


Figure 1 depicts a management state of AV data on a recording medium in an exemplary recording and reproducing device. Ex. 1001, 3:32–35. The specification of the '783 patent describes an example of user-defined unified

information for a “mother” and a “father” with reference to Figure 1. *Id.* at 5:65–6:18. In that example, user-defined unified information #1 (for “mother”) refers to program information #1 and play list information #1. *Id.* at 5:65–6:4. User-defined unified information #2 (for “father”) refers to play list information #2 and play list information #1. *Id.* at 6:7–14. As can be seen, each of the mother’s and the father’s unified information refers to play list information #1, which in turn refers to the same program information #1 and #2, i.e., “the whole reproduction ranges” of programs #1 and #2. *See id.* at 3:42–44. Further in turn, program information #1 and #2 refer to the underlying AV data on the recording medium for programs #1 and #2, respectively. *See id.* at 3:35–38. As such, two users’ groups (i.e., user-defined unified information for “mother” and “father”) ultimately refer to the same “one video information” (e.g., underlying AV data for program #1).

Given this background in the specification, and in light of the plain usage of the words in this limitation, we determine that the “one video information” included in the first group and the second group is the same “one video information,” not merely copies thereof.

Next, we consider the usage of “deleted” in the phrase “one video information . . . is deleted from the first group of video information.” Certain of Patent Owner’s arguments would require that the underlying video information itself is deleted. *See, e.g.*, PO Resp. 9 (characterizing the claim limitation as “deleting recorded information in one location while keeping the information in another location”); PO Sur-reply 11–12 (distinguishing Bryant because it does not teach deletion of video information); Tr. 27:18–19 (Patent Owner’s counsel arguing “it’s specific in

the '783 Patent that the underlying data -- the video data here -- is being deleted"). Nevertheless, after considering the intrinsic evidence, we do not agree with Patent Owner's interpretation.

Looking at the usage in the claim limitation itself, we note that the deletion is "from the first group of video information." This implies that the deletion may relate to group membership, rather than to the underlying video data themselves. Such an interpretation is consistent with the only instances of the word "delete" in the specification of the '783 patent. Those instances pertain to the examples of Figures 6 and 7 where, respectively, a "'mother' can use the menu display tag for mother 601 as a folder dedicated to herself" and a "'father' can use the menu display tag for father 701 as a folder dedicated to himself." Ex. 1001, 6:4–7, 6:16–18. For each folder, the mother and father can "freely *register and delete* data to be reproduced." *Id.* (emphasis added); *see also id.* at 6:26–31 ("The user-defined unified information is formed to allow arbitrary reproduction ranges contained on a lower hierarchical level to be *registered* therein. As a result, it becomes possible for the user to select arbitrary play lists or reproduction ranges and conduct management." (emphasis added)). Thus, deleting data from the folder may be interpreted as the opposite action from registering such data to the folder. Such an interpretation also is consistent with the language of limitation 2.9 itself, because deletion from a group is contrasted with inclusion in a group. *See id.* at 9:16–21 ("even if one video information . . . is *deleted* from the first group of video information, the one video information continue to be *included* in the second group of video information" (emphases added)). Thus, under the broadest reasonable interpretation standard, we determine that "delet[ing]" video information

from the first group includes reversing a registration (i.e., unregistering) of video information from the first group. *See id.* at 6:4–7, 6:16–18, 6:26–31. For similar reasons, we also determine that “delet[ing]” video information from a group does not necessarily require deleting underlying AV data.

Finally, we note that Patent Owner’s claim construction arguments for limitation 2.9 are allegedly rooted in its contention that we should adopt Petitioner’s proposed construction (Pet. 14) of “video information” as “video data represented by digital or analog signal.” *See* PO Sur-reply 6 (citing Pet. 14); Tr. 35:12–18. Nevertheless, no construction of “video information” is necessary to resolve the parties’ disputes.⁵ *See, e.g., Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co.*, 868 F.3d 1013, 1017 (Fed. Cir. 2017) (“[W]e need only construe terms ‘that are in controversy, and only to the extent necessary to resolve the controversy’” (quoting *Vivid*, 200 F.3d at 803)). As such, we decline to construe “video information,” and we likewise determine that no other terms require explicit construction

D. Obviousness Ground Based on Kaplan and Bryant

Petitioner contends the subject matter of claims 2, 5, and 6 would have been obvious over the combination of Kaplan and Bryant. Pet. 28–79; Pet. Reply 3–17. Patent Owner disputes Petitioner’s contentions. PO Resp. 28–51; PO Sur-reply 1–15.

⁵ Indeed, our disposition below would not change even if we were to adopt Petitioner’s construction of “video information.”

1. *Kaplan*

Kaplan is a U.S. patent application publication directed to “a multimedia management system for storing, manipulating, and displaying multimedia content.” Ex. 1004 ¶ 4. To facilitate the storage and subsequent retrieval of multimedia data files, the system includes a user interface with a plurality of predefined functions to uniquely index multimedia files, create an index database file, and create visual representations of the files for later retrieval. *Id.* ¶ 44. The indexed file stores a pointer in a management system database to a physical file location, while providing a thumbnail image that can be used to represent the file in the user interface. *Id.* Multiple pointers in the database may be related to a single physical file stored on computer media, so there is no need to store multiple physical files of the same multimedia data. *Id.*

Figure 4 of Kaplan is reproduced below.

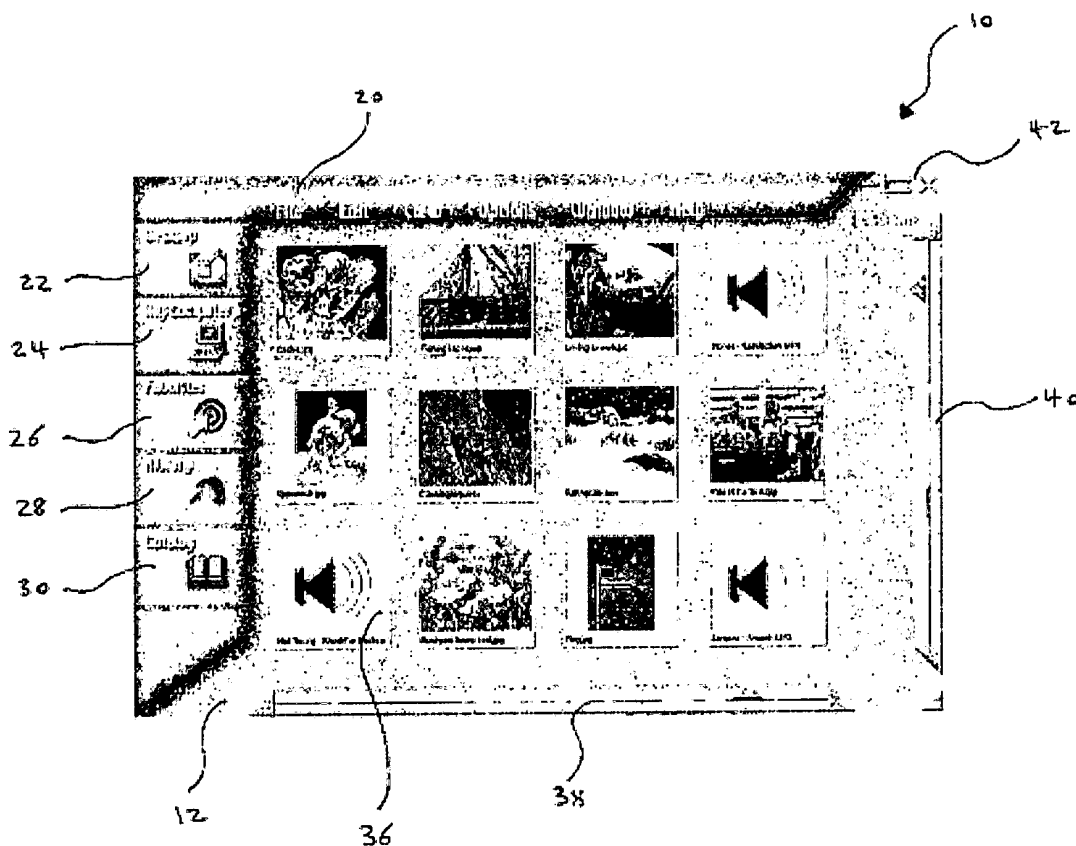


FIG-4

Figure 4 is a graphical representation of control options available to a user via interface 12 that can be displayed on a “monitor or TV.” *Id.* ¶¶ 14, 39. Functions associated with user interface 12 may be carried out via control buttons for various primary options in user interface 12, including Desktop 22, My Computer 24, Favorites 26, History 28, and Catalog 30. *Id.* ¶¶ 39–40. For example, users may store their favorite multimedia content by way of the Favorites 26 primary option. *Id.* ¶ 42. All information and multimedia content is displayed through thumbnails 36, which are small image representations of larger images. *Id.* ¶ 40. A user may click on thumbnails to view and/or listen to multimedia content. *Id.* ¶ 50. Playback

may occur within the thumbnail itself, in a partial screen mode, or in a full screen mode. *Id.* ¶ 51.

Petitioner contends Kaplan qualifies as prior art under 35 U.S.C. § 102(b) based on its publication date of December 27, 2001. Pet. 21 n.3. We agree. Kaplan's publication date of December 27, 2001, is more than one year before the earliest possible effective filing date of the challenged claims, which is December 2, 2004. Ex. 1001, code (30); Ex. 1004, code (43).

2. *Bryant*

Bryant is a U.S. patent application publication directed to “grouping and classifying digital still images and digital motion images captured using a handheld digital camera.” Ex. 1005 ¶ 29. Grouping and classification data are stored in a database on a host computer. *Id.* The classification provides “affective information,” which is information that relates to the feelings or emotions of a person toward images. *Id.* ¶ 30. An example of affective information is the level of importance a user associates with an image, such as whether the image is a “favorite.” *Id.*

Figure 8 of Bryant is reproduced below.

Diagram illustrating a data structure mapping objects to fields.

Object List (600):

OBJECT 1 (100_1686)	632
OBJECT 2 (100_1687)	634
OBJECT 3 (100_1688)	636
OBJECT 4 (100_1689)	638
OBJECT 5 (100_1690)	640
OBJECT 6 (100_1691)	642
OBJECT 7 (100_1692)	644
OBJECT 8 (100_1693)	646
OBJECT 9 (100_1694)	648
OBJECT 10 (100_1695)	650
OBJECT 11 (100_1696)	652

An arrow points from the empty row in the object list to the table header.

Field Table (610):

FIELD	TYPE	EXPOSE
CAPDATE	DATE/TIME	YES
IMAGE CAPTION	STRING	YES
CLGDATE	DATE/TIME	YES
FAVLEVEL	INTEGER	YES
FILESIZE	INTEGER	YES
FORMAT	STRING	YES
GROUP NUMBER	INTEGER	YES
GROUP NAME	STRING	YES
IMGHEIGHT	INTEGER	NO
IMGWIDTH	INTEGER	NO
IMAGEPATH	STRING	NO
MODDATE	DATE/TIME	YES
IMAGENAME	STRING	YES
PROTECTED	INTEGER	YES
THMHEIGHT	INTEGER	NO
THMWIDTH	INTEGER	NO
THMNAIL	DB BLOB	NO

FIG. 8

Figure 8 depicts database information including general assets table 600 that includes image data objects 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, and 652 corresponding to various transferred image files (e.g., “100_1686”). *Id.* ¶ 82. For example, object 11 (100_1696) 652 includes table of data fields 610, and each row 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, and 692 of table 610 includes a

particular type of metadata describing the image. Among the rows of table 610 are “favlevel” metadata in row 666, which indicates whether the user has selected the image as a favorite; “group number” metadata in row 672, which indicates the number of the group of images of which the image is a part; “group name” metadata in row 674, which indicates an optional name for the group; and “thmnlail” metadata in row 692, which holds a copy of the compressed thumbnail image as stored by the digital camera. *Id.* ¶¶ 84, 85, 87.

Figure 9A of Bryant is reproduced below.

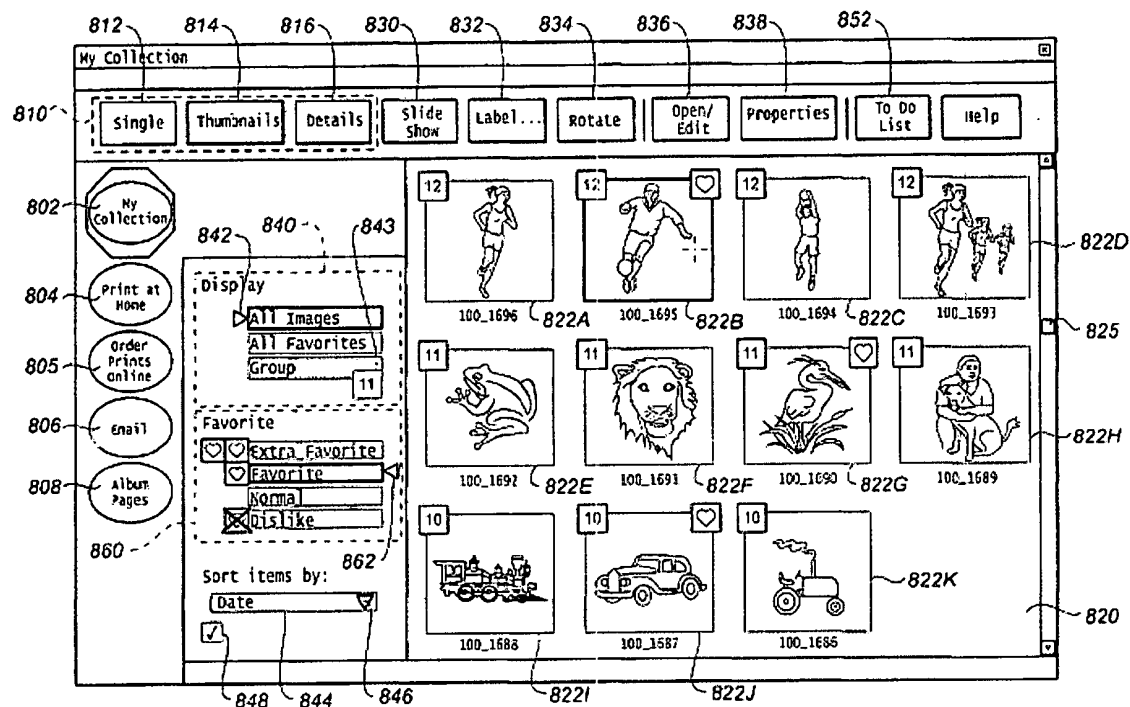


FIG. 9A

Figure 9A depicts an example of a computer user interface screen for displaying all of the transferred images. *Id.* ¶ 89. The user interface screen includes area 820 for displaying the thumbnail images provided using “thmnlail” metadata 692 of each object from general assets table 600. *Id.* By moving selector 842 within display selection area 840, the user can select

among the display of “All Images,” “All Favorites,” or “Group” based on group number/name box 843. *Id.* The user also can change the level of a selected image to be an “Extra Favorite,” a “Favorite,” a “Normal,” or a “Dislike” image using selector 862 in favorites level selection area 860. *Id.* ¶ 96.

Petitioner contends, *inter alia*, that Bryant qualifies as prior art under 35 U.S.C. § 102(e) based on its filing date of April 11, 2003. Pet. 24 n.4. We agree. Bryant’s filing date of April 11, 2003, is before the earliest possible effective filing date of the challenged claims, which is December 2, 2004. Ex. 1001, code (30); Ex. 1005, code (22).

3. *Claim 2*

a. Preamble

The preamble of claim 2 recites merely “[a] method comprising.” Ex. 1001, 8:55. We do not consider the preamble limiting. *See Allen Eng’g Corp. v. Bartell Indus., Inc.*, 299 F.3d 1336, 1346 (Fed. Cir. 2002) (“Generally, the preamble does not limit the claims.”). The parties do not contend otherwise.

b. Limitation 2.1

Claim 2 further recites “reproducing selected video information from among a plurality of video information recorded on a recording medium by the recording unit” (“limitation 2.1”). Ex. 1001, 8:56–58. Petitioner cites Kaplan’s “multimedia management system for storing, manipulating, and displaying multimedia content” on a computer for teaching “reproducing selected video information.” Pet. 29 (quoting Ex. 1004 ¶ 4; citing Ex. 1004

¶¶ 34, 37, 38, 68, 69). Petitioner notes that Kaplan discloses “hard disks” and other storage media for the recited “recording medium.” *Id.* (citing Ex. 1004 ¶ 34, claim 7).

Petitioner also contends an ordinarily skilled artisan “would have understood that Bryant suggests reproducing selected video information from the recording medium.” Pet. 52 (citing Ex. 1003 ¶ 147). Specifically, Petitioner cites Bryant’s teachings of “capturing ‘motion video images’ with a camera and loading them onto a home computer” and contends an ordinarily skilled artisan “would have recognized that a reason to transfer a video to a user’s computer is to reproduce (e.g., playback) the video from the recording medium when the user wants to watch it.” *Id.* (citing Ex. 1003 ¶ 147; Ex. 1005 ¶¶ 36–38, 80–81). In addition, Dr. Bederson testifies that an ordinarily skilled artisan reading Bryant’s disclosures on “digital motion images” would have understood that Bryant’s disclosure of “images” encompasses videos. Ex. 1003 ¶ 149 (citing Ex. 1005 ¶¶ 29, 36). Petitioner also contends ordinarily skilled artisans would have been motivated to incorporate video playback into Bryant. *Id.* at 53 (citing Ex. 1003 ¶ 151).

Patent Owner does not dispute that Kaplan discloses limitation 2.1. Nonetheless, Patent Owner argues “Bryant does not disclose, explicitly or inherently, reproducing (e.g., playback) of stored video information as required by elements [2.1]-[2.3].” PO Resp. 35 (citing, *inter alia*, Ex. 2002 ¶ 107); *see also* PO Sur-reply 5–11.

We are persuaded by Petitioner’s un rebutted evidence that Kaplan discloses video reproduction capability. *See* Ex. 1004 ¶¶ 34, 37, 38, 68, 69. Although this evidence alone is sufficient to support Petitioner’s obviousness analysis for limitation 2.1, we also find that Bryant at least

suggests video reproduction, as we articulated in our Institution Decision. *See* Dec. on Inst. 26 (citing Ex. 1005 ¶¶ 3, 29, 36). In particular, Bryant states that digital image files captured by a digital camera “can then be *viewed*, stored, retrieved, and printed using a home computer.” Ex. 1005 ¶ 3 (emphasis added). Bryant also states that its disclosure pertains to “digital still images and *digital motion images* captured using a handheld digital camera.” *Id.* ¶ 29 (emphasis added). Patent Owner’s arguments about Bryant’s greater focus on still images and standards for still images (*see* PO Resp. 35–40; PO Sur-reply 5–7) does not negate the fact that Bryant mentions manipulation (including viewing) of video files from a digital camera. *See* Ex. 1005 ¶¶ 3, 29, 36; *see also* Ex. 1003 ¶ 149 (Dr. Bederson’s persuasive testimony on an ordinarily skilled artisan’s interpretation of Bryant, which is consistent with Bryant itself).

Based on Petitioner’s evidence, we find that the combination of Kaplan and Bryant teaches limitation 2.1.

c. Limitation 2.2

Claim 2 further recites “displaying, on a display device, a user interface for a user to select desired video information to be reproduced from among the plurality of video information recorded on the recording medium by the recording unit” (“limitation 2.2”). Ex. 1001, 8:59–62. Petitioner cites Kaplan’s user interface 12 and contends the interface “allows a user to select videos to be played back from the computer.” Pet. 32 (citing Ex. 1004 ¶¶ 39, 40, 50, 51, 57, Figs. 7–12, 14, 16). Petitioner notes that Kaplan discloses a “monitor or TV” for the recited “display device.” *Id.* (citing Ex. 1004 ¶ 39).

Petitioner also cites Bryant’s “user interface screens” such as those in Figures 9A–9C of Bryant. *Id.* at 55–56. Petitioner contends these user interfaces “facilitate user selection of desired video information to be played back from the recording medium (*e.g.*, hard drive) by the recording unit (*e.g.*, computer).” *Id.* (citing Ex. 1003 ¶ 154; Ex. 1005 ¶¶ 29, 36–37, 88–90). Petitioner maps the recited “display device” of claim 2 to Bryant’s display monitor 14. *Id.* at 54 (citing Ex. 1005 ¶¶ 37, 38).

Patent Owner does not dispute Petitioner’s analysis relative to Kaplan. We are persuaded by Petitioner’s un rebutted evidence that Kaplan teaches displaying a user interface (*i.e.*, user interface 12) on a display device (*i.e.*, a “monitor or TV”) for selecting desired video information (*e.g.*, “Play in Place” feature for multimedia content). *See* Ex. 1004 ¶¶ 39, 40, 50, 51, 57, Figs. 7–12, 14, 16. Patent Owner asserts the same arguments against Bryant not disclosing video reproduction capability, which we discussed above. *See supra* § II.D.3.b. Despite these arguments, Bryant teaches user interfaces in Figures 9A–9C from which a user may select and display images. *See* Ex. 1005 ¶¶ 88–90, Figs. 9A–9C. Bryant also discloses display monitor 14, which is commensurate with the recited “display device.” *See id.* ¶ 38, Fig. 1. Based on Petitioner’s evidence, we find that the combination of Kaplan and Bryant teaches limitation 2.2.

d. Limitation 2.3

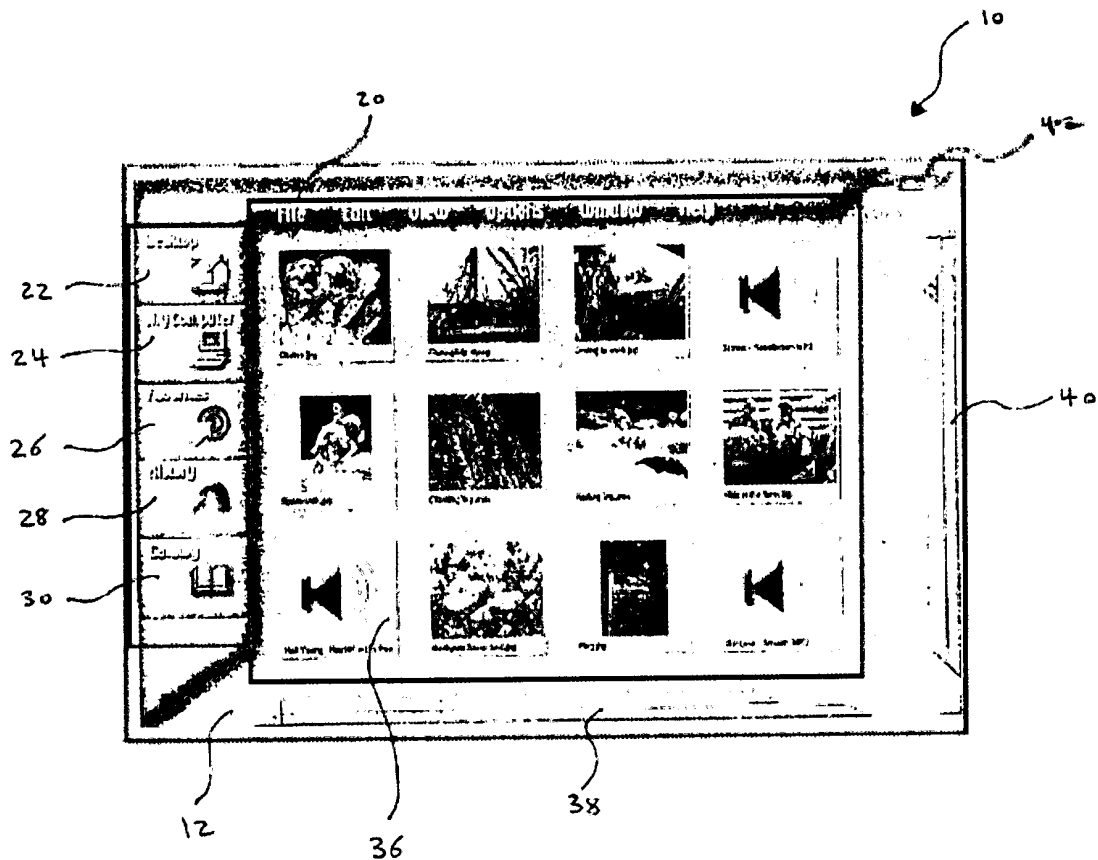
Claim 2 further recites “reproducing the selected video information read out from the recording medium” (“limitation 2.3”). Ex. 1001, 8:63–64. Regarding Kaplan, Petitioner refers to its analysis above for limitation 2.1 and contends “Kaplan would have suggested multiple reproducing steps to

a[n ordinarily skilled artisan].” Pet. 33 (citing Ex. 1003 ¶ 115). Regarding Bryant, Petitioner also cites its analysis for limitation 2.1 and contends “Bryant would have suggested multiple reproducing steps to a[n ordinarily skilled artisan].” *Id.* at 57 (citing Ex. 1003 ¶¶ 156–157).

Patent Owner does not dispute Petitioner’s analysis relative to Kaplan. Patent Owner asserts the same arguments against Bryant not disclosing video reproduction capability, which we discussed above. *See supra* § II.D.3.b. Patent Owner does not dispute Petitioner’s contentions about multiple reproduction steps. We are persuaded that Kaplan discloses video reproduction and Bryant suggests video reproduction for the same reasons discussed above. *See id.* We also are persuaded by Dr. Bederson’s un rebutted testimony that multiple reproduction steps would have been obvious to an ordinarily skilled artisan in light of the references themselves. *See* Ex. 1003 ¶¶ 115 (citing Ex. 1004 ¶¶ 56–57, Fig. 16), 157 (citing Ex. 1005, Figs. 9A–9C). Based on Petitioner’s evidence, we find that the combination of Kaplan and Bryant teaches limitation 2.3.

e. Limitation 2.4

Claim 2 further recites “wherein a first area and a second area are displayed within a menu display” (“limitation 2.4”). Ex. 1001, 8:64–65. For the recited “first area” and “second area . . . displayed within a menu display,” Petitioner provides an annotated version of Kaplan’s Figure 4, which is reproduced below.



Pet. 37. In this annotated version of Kaplan's Figure 4, Petitioner indicates its mapping of the "first area" in blue, the "second area" in red, and the "menu display" in green. *Id.* at 36.

Petitioner also cites annotated versions of Bryant's Figures 9A–9C for teaching limitation 2.4. *See* Pet. 60–62. Petitioner's annotated version of Figure 9A is reproduced below.

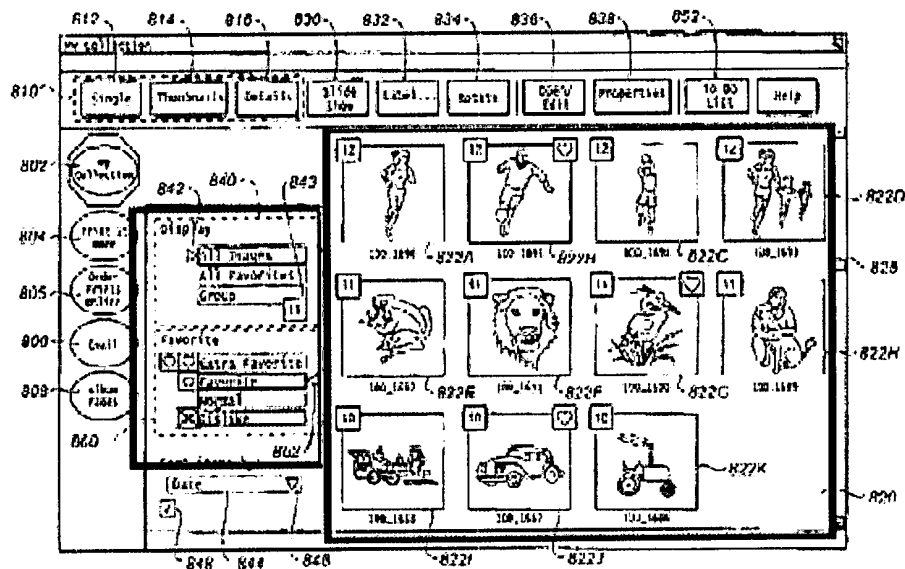


FIG. 9A

Pet. 61. In this annotated version of Figure 9A, Petitioner indicates its mapping of the “first area” (i.e., selection area 840) in blue and the “second area” (i.e., thumbnail image display area 820) in red. *Id.* at 62 (citing Ex. 1005 ¶ 89).

Patent Owner does not dispute Petitioner’s analysis. We are persuaded by Petitioner’s annotated figures, which show that Kaplan and Bryant both teach a menu display with a first area and a second area. Thus, we find that the combination of Kaplan and Bryant teaches limitation 2.4.

f. Limitation 2.5

Claim 2 further recites “wherein the first area is configured to display at least first indication associated with a first group of video information for a first classification and second indication associated with a second group of video information for a second classification different from the first classification” (“limitation 2.5”). Ex. 1001, 8:66–9:4. Within the “first area” shown in Kaplan’s annotated version of Figure 4 above, Petitioner

maps the “first indication” and “second indication” to different groups of options selected among Desktop 22, My Computer 24, Favorites 26, History 28, and Catalog 30. *Id.* at 37–38 (citing Ex. 1003 ¶¶ 92–95, 121; Ex. 1004 ¶¶ 42, 44–50). Citing Dr. Bederson’s testimony, Petitioner contends an ordinarily skilled artisan

would have recognized that the first/second group of video information for a first/second classification was user defined [in Kaplan] for at least the reason that the user could edit the content of the information in the group For example, videos were classified as “Favorite” because they were a favorite of the user; videos were classified under “History” based on the user’s access of the video, and videos were in the computer’s “Catalog” because the user stored the videos in the system.

Id. at 38 (citing Ex. 1003 ¶ 121; Ex. 1004 ¶¶ 42–47) (alteration in original; internal quotation omitted).

Petitioner also cites Bryant for teaching limitation 2.5. Within the “first area” as shown in annotated version of Bryant’s Figure 9A above, Petitioner maps the “first indication associated with a first group of video information for a first classification” to Bryant’s “All Favorites” group, which corresponds to all images marked “Favorite.” *Id.* at 63 (citing Ex. 1003 ¶¶ 160–162; Ex. 1005 ¶¶ 89–90, Figs. 9A, 9B). Petitioner likewise maps the “second indication associated with a second group of video information for a second classification” to “All Images” or “Groups” (i.e., all images in a numbered group). *Id.*

Patent Owner does not dispute Petitioner’s analysis. Petitioner has persuasively shown that various choices among Kaplan’s Desktop 22, My Computer 24, Favorites 26, History 28, and Catalog 30 are commensurate with the recited first and second indications/classifications. *See id.* at 37–38.

We also are persuaded by Petitioner's analysis showing Bryant's "All Favorites" are commensurate with the first indication/classification and "All images" or "Groups" are commensurate with the second indication/classification. *See id.* at 63. Thus, we find that the combination of Kaplan and Bryant teaches limitation 2.5.

g. Limitation 2.6

Claim 2 further recites "wherein the second area is configured to display thumbnails corresponding to video information recorded on the recording medium by the recording unit" ("limitation 2.6"). Ex. 1001, 9:5–7. Petitioner cites the thumbnails in Kaplan's display. Pet. 33–35 (citing Ex. 1003 ¶¶ 119–125; Ex. 1004, ¶¶ 40–50, 56–57, Figs. 7–12, 14, 16). Petitioner also cites Bryant for teaching limitation 2.6. According to Petitioner, "Bryant . . . uses thumbnails in area 820, which correspond to video information on the recording medium." *Id.* at 63 (citing Ex. 1003 ¶¶ 160–162; Ex. 1005 ¶¶ 89–90, Figs. 9A, 9B).

Patent Owner does not dispute Petitioner's analysis. We are persuaded by Petitioner's showing that Kaplan's thumbnails correspond to recorded video information. *See* Ex. 1004 ¶ 40 ("[T]humbnails 36 provide users with a more intuitive method of managing computer files, such as multimedia content . . ."). We also are persuaded by Petitioner's showing about Bryant's "area 820 for displaying thumbnail images." Ex. 1005 ¶ 89. Thus, we find that the combination of Kaplan and Bryant teaches limitation 2.6.

h. Limitations 2.7 and 2.8

Claim 2 further recites “wherein, when the first indication shown in the first area is selected, displaying, in the second area, a first group of thumbnails corresponding to the first group of video information” and “wherein, when the second indication shown in the first area is selected, displaying, in the second area, a second group of thumbnails corresponding to the second group of video information” (“limitations 2.7 and 2.8”).

Ex. 1001, 9:8–15. For the first group of thumbnails, Petitioner cites Kaplan’s display of thumbnails corresponding to a selected option (e.g., Favorites) in the first area. *Id.* at 38–39 (citing Ex. 1004 ¶¶ 40–42, Figs. 7, 8). Petitioner cites similar teachings from Kaplan regarding other selected options (e.g., Catalog) for “displaying . . . a second group of thumbnails.” *Id.* at 39–40 (citing Ex. 1003 ¶¶ 92–95, 122, 123; Ex. 1004 ¶¶ 47, 50, Fig. 11).

Petitioner also cites Bryant for teaching limitations 2.7 and 2.8. According to Petitioner, “Bryant discloses that when a first indication (e.g., ‘All Favorites’) shown in the first area (blue box) is selected, the system displays in the second area (red box), a first group of thumbnails corresponding to the first group of video information (e.g., all images marked ‘Favorite’).” *Id.* at 63–64 (citing, *inter alia*, Ex. 1005 ¶¶ 88–89, 98–99, Figs. 3B, 9B). Petitioner further contends that when Bryant’s “second indication (e.g., ‘All images’ or ‘Groups’) shown in the first area is selected, Bryant displays in the second area, a second group of thumbnails corresponding to the second group of video information.” *Id.* at 63–64 (citing Ex. 1005 ¶¶ 89, 102, Figs. 9A, 9B).

Patent Owner does not dispute Petitioner's analysis. Petitioner's evidence from Kaplan shows how selecting Favorites and Catalog in the first area result in different groups of thumbnails being displayed in the second area. *Compare* Ex. 1004, Fig. 7, *with id.* at Fig. 11. Petitioner also establishes that selecting "All Images" and "All Favorites" in Bryant's first area results in different groups of thumbnails being displayed in area 820. *Compare* Ex. 1005, Fig. 9A, *with id.* at Fig. 9B. Based on Petitioner's evidence, we find that Kaplan teaches limitations 2.7 and 2.8.

i. Limitation 2.9

Claim 2 further recites "wherein, even if one video information recorded on the recording medium included in both the first group of video information and the second group of video information is deleted from the first group of video information, the one video information continue to be included in the second group of video information" ("limitation 2.9"). Ex. 1001, 9:16–21. With respect to limitation 2.9, Petitioner cites, *inter alia*, the user interface in Bryant's Figures 9A–9C and the structure of Bryant's local database with assets table 600 and data fields 610 for a given media object. *Id.* at 65–66 (Ex. 1003 ¶¶ 168–169; Ex. 1005, Figs. 8, 9A–9C). With reference to Figures 9A–9C, Petitioner cites an example pertaining to a thumbnail image of a crane where "the media file corresponding to the crane, 100_1690 (822G), is classified as a 'Favorite,' as part of 'Group/11,' and is included in 'All Images.'" *Id.* at 66–68 (citing Ex. 1003 ¶ 169; Ex. 1005, Figs. 9A–9C). In light of these teachings, Petitioner contends an ordinarily skilled artisan "would have recognized from Bryant that if the crane media object were removed as a favorite, the media object would

continue to be included in the ‘All images’ and ‘Group/11’ groups of video information.” *Id.* at 68 (citing Ex. 1003 ¶ 170; Ex. 1005 ¶ 100). Petitioner additionally cites Bryant’s teachings that information is reset and metadata is updated when images are no longer considered favorites. *Id.* at 68–69 (citing Ex. 1003 ¶ 170; Ex. 1005 ¶¶ 82–87, 96–101).

Patent Owner argues Bryant “does not disclose[], explicitly or inherently, the language of element [2.9]—deletion of video information in one group while it remains in another group.” PO Resp. 40 (citing Ex. 2002 ¶ 119). Patent Owner also disputes that “un-selecting a Favorite image in one group” teaches deletion of information. *Id.* at 43 (citing Ex. 2002 ¶ 125). Patent Owner similarly criticizes Petitioner’s analysis for Bryant because “‘removal’ of an ‘item’ does not equate to deletion of video information as set forth in element [2.9].” PO Sur-reply 11 (quoting Pet. Reply 9). Patent Owner likewise argues that reclassifying items among groups “is not deletion of video information.” PO Sur-reply 11. Patent Owner also cites instances of the word “delete” from Bryant for the proposition that the Bryant patentees knew how to specify deletion, but did not do so with respect to resetting metadata. PO Resp. 43–45 (citing Ex. 1005 ¶ 136, Fig. 11B, claims 5, 24; Ex. 2002 ¶¶ 125–128).

Patent Owner additionally criticizes (*see* PO Sur-reply 11–14) the mechanism by which Bryant allows for classifying video information, namely, by modifying favorites level metadata 666 (i.e., “favlevel”) in the range from -10 to +10. *See* Ex. 1005 ¶¶ 84, 88, 92, 97, 104, 107, Fig. 8. Patent Owner argues this is not deletion of video information, but rather “reassignment of metadata.” PO Sur-reply 12; *see also* Ex. 1027, 77:7–8

(Mr. Lipoff testifying that a user in Bryant “can change the metadata but not delete.”).

As a matter of claim construction, we do not agree with Patent Owner’s arguments insofar as they would require the deletion of underlying AV data. *See supra* § II.C. Rather, as discussed above, “delet[ion] from the first group of video information” may include unregistering video information from the first group. *See id.* Thus, Patent Owner’s arguments requiring deletion of AV data are not commensurate with the scope of claim 2, which recites deletion *from a group*.

Bryant’s teachings on resetting the favorites selection and updating favorites metadata (*see* Ex. 1005 ¶¶ 100–101) results in unregistering video information from the favorites group. *See* Pet. 68–69; Pet. Reply 10–11; *see also* Ex. 1027, 81:15–82:7 (Mr. Lipoff testifying “[t]hat once you would change the metadata to be something that no longer meets the threshold of favorite, that it would -- it would not be displayed.”). A user can change the favorites level of an image (e.g., from a “Favorite” to “Normal”) using selector 862 as depicted in the exemplary user interfaces of Figures 9A–9C. Ex. 1005 ¶ 100, Figs. 9A–9C. This results in the changing of favlevel metadata 666 to various values, which define the groups: “+ 10 if the image has been set to be an ‘Extra Favorite’, + 7 if the image has been set to be a ‘Favorite’, 0 if the image has been set to ‘Normal’, and - 7 if the image has been set to be ‘Dislike’.” *Id.* ¶¶ 97, 101. Thus, unregistering video information from the favorites group using selector 862—which results in

favlevel metadata 666 changing to something other than +7 (such as 0 for “Normal”)—teaches “delet[ion] from the first group of video information.”⁶

Petitioner further establishes that, in Bryant, video information “continue[s] to be included in the second group of video information” even when it is deleted from the favorites group. Dr. Bederson testifies that updating favorites metadata would not result in the deletion of the underlying file. Ex. 1003 ¶ 170 (citing Ex. 1005 ¶¶ 82–87, 96–101). Dr. Bederson explains why this is so with reference to the interplay of Bryant’s “Favorites” group with other groups, such as “All Images”:

A[n ordinarily skilled artisan] would have understood that a user would have expected to be able to modify groups independently by deleting the video from one group (such as its inclusion in All Favorites), without removing its membership in a second group (such as All Images or Group/11). If un-favoriting a video image somehow removed it from its Group (e.g., sports) or from the full catalog of images (e.g., “All Images”), that would have limited the utility of the system and caused confusion for the user.

Ex. 1003 ¶ 171.

Although Patent Owner and Mr. Lipoff argue “Dr. Bederson’s opinions are far too broad and conclusory, opining that the cited embodiments must operate a particular way” (PO Resp. 41; Ex. 2002 ¶ 121), they do not offer any contrary explanation. In fact, during cross-examination, Mr. Lipoff stated that his understanding of Bryant’s “All Images” group depicted in Figure 9A is “that changing the metadata, the

⁶ We further note that, contrary to Patent Owner’s arguments (*see* PO Resp. 43–45), Bryant’s usages of the word “delete” do not control the analysis for how “deleted from the first group of video information” should be construed in the context of the ’783 patent.

favorite flag does not delete the image” from that group. Ex. 1027, 83:9–84:10. As such, both declarants agree that deleting information from the favorites group would not remove the information from Bryant’s All Images group. This supports Petitioner’s and Dr. Bederson’s interpretation of Bryant. *See* Pet. 69; Pet. Reply 11; Ex. 1003 ¶ 171. Thus, Petitioner persuasively shows that Bryant teaches “the one video information continue[s] to be included in the second group of video information.”

For these reasons, we find that Bryant teaches limitation 2.9. Although this is sufficient to support Petitioner’s obviousness contentions in the instant ground, we make the following comments regarding Petitioner’s further contention that Kaplan also teaches limitation 2.9. *See* Pet. 41–44.

Specifically, Petitioner cites Kaplan’s “use of an indexed database file and pointers” and contends that “groups of video information in the different categories are ‘independently editable.’” *Id.* at 42–43 (citing Ex. 1003 ¶¶ 126–131, Ex. 1004 ¶ 44, claim 20). Petitioner also cites testimony from Dr. Bederson and argues that “a single data file is represented by multiple representations in [Kaplan’s] user interface, [and] when a representation in one group (*e.g.*, ‘Favorites’) is deleted, the representation of that file in other groups (*e.g.*, ‘History’ or ‘Catalog’) remain[s].” *Id.* at 42 (citing Ex. 1003 ¶¶ 127–129).

Patent Owner argues Kaplan does not disclose, explicitly or inherently, the language of element 2.9. PO Resp. 28. Patent Owner also argues that Dr. Bederson’s opinions on pointers “are far too broad and conclusory, opining that the cited embodiments must operate a particular way.” *Id.* at 29 (citing Ex. 2002 ¶ 93). Patent Owner cites testimony from Mr. Lipoff and argues that pointers are not deleted as commonly as

Dr. Bederson claims. *Id.* at 30 (citing Ex. 2002 ¶ 94). Rather, according to Patent Owner, an ordinarily skilled artisan would have considered it far more common to delete the underlying record alone or to delete the underlying record and the pointer. PO Sur-reply 2–3 (citing Ex. 2002 ¶ 65). Patent Owner also criticizes Dr. Bederson’s reliance on certain nominal references as background on pointers, and Patent Owner counters with citations to its own background references on pointers. *See* PO Resp. 6–17.

The parties’ disagree about how an ordinarily skilled artisan would have interpreted Kaplan’s teachings on pointers in light of Kaplan’s teachings of various groups (including Favorites 26) in its user interface. *See* Ex. 1004 ¶¶ 40, 44. In essence, Patent Owner argues that Petitioner and Dr. Bederson read too much into Kaplan’s teachings. Given that Bryant explicitly discloses how favorites are treated and that both parties’ declarants agree that deleting information from Bryant’s Favorites group does not remove the information from the All Images group, we need not resolve the parties’ disagreement about whether Kaplan teaches limitation 2.9. Nonetheless, we note that Bryant also teaches the use of pointers for multimedia files. Ex. 1005 ¶¶ 81–83; *see also* Ex. 1003 ¶¶ 172–173 (Dr. Bederson citing same). In this way, Petitioner’s cited teachings from Kaplan are consistent with those from Bryant.

Thus, we find that the combination of Kaplan and Bryant teaches limitation 2.9.

j. Reasons for the Combination

Petitioner contends an ordinarily skilled artisan would have been motivated to combine Kaplan and Bryant for at least two reasons: (1) to supplement the teachings of Kaplan

by using Bryant's methods regarding image capture and "affectation [sic] information;" and (2) to use Bryant's robust disclosure of user-customizable metadata, such as editable "groups" (e.g., Animals, Sports) with corresponding areas of the interface menu.

Pet. 76 (citing Ex. 1003 ¶¶ 183–188). In particular, Petitioner contends an ordinarily skilled artisan "would have recognized that inclusion of the richer metadata in Bryant would have improved the Kaplan system, allowing for more effective (e.g., more detailed or more personalized) organization and retrieval of multimedia information." *Id.* at 77 (quoting Ex. 1003 ¶ 185). Petitioner cites "Bryant's robust disclosure of user-customizable metadata, such as 'groups' (e.g., Animals, Sports)" and contends "the corresponding areas of the interface menu in Kaplan could be updated." *Id.* Petitioner also quotes Dr. Bederson's testimony that, "[g]iven that Kaplan already included metadata, such as Favorites, adding additional metadata fields such as those taught by Bryant would have been a straight forward application of known programming techniques." *Id.* at 78–79 (quoting Ex. 1003 ¶¶ 187–188).

In its Response, Patent Owner recapitulates its arguments against Petitioner's analysis of various limitations in claim 2, but Patent Owner does not dispute Petitioner's rationale for the combination. *See* PO Resp. 49–50. Indeed, Patent Owner's only mention of Petitioner's rationale actually pertains to Patent Owner's argument that the combination of Kaplan and Bryant does not teach limitation 2.9: "[N]either of Petitioner's motivations to combine actually address the deficiencies in either Kaplan or Bryant for the reasons described herein. In other words, neither Bryant's 'more extensive metadata (e.g., affective information)' and/or customizable metadata discloses element [2.9], which is also missing from Kaplan." *Id.* at 50 (citing Ex. 2002 ¶ 141).

In its Sur-reply, Patent Owner argues “Petitioner never identifies why [an ordinarily skilled artisan] would believe Kaplan needs to be supplemented by Bryant. In other words, Petitioner never identifies what precisely is missing from Kaplan that would need to be supplemented by Bryant.” PO Sur-reply 14.

We do not agree with Patent Owner’s arguments. First, to the extent Patent Owner merely reasserts that the combination of Kaplan and Bryant does not teach the limitations of claim 2, we do not agree with these arguments for the reasons stated above. *See, e.g., supra* § II.D.3.i (discussing Patent Owner’s arguments against limitation 2.9). Second, contrary to Patent Owner’s arguments, Petitioner identifies two ways Kaplan’s system would have been improved by Bryant’s teachings: (1) by using Bryant’s methods regarding image capture and “affective information” and (2) by using Bryant’s user-customizable metadata, thus permitting more effective organization and retrieval of multimedia information. *See* Pet. 76–77 (citing Ex. 1003 ¶¶ 183–188). This refutes Patent Owner’s argument (*see* PO Resp. 50; PO Sur-reply 14) that Petitioner does not identify what is “missing” in Kaplan and supplemented by Bryant.

Importantly, Patent Owner and Mr. Lipoff do not dispute the underlying premise of Petitioner’s obviousness rationale: that an ordinarily skilled artisan “would have recognized that inclusion of the richer metadata in Bryant would have improved the Kaplan system, allowing for more effective (e.g., more detailed or more personalized) organization and retrieval of multimedia information.” Pet. 77 (citing Ex. 1003 ¶ 185). Correspondingly, Bryant discloses extensive and specific metadata with reference to Bryant’s Figure 8. Petitioner also shows that the combination

would have been predictably successful. *Id.* at 78–79 (citing Ex. 1003 ¶¶ 187–188). We are persuaded by Petitioner’s rationale, which is based on Dr. Bederson’s un rebutted testimony. *See* Ex. 1003 ¶¶ 184–188.

k. Patent Owner’s Arguments Regarding Certain
References in the Prosecution History

Patent Owner argues that an ordinarily skilled artisan “would view Bryant’s reference to resetting the metadata . . . as no different than the prior art relating to pointers and/or data structures already considered by the examiner.” PO Resp. 47 (citing Ex. 1005 ¶¶ 82–87, 96–101; Ex. 2002 ¶ 132). Patent Owner’s argument relates to its contention that the patent examiner considered numerous references “that generally related to pointers and thumbnail data structures” during prosecution of the applications leading to the ’783 patent, but still allowed the challenged claims. *Id.* at 45–46 (citing Ex. 2002 ¶ 130); *see also id.* at 17–27 (discussing prosecution history for applications related to the ’783 patent). Patent Owner makes similar arguments with respect to Kaplan. *See id.* at 32–34.

Patent Owner’s arguments are akin to those that can be made under 35 U.S.C. § 325(d) when “the same or substantially the same prior art or arguments previously were presented to the Office.” Nevertheless, arguments under § 325(d) relate to our determination whether to institute an *inter partes* review. *See id.* Patent Owner did not make any § 325(d) arguments prior to institution of this case, and such arguments are not apt after institution. As such, they do not impact our consideration of the asserted references, as discussed above.

1. Conclusion Regarding Claim 2

Having considered Petitioner's contentions and evidence and Patent Owner's arguments, we find that the combination of Kaplan and Bryant teaches every limitation of claim 2. Petitioner also has provided persuasive reasons for its proposed combination. On the entire trial record, we determine Petitioner has shown, by a preponderance of the evidence, that the subject matter of claim 2 would have been obvious over the combination of Kaplan and Bryant.

4. *Claim 5*

Claim 5 depends from claim 2 and further recites:

wherein a thumbnail corresponding to the video information included in both the first group of video information and the second group of video information is displayed in the second area in each case when the first indication shown in the first area is selected and when the second indication shown in the first area is selected.

Ex. 1001, 10:12–17 (“limitation 5.1”). Petitioner cites Kaplan's Figures 7 and 8 as showing a thumbnail container of space images (element 54) displayed when both “Favorites” and “History” are selected. Pet. 45–47 (citing Ex. 1003 ¶ 134; Ex. 1004 ¶ 45, Figs. 7, 8). In light of this teaching, Petitioner contends “a video that was both a user's favorite and recently viewed would appear in the second area when both ‘Favorites’ and ‘History’ were selected.” *Id.* Petitioner further contends Kaplan's use of a single thumbnail for each physical file with “multiple pointers . . . to represent the file across different accesses of the menu” is “merely an obvious design choice, well within the skill of a[n ordinarily skilled artisan].” *Id.* at 47–48 (citing Ex. 1003 ¶¶ 135–136; Ex. 1004 ¶ 44).

Petitioner also contends “Bryant teaches, or would have suggested, all limitations of dependent claim 5.” *Id.* at 70. Petitioner cites Bryant’s Figures 9A–9C as showing a thumbnail of crane 822G in multiple groups (e.g., “All Images,” “All Favorites,” and “Group/11”) when the corresponding indication is selected. *Id.* at 70–72 (citing Ex. 1003 ¶ 175; Ex. 1005 ¶¶ 88–89, 98–99, 102–106, Figs. 9A–9C). Petitioner further contends claim 5 would have been obvious in light of Bryant’s local database (with assets table 600 and data fields 610) and the interfaces shown in Figures 9A–9C. *Id.* at 72. According to Petitioner, an ordinarily skilled artisan “would have understood that when a given media file is simultaneously classified in multiple categories, its thumbnail would be shown when each of those categories was selected.” *Id.* (citing Ex. 1003 ¶ 176).

We are persuaded by Petitioner’s showing that both Kaplan and Bryant teach (1) video information included in multiple groups and (2) display of a thumbnail for such video information when each group is selected. *See* Ex. 1004, Figs. 7, 8; Ex. 1005, Figs. 9A–9C. Thus, we find that the combination of Kaplan and Bryant teaches limitation 5.1. Patent Owner relies on the same arguments it makes with respect to claim 2 (*see* PO Resp. 34, 48, 50–51, 53), which we have discussed above. On the entire trial record, we determine Petitioner has shown, by a preponderance of the evidence, that the subject matter of claim 5 would have been obvious over the combination of Kaplan and Bryant.

5. *Claim 6*

Claim 6 depends from claim 2 and further recites “wherein the first area is configured to display third indication different from the first indication and the second indication” (“limitation 6.1”). Ex. 1001, 10:21–23. Petitioner cites Kaplan’s buttons corresponding to “Favorites,” “History,” and “Catalog” in the first area of its user interface for teaching “three or more indications.” Pet. 49 (citing Ex. 1004, Figs. 7–12, 14, 16). Petitioner also cites Bryant’s selection buttons corresponding to “All Images,” “Favorites,” and “Group” in the first area of its user interface. *Id.* at 73–74 (citing Ex. 1005 ¶¶ 89, 254–256, Figs. 9A–9C).

Claim 6 further recites “wherein, when the third indication shown in the first area is selected, thumbnails corresponding to the all video information recorded on the recording medium are displayed in the second area” (“limitation 6.2”). Ex. 1001, 10:24–27. Petitioner contends an ordinarily skilled artisan “would have understood that ‘Catalog’ is a third indication, which, when selected, displays thumbnails in Kaplan’s second area corresponding to the all video information recorded on the recording medium.” Pet. 49–50 (citing Ex. 1003 ¶ 139; Ex. 1004 ¶¶ 38, 44). Petitioner also cites Bryant for teaching limitation 6.2. Petitioner maps the first, second, and third indications to Bryant’s “All Favorites,” “Group [11],” and “All Images” selections, respectively. Petitioner contends that when “All Images” is selected, thumbnails are displayed “in Bryant’s second area corresponding to the all video information recorded on the recording medium.” *Id.* at 74–75 (citing Ex. 1003 ¶ 179; Ex. 1005 ¶¶ 88–89).

We are persuaded by Petitioner’s showing that both Kaplan and Bryant teach a “third indication” encompassing “all video information

recorded on the recording medium.” *See* Ex. 1004, ¶ 44, Fig. 10; Ex. 1005, ¶¶ 88–89, Fig. 9A. Furthermore, Petitioner’s showing regarding display of the thumbnails corresponding to the third indication is persuasive for reasons similar to those discussed above with respect to limitations 2.7 and 2.8. *See id.*; *supra* § II.D.3.h. Thus, we find that the combination of Kaplan and Bryant teaches limitations 6.1 and 6.2. Patent Owner relies on the same arguments it makes with respect to claim 2 (*see* PO Resp. 34, 48, 50–51, 53), which we have discussed above. On the entire trial record, we determine Petitioner has shown, by a preponderance of the evidence, that the subject matter of claim 6 would have been obvious over the combination of Kaplan and Bryant.

E. Obviousness Ground Based on Bryant and Kaplan

Petitioner contends the subject matter of claims 2, 5, and 6 would have been obvious over the combination of Bryant and Kaplan. Pet. 28–76, 79–81; Pet. Reply 3–17. Patent Owner disputes Petitioner’s contentions. PO Resp. 28–48, 51–53; PO Sur-reply 1–15.

1. Claim 2

For each limitation in claim 2, Petitioner relies on the same analysis from the Kaplan–Bryant obviousness ground, as discussed above. Pet. 76; *see supra* § II.D.3.b–i. Patent Owner relies on the same arguments against Petitioner’s analysis of these limitations. *See* PO Resp. 51–52. For the same reasons discussed above, we find that the combination of Bryant and Kaplan teaches all limitations of claim 2. *See supra* § II.D.3.b–i.

Petitioner contends an ordinarily skilled artisan “would have been motivated to update Bryant by adding Kaplan’s specific reproduction (e.g., playback) features,” such as the “in-window thumbnail playback mechanism, or the specific full/partial screen playback mechanisms,” into Bryant’s user interface. Pet. 79–80 (citing Ex. 1003 ¶¶ 191–192; Ex. 1004 ¶¶ 51, 57, Fig. 16; Ex. 1005, Figs. 9A–9C). According to Petitioner, “[t]he combination would provide an improved playback mechanism for the user.” *Id.* at 80. Petitioner explains that in-window viewing would have “let the user keep their eye focused on the area of the screen they were already working with.” *Id.* (quoting Ex. 1003 ¶ 192). Petitioner notes that Kaplan itself touts these features as providing “convenience [for] the user.” *Id.* (quoting Ex. 1004 ¶ 57). Petitioner additionally cites Dr. Bederson’s testimony that “incorporating playback of video within Bryant would have been a straightforward use of technology that was already integrated into the operating system and would have been well within the skill of a[n ordinarily skilled artisan].” *Id.* at 80–81 (quoting Ex. 1003 ¶¶ 193–194).

In its Response, Patent Owner recapitulates its arguments against Petitioner’s analysis of various limitations in claim 2, but Patent Owner does not dispute Petitioner’s rationale for the combination. *See* PO Resp. 51–52. Indeed, Patent Owner’s only mention of Petitioner’s rationale actually pertains to Patent Owner’s argument that the combination of Bryant and Kaplan does not teach limitation 2.9:

[N]one of Petitioner’s motivations to combine actually address the deficiencies in either Kaplan or Bryant for the reasons described herein. In other words, Kaplan’s specific reproduction (e.g., playback) features, such as the in-window thumbnail playback mechanism, or the specific full/partial

screen playback mechanism does not disclose element [2.9], which is also missing from Bryant.

Id. at 52 (citing Ex. 2002 ¶ 148) (internal quotations omitted).

In its Sur-reply, Patent Owner argues “Petitioner never identifies why [an ordinarily skilled artisan] would believe Bryant needs to be supplemented by Kaplan, nor what is missing from Bryant that Kaplan provides.” PO Sur-reply 15.

We do not agree with Patent Owner’s arguments. First, to the extent Patent Owner merely reasserts that the combination of Bryant and Kaplan does not teach the limitations of claim 2, we do not agree with these arguments for the reasons stated above. *See, e.g., supra* § II.D.3.i (discussing Patent Owner’s arguments against limitation 2.9). Second, contrary to Patent Owner’s arguments, Petitioner identifies features from Kaplan that are not present in Bryant, including “Kaplan’s in-window thumbnail playback mechanism” and “the specific full/partial screen playback mechanisms.” Pet. 79–80 (citing Ex. 1003 ¶¶ 191–192; Ex. 1004 ¶¶ 51, 57, Fig. 16). This refutes Patent Owner’s argument (*see* PO Resp. 52; PO Sur-reply 15) that Petitioner does not identify what is “missing” in Bryant.

Again, Patent Owner and Mr. Lipoff do not dispute the underlying premise of Petitioner’s obviousness rationale: that an ordinarily skilled artisan “would have been motivated to update Bryant by adding Kaplan’s specific reproduction (e.g., playback) features into the user interface of Bryant.” Pet. 79. Petitioner shows how Kaplan teaches “Player Controls 88 . . . within the thumbnail 160” and a “full screen mode” for “the convenience of the user.” *Id.* at 79–80 (quoting Ex. 1004 ¶ 57); *see also* Ex. 1004 ¶ 57 (discussing “three-quarter, half and other fractional screen sizes”). Beyond

Kaplan's express teaching of user convenience, Dr. Bederson explains the benefit of how in-window media playing "let[s] the user keep their eye focused on the area of the screen they were already working with."

Ex. 1003 ¶ 192. Petitioner also shows that the combination would have been predictably successful. Pet. 80–81 (citing Ex. 1003 ¶¶ 193–194). We are persuaded by Petitioner's rationale, which is based on Dr. Bederson's un rebutted testimony. *See* Ex. 1003 ¶¶ 190–194.

Having considered Petitioner's contentions and evidence and Patent Owner's arguments, we find that the combination of Bryant and Kaplan teaches every limitation of claim 2. Petitioner also has provided persuasive reasons for its proposed combination. On the entire trial record, we determine Petitioner has shown, by a preponderance of the evidence, that the subject matter of claim 2 would have been obvious over the combination of Bryant and Kaplan.

2. *Claims 5 and 6*

For each limitation in claims 5 and 6, Petitioner relies on the same analysis from the Kaplan–Bryant obviousness ground, as discussed above. Pet. 76; *see supra* § II.D.4–5. Patent Owner relies on the same arguments it makes with respect to claim 2 (*see* PO Resp. 34, 48, 51–53), which we have discussed above. For the same reasons discussed above in the Kaplan–Bryant ground, we find that the combination of Bryant and Kaplan teaches all limitations of claims 5 and 6. *See supra* § II.D.4–5. On the entire trial record, we determine Petitioner has shown, by a preponderance of the evidence, that the subject matter of claims 5 and 6 would have been obvious over the combination of Bryant and Kaplan.

F. Additional Grounds

Based on our disposition of the Kaplan–Bryant ground and the Bryant–Kaplan ground above, and given that Patent Owner does not dispute the underlying premise of Petitioner’s persuasive obviousness rationale for these combinations, we need not reach Petitioner’s obviousness grounds based on Kaplan alone and Bryant alone.

III. CONCLUSION

Petitioner has shown, by a preponderance of the evidence, that claims 2, 5, and 6 would have been obvious over (1) the combination of Kaplan and Bryant and (2) the combination of Bryant and Kaplan. Because those obviousness grounds are dispositive as to all challenged claims, we do not reach Petitioner’s obviousness grounds based on Kaplan alone and Bryant alone. *See SAS Inst. Inc. v. Iancu*, 138 S. Ct. 1348, 1359 (2018) (holding a petitioner “is entitled to a final written decision addressing all of the claims it has challenged”).

ORDER

Accordingly, it is:

ORDERED that claims 2, 5, and 6 of the '783 patent are held to be unpatentable;⁷ and

FURTHER ORDERED that, because this is a Final Written Decision, parties to this proceeding seeking judicial review of our decision must comply with the notice and service requirements of 37 C.F.R. § 90.2.

In summary:

Claims	35 U.S.C. §	Reference(s)	Claims Shown Unpatentable	Claims Not shown Unpatentable
2, 5, 6	103(a)	Kaplan, Bryant	2, 5, 6	
2, 5, 6	103(a)	Bryant, Kaplan	2, 5, 6	
2, 5, 6	103(a)	Kaplan ⁸		
2, 5, 6	103(a)	Bryant ⁸		
Overall Outcome			2, 5, 6	

⁷ Should Patent Owner wish to pursue amendment of the challenged claims in a reissue or reexamination proceeding subsequent to the issuance of this decision, we draw Patent Owner's attention to the April 2019 *Notice Regarding Options for Amendments by Patent Owner Through Reissue or Reexamination During a Pending AIA Trial Proceeding*. See 84 Fed. Reg. 16,654 (Apr. 22, 2019). If Patent Owner chooses to file a reissue application or a request for reexamination of the challenged patent, we remind Patent Owner of its continuing obligation to notify the Board of any such related matters in updated mandatory notices. See 37 C.F.R. § 42.8(a)(3), (b)(2).

⁸ We do not reach these grounds. See *supra* § II.F.

IPR2018-01432
Patent 9,384,783 B2

PETITIONER:

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AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Central District of California on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:17-cv-7538	DATE FILED 10/13/2017	U.S. DISTRICT COURT Central District of California
PLAINTIFF Maxell, Ltd.		DEFENDANT FOTV Media Networks, Inc. and CinemaNow, LLC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 ~~See Attachment A~~		
2 8311389		
3 9083942		
4 9773522		
5 6954583		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1 7515810			
2 9384783			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

Maxell, Ltd.
 Ex. 2014
 Page 56 of 284

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 9,384,783 B2
APPLICATION NO. : 14/141417
DATED : July 5, 2016
INVENTOR(S) : Yoshida et al.

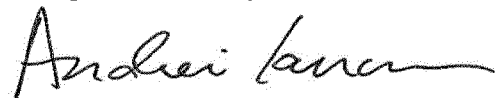
Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims

Column (8): Claim 2, Line 58 delete "the recording unit" and insert --a recording unit--.

Signed and Sealed this
Eighteenth Day of June, 2019



Andrei Iancu
Director of the United States Patent and Trademark Office

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 9,384,783 Confirmation No. 6488
Issue Date : July 5, 2016
Patentee : Maxell, Ltd.
Appl. No. : 14/141,417
Filed : December 26, 2013
Title : EDITING METHOD AND RECORDING AND REPRODUCING
DEVICE
Docket No. : ASA-10782-03
Customer No.: 24956

REQUEST FOR CERTIFICATE OF CORRECTION
APPLICANTS' MISTAKE (37 CFR §1.323)

Director of the U.S. Patent Office
Office of Patent Publications
ATTN: Certificate of Correction Branch
P.O. Box 1450
Alexandria, VA 22313-1450

May 23, 2019

Sir:

Please issue a Certificate of Correction for the above-identified patent to correct the errors listed on the accompanying Form PTO/SB/44.

Pursuant to MPEP §1481, it is submitted that the mistake is either:

- (1) of a clerical nature,
- (2) of a typographical nature, or
- (3) a mistake of minor character.

Furthermore, it is submitted that the correction does not involve changes which would:

- (1) constitute new matter, or
- (2) require reexamination.

Since the Certificate of Correction is necessitated by a mistake on the part of the Applicants, in accordance with 37 CFR §1.20(a) our Credit Card Payment Form in the amount of \$150.00 is attached in payment of the appropriate fee.

The Commissioner is hereby authorized to charge additional payment due or to credit any overpayment, to Deposit Account No. 50-1417.

Respectfully submitted,

MATTINGLY & MALUR, P.C.

/John R. Mattingly/

John R. Mattingly
Registration No. 30,293
(703) 684-1120

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 9,384,783
APPLICATION NO.: 14/141,417
ISSUE DATE : July 5, 2016
INVENTOR(S) : S. YOSHIDA, et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column (8): Claim 2, line 58 delete "the recording unit" and insert --a recording unit--.

MAILING ADDRESS OF SENDER (Please do not use Customer Number below):

John R. Mattingly
MATTINGLY & MALUR, PC
1800 Diagonal Road – Suite 210

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. 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 1.14. This collection is estimated to take 1.0 hour 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: Attention Certificate of Corrections Branch, 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.

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Ex. 2014
Page 60 of 284

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal

Application Number:	14141417			
Filing Date:	26-Dec-2013			
Title of Invention:	Editing Method and Recording and Reproducing Device			
First Named Inventor/Applicant Name:	Susumu YOSHIDA			
Filer:	John Roberts Mattingly/Krista Hargrove			
Attorney Docket Number:	ASA-10782-03			
Filed as Large Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
CERTIFICATE OF CORRECTION	1811	1	150	Maxell, Ltd.

Ex. 2014

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				150

Electronic Acknowledgement Receipt

EFS ID:	36092411
Application Number:	14141417
International Application Number:	
Confirmation Number:	6488
Title of Invention:	Editing Method and Recording and Reproducing Device
First Named Inventor/Applicant Name:	Susumu YOSHIDA
Customer Number:	24956
Filer:	John Roberts Mattingly
Filer Authorized By:	
Attorney Docket Number:	ASA-10782-03
Receipt Date:	23-MAY-2019
Filing Date:	26-DEC-2013
Time Stamp:	11:26:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$ 150
RAM confirmation Number	052319INTEFSW11270900
Deposit Account	501417
Authorized User	John Mattingly

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

Maxell, Ltd.

Ex. 2014

Page 64 of 284

37 CFR 1.19 (Document supply fees)
37 CFR 1.20 (Post Issuance fees)
37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Certificate of Correction	10782-03-CERTOFCORR.pdf	15499	no	2
			cd051172ab9da95cb6b00b90caca24cc413dc6e		
Warnings:					
Information:					
2	Request for Certificate of Correction	10782-03-COCFORM-PTOSB44.pdf	153617	no	2
			bb7eed3291e253c720c88b65b291ac0d85d7a010		
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30248	no	2
			f3a374e23da38b03c4f9011c03850235bc942369		
Warnings:					
Information:					
Total Files Size (in bytes):			199364		

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.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FANDANGO MEDIA, LLC,
Petitioner,

v.

MAXELL, LTD.,
Patent Owner.

Case IPR2018-01432
Patent 9,384,783 B2

Before TERRENCE W. McMILLIN, JOHN A. HUDALLA, and
JASON W. MELVIN, *Administrative Patent Judges*.

HUDALLA, *Administrative Patent Judge*.

DECISION
Institution of *Inter Partes* Review
35 U.S.C. § 314(a)

Petitioner, Fandango Media, LLC (“Petitioner”), filed a Petition (Paper 1, “Pet.”) requesting an *inter partes* review of claims 2, 5, and 6 of U.S. Patent No. 9,384,783 B2 (Ex. 1001, “the ’783 patent”). Petitioner filed a Declaration of Benjamin B. Bederson, Ph.D. (Ex. 1003) with its Petition. Patent Owner, Maxell, Ltd. (“Patent Owner”), filed a Preliminary Response (Paper 8, “Prelim. Resp.”).

We have authority to determine whether to institute an *inter partes* review. *See* 35 U.S.C. § 314(b); 37 C.F.R. § 42.4(a). Under 35 U.S.C. § 314(a), we may not authorize an *inter partes* review unless the information in the petition and the preliminary response “shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” For the reasons that follow, we institute an *inter partes* review as to claims 2, 5, and 6 of the ’783 patent on all grounds of unpatentability presented.

I. BACKGROUND

A. *Related Proceedings*

The parties identify the following proceeding related to the ’783 patent (Pet. 4; Paper 4, 1):

Maxell, Ltd. v. Fandango Media, LLC, No. 2:2017-cv-7534 (C.D. Cal. filed Oct. 13, 2017).

In addition, Petitioner notes that it has filed a petition for *inter partes* review in IPR2018-01434 against U.S. Patent No. 7,515,810 B2, which also is owned by Patent Owner. Pet. 4.

B. *The ’783 patent*

The ’783 patent relates to a device with a recording medium for recording and reproducing audio and video data (AV data) in which the user can select and manage arbitrary play lists. Ex. 1001, 1:22–24, 1:48–52, 2:33–35. Management information for managing the data is generated and recorded together onto the same recording medium as AV data. *Id.* at 1:36–39. Figure 1 of the ’783 patent is reproduced below.

FIG. 1

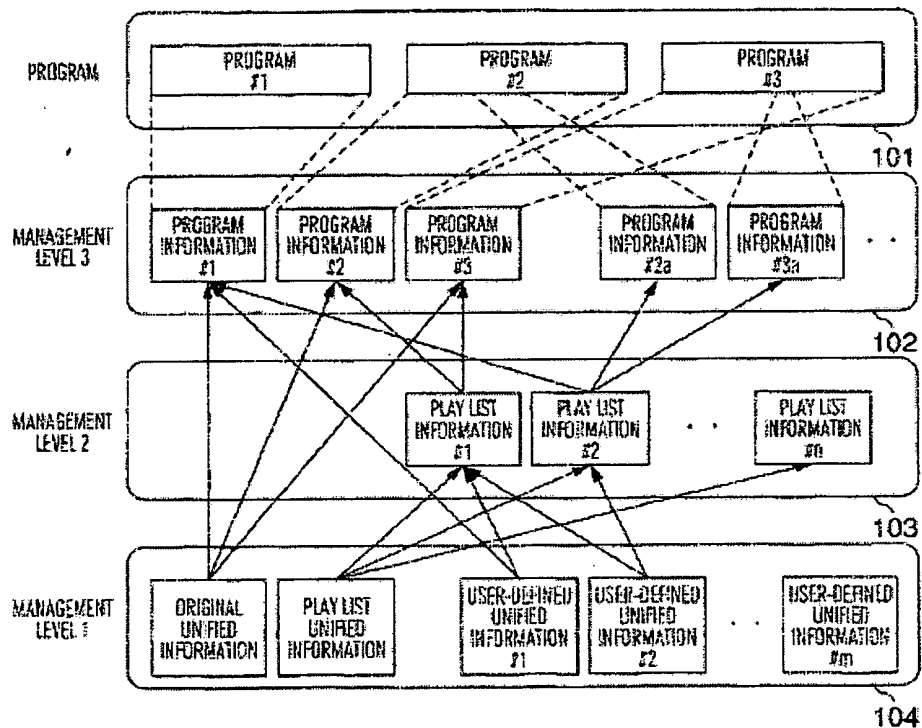


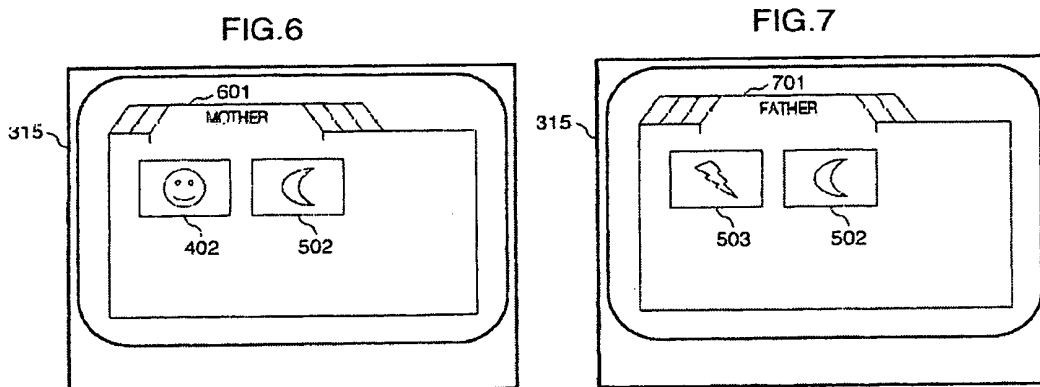
Figure 1 depicts a management state of AV data on a recording medium in an exemplary recording and reproducing device. *Id.* at 3:32–35. Reference numeral 101 designates AV data, and each of Program #1 to Program #3 is a recording unit. *Id.* at 3:35–38.

Reference numeral 102 designates a third management hierarchical level (Management Level 3), wherein Program Information #1 to Program Information #3 indicate the whole reproduction ranges of recording units, i.e., Program #1 to Program #3, respectively. *Id.* at 3:42–44. Management Level 3 also includes Program Information #2a to Program Information #3a, each of which indicates a reproduction range of the whole or a part of a program arbitrarily specified by the user. *Id.* at 3:44–49.

Reference numeral 103 designates a second management hierarchical level (Management Level 2), which includes Play List Information #1 to Play List Information #n. *Id.* at 3:56–60. Each play list information indicates a reproduction sequence of arbitrary program information pieces in Management Level 3. *Id.* at 3:60–62.

Reference numeral 104 designates a first management hierarchical level (Management Level 1) including a plurality of unified information pieces. *Id.* at 3:64–4:1. Original Unified Information contains Program Information #1 to Program Information #3 on Management Level 3. *Id.* at 4:1–5. Play List Unified Information contains Play List Information #1 to Play List Information #n on Management Level 2. *Id.* 4:8–10. User-Defined Unified Information #1 to User-Defined Unified Information #m contain one or more from among play list information pieces on Management Level 2 and program information pieces on Management Level 3. *Id.* at 4:14–18.

Figures 6 and 7 of the '783 patent are reproduced below.



Figures 6 and 7 depict output menu displays on TV set 315 utilizing User-Defined Unified Information #1 and User-Defined Unified Information #2, respectively. *Id.* at 3:9–12, 5:65–67, 6:7–11. Menu display tag 601 is related to user #1 (“Mother”) in Figure 6, whereas menu display tag 701 is

related to user #2 (“Father”) in Figure 7. *Id.* at 5:65–6:1, 6:7–11.

Thumbnails 402 and 502 in Figure 6 indicate Program Information #1 and Play List Information #1, respectively. *Id.* at 6:2–4. Thumbnails 503 and 502 in Figure 7 indicate Play List Information #2 and Play List Information #1, respectively. *Id.* at 6:11–14.

The ’783 patent claims priority to three Japanese patent applications dating to as early as December 2, 2004. *Id.* at [30]. As discussed below, Petitioner attempts to establish that, at a minimum, its asserted references qualify as prior art relative to the December 2, 2004, date of the earliest Japanese patent application (i.e., the earliest possible effective filing date).

C. Illustrative Claim

Of the challenged claims, only claim 2 is independent. Claims 5 and 6 depend from claim 2. Claim 2 is illustrative of the challenged claims and recites:

2. A method comprising:

reproducing selected video information from among a plurality of video information recorded on a recording medium by the recording unit,

displaying, on a display device, a user interface for a user to select desired video information to be reproduced from among the plurality of video information recorded on the recording medium by the recording unit;

reproducing the selected video information read out from the recording medium, wherein a first area and a second area are displayed within a menu display,

wherein the first area is configured to display at least first indication associated with a first group of video information for a first classification and second indication associated with a

second group of video information for a second classification different from the first classification, and

wherein the second area is configured to display thumbnails corresponding to video information recorded on the recording medium by the recording unit;

wherein, when the first indication shown in the first area is selected, displaying, in the second area, a first group of thumbnails corresponding to the first group of video information;

wherein, when the second indication shown in the first area is selected, displaying, in the second area, a second group of thumbnails corresponding to the second group of video information,

wherein, even if one video information recorded on the recording medium included in both the first group of video information and the second group of video information is deleted from the first group of video information, the one video information continue to be included in the second group of video information.

D. Prior Art

Petitioner relies on the following prior art:

U.S. Patent Application Publication No. 2001/0056434, filed Mar. 29, 2001, published Dec. 27, 2001 (Ex. 1004, “Kaplan”); and

U.S. Patent Application Publication No. 2004/0201691, filed Apr. 11, 2003, published Oct. 14, 2004 (Ex. 1005, “Bryant”).

E. The Asserted Grounds

Petitioner challenges claims 2, 5, and 6 of the '783 patent on the following grounds (Pet. 5):

Reference(s)	Basis	Claims Challenged
Kaplan	35 U.S.C. § 103(a)	2, 5, and 6
Bryant	35 U.S.C. § 103(a)	2, 5, and 6
Kaplan and Bryant	35 U.S.C. § 103(a)	2, 5, and 6
Bryant and Kaplan	35 U.S.C. § 103(a)	2, 5, and 6

F. Level of Ordinary Skill in the Art

Citing testimony from Dr. Bederson, Petitioner contends a person having ordinary skill in the art

would have (i) had a bachelor's degree in Computer Science, Electrical Engineering, Computer Engineering, or a related field, and about 1-2 years of practical experience in the relevant industry; (ii) had a masters [sic] or Ph.D. degree in Computer Science, Electrical Engineering, Computer Engineering, or a related field; or (iii) had 2-3 years of practical experience in the relevant industry, including involvement in or exposure to the technological issues in the field.

Pet. 13 (citing Ex. 1003 ¶ 69).

Patent Owner contends Petitioner's definition is vague and improper because it does not indicate what is meant by "the relevant industry" and "the field." Prelim. Resp. 14. Patent Owner also argues Petitioner's definition is nebulous and does not properly reflect *ordinary* skill. *Id.* at 15. Patent Owner proposes the following alternative definition of the level of ordinary skill in the art, albeit without any supporting evidence: "The proper level of *ordinary* skill is a person with a Bachelor of Science Degree in Electrical/Computer Engineering or Computer Science (or related subjects)

plus at least two years of relevant academic or professional experience in the field of digital content management.” *Id.*

We agree with Patent Owner that Petitioner has not defined the relevant field, but Patent Owner does also not cite any evidence to support its contention that the field is “digital content management.” We slightly refine Patent Owner’s formulation as “digital data management” based on the specification of the ’783 patent. *See, e.g.*, Ex. 1001, 1:22–24 (“The present invention relates to a recording and reproducing device which records data onto a recording medium and reproduces data from the recording medium”), 1:36–39 (“In these recording and reproducing devices, management information for managing digital data to be recorded is generated and recorded together onto the same recording medium”). We also agree with Patent Owner that Petitioner’s definition is nebulous insofar as it includes wide-ranging alternatives for education and experience (e.g., from no degree and 2–3 years of experience to a doctorate and no experience). Because Patent Owner’s suggested academic credentials and experience are not backed by evidence, we base our definition on Petitioner’s option (i). *See* Pet. 13 (citing Ex. 1003 ¶ 69). Accordingly, we find that a person of ordinary skill in the art would have had a bachelor’s degree in Computer Science, Electrical Engineering, Computer Engineering, or a related field, and two years of practical experience in digital data management.

G. *Claim Interpretation*

Because this *inter partes* review is based on a petition filed before November 13, 2018,¹ we construe the claims by applying the broadest reasonable interpretation in light of the specification. 37 C.F.R. § 42.100(b) (2016); see *Cuozzo Speed Techs., LLC v. Lee*, 136 S. Ct. 2131, 2144–46 (2016). Under the broadest reasonable interpretation standard, and absent any special definitions, claim terms are given their ordinary and customary meaning, as would be understood by one of ordinary skill in the art in the context of the entire disclosure. See *In re Translogic Tech. Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007). Any special definitions for claim terms or phrases must be set forth “with reasonable clarity, deliberateness, and precision.” *In re Paulsen*, 30 F.3d 1475, 1480 (Fed. Cir. 1994).

Petitioner puts forth several terms for construction (Pet. 13–17), and Patent Owner responds (Prelim. Resp. 9–12). Based on the current record, we determine that no terms require explicit construction. See *Vivid Techs., Inc. v. Am. Sci. & Eng’g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999) (“[O]nly those terms need be construed that are in controversy, and only to the extent necessary to resolve the controversy.”).

¹ On October 11, 2018, the USPTO revised its rules to harmonize the Board’s claim construction standard with that used in federal district court. CHANGES TO THE CLAIM CONSTRUCTION STANDARD FOR INTERPRETING CLAIMS IN TRIAL PROCEEDINGS BEFORE THE PATENT TRIAL AND APPEAL BOARD, 83 Fed. Reg. 51340 (Oct. 11, 2018). This rule change, however, applies only to petitions filed after November 13, 2018. The revised claim construction standard therefore does not apply to this proceeding. *Id.*

II. ANALYSIS

We now consider Petitioner's asserted grounds and Patent Owner's arguments in the Preliminary Response to determine whether Petitioner has met the "reasonable likelihood" standard for institution under 35 U.S.C. § 314(a).

A. *Obviousness Ground Based on Kaplan*

Petitioner contends that claims 2, 5, and 6 would have been obvious over Kaplan. Pet. 28–51. Patent Owner disputes Petitioner's contentions. Prelim. Resp. 15–22.

1. *Kaplan*

Kaplan is a U.S. patent application publication directed to "a multimedia management system for storing, manipulating, and displaying multimedia content." Ex. 1004 ¶ 4. To facilitate the storage and subsequent retrieval of multimedia data files, the system includes a user interface with a plurality of predefined functions to uniquely index multimedia files, create an index database file, and create visual representations of the files for later retrieval. *Id.* ¶ 44. The indexed file stores a pointer in a management system database to a physical file location, while providing a thumbnail image that can be used to represent the file in the user interface. *Id.* Multiple pointers in the database may be related to a single physical file stored on computer media, so there is no need to store multiple physical files of the same multimedia data. *Id.*

Figure 4 of Kaplan is reproduced below.

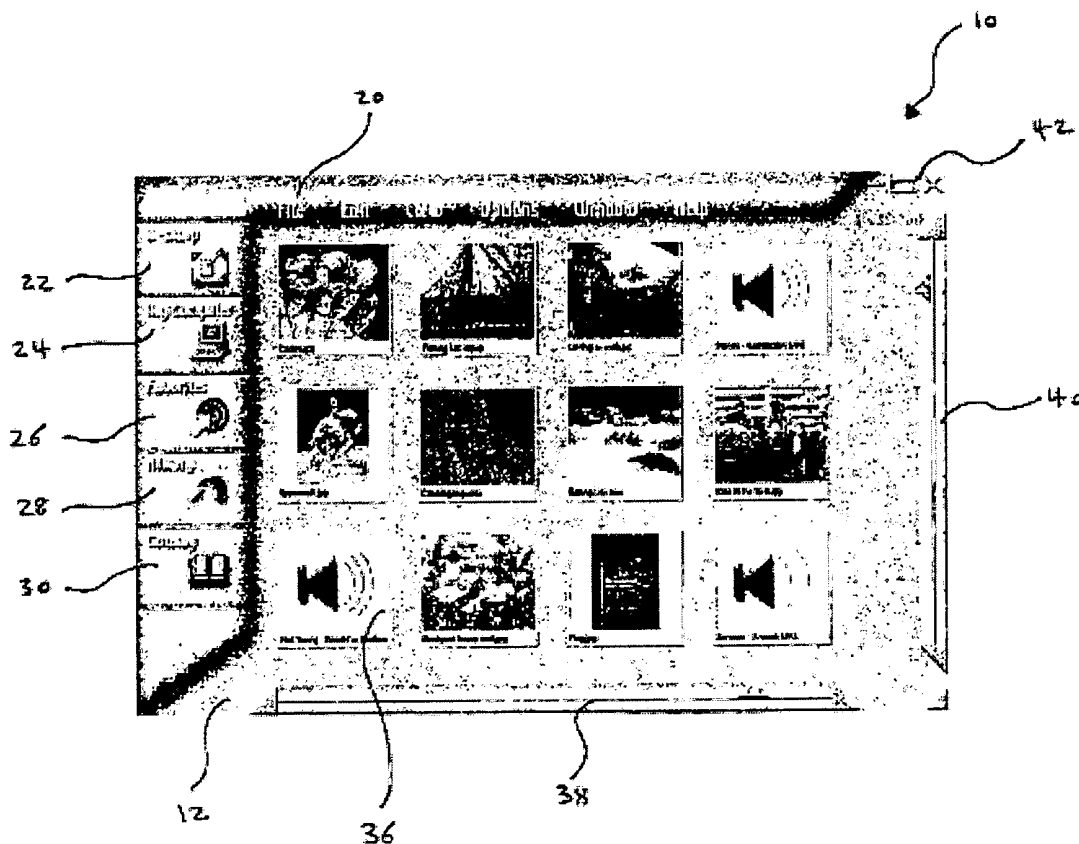


FIG-4

Figure 4 is a graphical representation of control options available to a user via interface 12 that can be displayed on a “monitor or TV.” *Id.* ¶¶ 14, 39. Functions associated with user interface 12 may be carried out via control buttons for various primary options in user interface 12, including Desktop 22, My Computer 24, Favorites 26, History 28, and Catalog 30. *Id.* ¶¶ 39–40. For example, users may store their favorite multimedia content by way of the Favorites 26 primary option. *Id.* ¶ 42. All information and multimedia content is displayed through thumbnails 36, which are small image representations of larger images. *Id.* ¶ 40. A user may click on thumbnails to view and/or listen to multimedia content. *Id.* ¶ 50. Playback

may occur within the thumbnail itself, in a partial screen mode, or in a full screen mode. *Id.* ¶ 51.

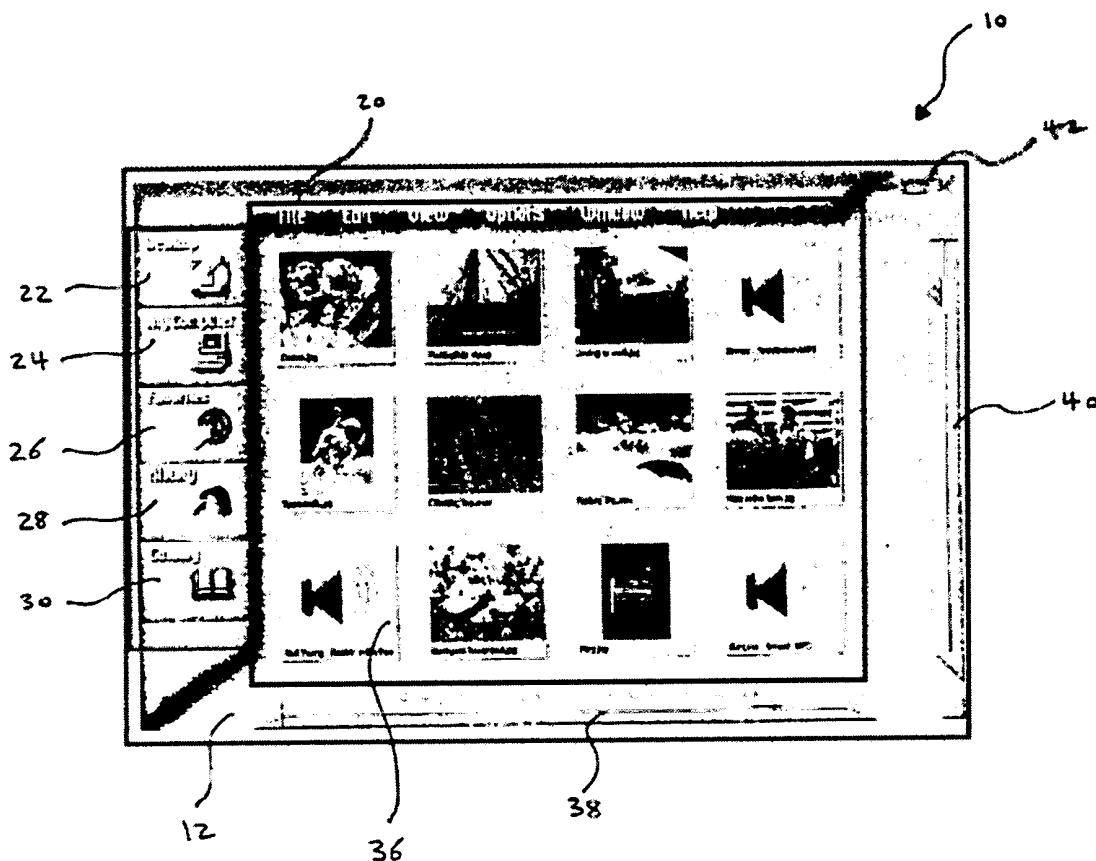
Petitioner contends Kaplan qualifies as prior art under 35 U.S.C. § 102(b) based on its publication date of December 27, 2001. Pet. 21 n.3. For purposes of this decision, we agree. Kaplan's publication date of December 27, 2001, is more than one year before the earliest possible effective filing date of the challenged claims, which is December 2, 2004. Ex. 1001, [30]; Ex. 1004, [43].

2. *Claim 2*

A claim is unpatentable under 35 U.S.C. § 103(a) if the differences between the claimed subject matter 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. *See KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 406 (2007). The question of obviousness is resolved on the basis of underlying factual determinations, including (1) the scope and content of the prior art; (2) any differences between the claimed subject matter and the prior art; (3) the level of skill in the art; and (4) where in evidence, so-called secondary considerations. *See Graham v. John Deere Co.*, 383 U.S. 1, 17–18 (1966). We also recognize that prior art references must be “considered together with the knowledge of one of ordinary skill in the pertinent art.” *Paulsen*, 30 F.3d at 1480 (citing *In re Samour*, 571 F.2d 559, 562 (CCPA 1978)). We analyze Petitioner's obviousness grounds with the principles identified above in mind.

In its obviousness analysis for claim 2, Petitioner cites Kaplan's "multimedia management system for storing, manipulating, and displaying multimedia content" on a computer for teaching "reproducing selected video information," as recited in claim 2. Pet. 29 (citing Ex. 1004 ¶¶ 34, 37, 38, 68, 69). Petitioner notes that Kaplan discloses "hard disks" and other storage media for the recited "recording medium." *Id.* (citing Ex. 1004 ¶ 34, claim 7). Regarding "displaying . . . a user interface for a user to select desired video information to be reproduced," Petitioner cites Kaplan's user interface 12 and contends the interface "allows a user to select videos to be played back from the computer." *Id.* at 32 (citing Ex. 1004 ¶¶ 39, 40, 50, 51, 57, Figs. 7–12, 14, 16). Petitioner notes that Kaplan discloses a "monitor or TV" for the recited "display device." *Id.* (citing Ex. 1004 ¶ 39).

Regarding the recited "first area" and "second area . . . displayed within a menu display," Petitioner provides the following annotated version of Kaplan's Figure 4.



Pet. 37. In this annotated version of Figure 4, Petitioner indicates its mapping of the “first area” in blue, the “second area” in red, and the “menu display” in green. *Id.* at 36. Within the “first area,” Petitioner maps the “first indication associated with a first group of video information for a first classification” and “second indication associated with a second group of video information for a second classification” to different groups of options selected among Desktop 22, My Computer 24, Favorites 26, History 28, and Catalog 30. *Id.* at 37–38 (citing Ex. 1003 ¶¶ 92–95, 121; Ex. 1004 ¶¶ 42, 44–50). Citing Dr. Bederson’s testimony, Petitioner contends an ordinarily skilled artisan

would have recognized that the first/second group of video information for a first/second classification was user defined [in Kaplan] for at least the reason that the user could edit the

content of the information in the group.” . . . For example, videos were classified as “Favorite” because they were a favorite of the user; videos were classified under “History” based on the user’s access of the video, and videos were in the computer’s “Catalog” because the user stored the videos in the system.

Id. at 38 (citing Ex. 1003 ¶ 121; Ex. 1004 ¶¶ 42–47) (alteration in original). Petitioner additionally contends “[t]he second area is configured to display thumbnails corresponding to video information recorded on the recording medium by the recording unit for a given, selected group or classification of video information.” *Id.* (citing Ex. 1003 ¶¶ 92–95, 121; Ex. 1004 ¶¶ 44–50, Figs. 4–12, 14, 16, 17).

For “displaying . . . a first group of thumbnails corresponding to the first group of video information” when the first indication is selected, Petitioner cites Kaplan’s display of thumbnails corresponding to a selected option (e.g., Favorites) in the first area. *Id.* at 38–39 (citing Ex. 1004 ¶¶ 40–42, Figs. 7, 8). Petitioner cites similar teachings regarding other such options (e.g., Catalog) for “displaying . . . a second group of thumbnails.” *Id.* at 39–40 (citing Ex. 1003 ¶¶ 92–95, 122, 123; Ex. 1004 ¶¶ 47, 50, Fig. 11).

For the final “wherein” clause of claim 2, Petitioner cites Kaplan’s “use of an indexed database file and pointers” and contends that “groups of video information in the different categories are ‘independently editable.’” *Id.* at 42–43 (citing Ex. 1003 ¶¶ 126–131, Ex. 1004 ¶ 44, claim 20). Citing testimony from Dr. Bederson, Petitioner contends an ordinarily skilled artisan “would have recognized that the way video information is included in a particular group is by including pointers to an indexed video.” *Id.* at 44 (citing Ex. 1003 ¶ 129; Ex. 1004 ¶ 42). As such, Petitioner argues that “a

single data file is represented by multiple representations in [Kaplan's] user interface, [and] when a representation in one group (e.g., 'Favorites') is deleted, the representation of that file in other groups (e.g., 'History' or 'Catalog') remain[s]." *Id.* at 42 (citing Ex. 1003 ¶¶ 127–129). Petitioner also cites Kaplan's teachings on using multiple pointers in a media management database that are related to a single physical file stored on computer media. *Id.* at 43 (quoting Ex. 1004 ¶ 44).

Patent Owner argues Petitioner does not "explain where Kaplan discloses, explicitly or inherently, . . . deleting video information in one group while it remains in another group." Prelim. Resp. 16. More particularly, Patent Owner argues "there is no disclosure of a user's ability to delete any information from any of the groups (e.g., Desktop, My Computer, History, and/or Catalog)." *Id.*

We do not agree with Patent Owner's argument. Petitioner explains that Kaplan's use of pointers taught ordinarily skilled artisans that, when video information present in two groups is deleted from one group, it remains included in a second group. *See* Pet. 43 (citing Ex. 1003 ¶ 129). Petitioner cites Kaplan's teachings on "multiple pointers in the media management database" that are "relate[d] to a single physical file stored on computer media." Pet. 43 (quoting Ex. 1004 ¶ 44) (emphasis omitted); *see also* Ex. 1003 ¶ 129 (quoting Ex. 1004 ¶ 42) ("containers 48 are graphical representations of the albums or entries in the multimedia database which point to the actual physical file in the computer system"). Dr. Bederson also explains that Kaplan's use of pointers is such that, "if a pointer is removed from [one] group, the underlying indexed video and pointers to that video in

other groups are not affected.”² Ex. 1003 ¶ 129. Dr. Bederson further testifies an ordinarily skilled artisan “would have understood that a user would have expected to be able to modify groups independently,” including deleting a video from one group without removing it from another group—something he calls a standard feature. Ex. 1003 ¶ 130; *see also id.* ¶ 131 (“a user would have found the *absence* of such a feature surprising”).

As such, Dr. Bederson’s testimony is premised on the notion that Kaplan creates a relationship between group information and an underlying physical file. We are persuaded by Dr. Bederson’s testimony that, in light of Kaplan, an ordinarily skilled artisan likewise would have known how to delete these relationships. *See* Ex. 1003 ¶ 130. Dr. Bederson’s testimony about pointers also supports the known independence of pointer relationships, i.e., deleting one pointer would not affect a different pointer. *See id.* ¶¶ 129–131; *see also id.* ¶¶ 40–43 (technology background on pointers with citations to other supporting record evidence). Thus, for purposes of institution, we are satisfied that an ordinarily skilled artisan would have considered Kaplan’s teachings on pointers to multimedia data files commensurate with the final “wherein” clause of claim 2. Petitioner additionally asserts that deleting video information in one group while retaining it in another group would have been obvious to an ordinarily

² We decline Patent Owner’s suggestion that we should accord Dr. Bederson’s testimony little or no weight based on similarities between his testimony and the Petition. Prelim. Resp. 41–43. On this record and at this stage of the proceeding, we find Dr. Bederson’s testimony to be sufficiently credible and consistent with the record evidence to support Petitioner’s reasonable likelihood of prevailing. During trial, Patent Owner will have a chance to cross-examine Dr. Bederson. Our ultimate assessment of Dr. Bederson’s testimony will be based on the complete trial record.

skilled artisan in light of Kaplan's use of pointers. *See* Pet. 44 (citing Ex. 1003 ¶¶ 130–131). Although we conclude on the present record that Petitioner adequately shows Kaplan teaches the limitation, we acknowledge the alternative argument that the limitation would have been obvious to ordinarily skilled artisans.

Patent Owner also argues “Petitioner fails to specify which elements of Kaplan it contends would have been obvious to combine with the knowledge of a[n ordinarily skilled artisan], let alone how or why such a combination would be made.” Prelim. Resp. 17. Patent Owner further argues Petitioner does not set forth any sufficient motivation to modify Kaplan to disclose those claimed limitations. *Id.* at 19. Patent Owner additionally argues that Petitioner fails to address the differences between the cited reference and the claimed invention, including an alleged failure to identify missing elements in Kaplan. *See* Prelim. Resp. 20–22. We do not agree with Patent Owner's arguments. As discussed above, Petitioner has explained that, although Kaplan may not disclose independent deleting of pointers expressly, an ordinarily skilled artisan would have understood Kaplan as teaching this feature in a way that renders obvious the final “wherein” clause of claim 2. Petitioner's contentions are supported by Dr. Bederson's testimony, which is consistent with other contemporaneous references. *See* Ex. 1003 ¶¶ 40–43, 129–131. At this stage of the proceeding, we are satisfied by Petitioner's showing.

Patent Owner argues that Petitioner's obviousness analysis lacks sufficient articulated reasons with a rational underpinning, and that Petitioner engages in impermissible hindsight. *See* Prelim. Resp. 20–22. We disagree. Petitioner's obviousness analysis for the final “wherein”

clause of claim 2 is based on Kaplan's disclosure of the use of pointers in a media management database. *See* Pet. 43 (quoting Ex. 1004 ¶ 44).

Petitioner also puts forth persuasive testimony from Dr. Bederson, as discussed above. Petitioner's showing is sufficient for institution.

Having considered Petitioner's analysis and submitted evidence, and the arguments presented in Patent Owner's Preliminary Response, we determine that Petitioner has established a reasonable likelihood that it would prevail in showing that the subject matter of claim 2 would have been obvious over Kaplan.

3. Claims 5 and 6

We have reviewed Petitioner's analysis for claims 5 and 6, which depend from claim 2. Pet. 45–51. Patent Owner relies on the same arguments discussed above. Prelim. Resp. 22. Based on the present record, Petitioner has established a reasonable likelihood that it would prevail in showing that the subject matter of claims 5 and 6 would have been obvious over Kaplan.

B. Obviousness Ground Based on Bryant

Petitioner contends the subject matter of claims 2, 5, and 6 would have been obvious over Bryant. Pet. 51–76. Patent Owner disputes Petitioner's contentions. Prelim. Resp. 22–34.

1. Bryant

Bryant is a U.S. patent application publication directed to “grouping and classifying digital still images and digital motion images captured using

a handheld digital camera.” Ex. 1005 ¶ 29. Grouping and classification data are stored in a database on a host computer. *Id.* The classification provides “affective information,” which is information that relates to the feelings or emotions of a person toward images. *Id.* ¶ 30. An example of affective information is the level of importance a user associates with an image, such as whether the image is a “favorite.” *Id.*

Figure 8 of Bryant is reproduced below.

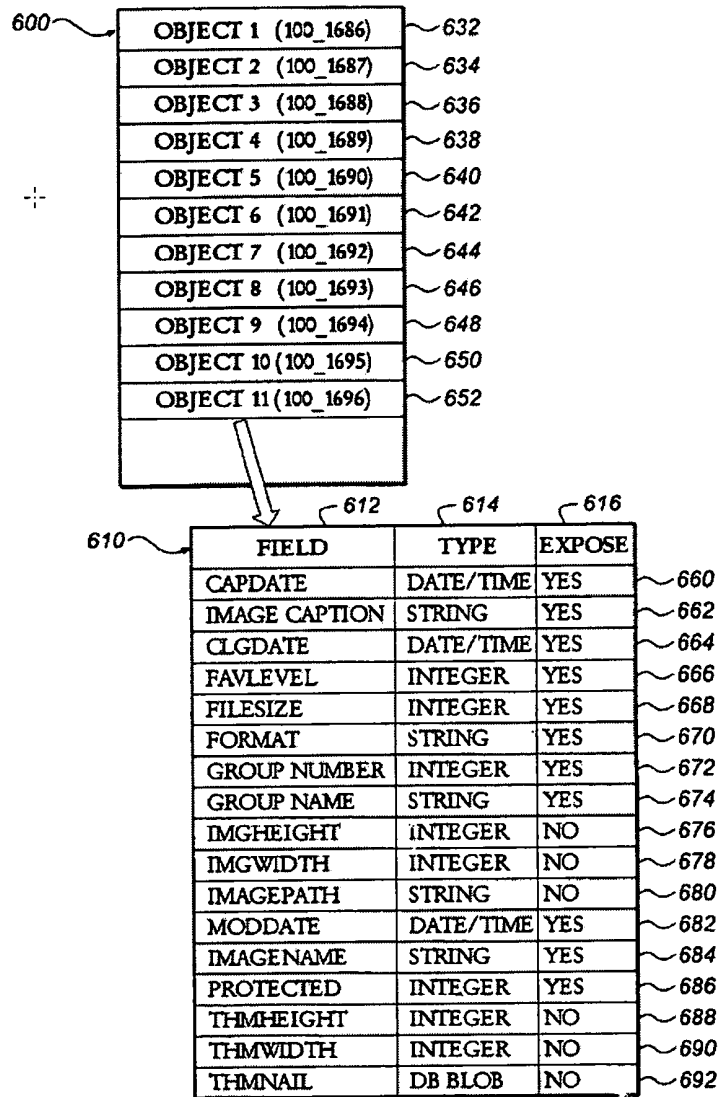


FIG. 8

Figure 8 depicts database information including general assets table 600 that includes image data objects 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, and 652 corresponding to various transferred image files (e.g., “100_1686”). *Id.* ¶ 82. For example, object 11 (100_1696) 652 includes table of data fields 610, and each row 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, and 692 of table 610 includes a

particular type of metadata describing the image. Among the rows of table 610 are “favlevel” metadata in row 666, which indicates whether the user has selected the image as a favorite; “group number” metadata in row 672, which indicates the number of the group of images of which the image is a part; “group name” metadata in row 672, which indicates an optional name for the group; and “thmnail” metadata in row 692, which holds a copy of the compressed thumbnail image as stored by the digital camera. *Id.* ¶¶ 84, 85, 87

Figure 9A of Bryant is reproduced below.

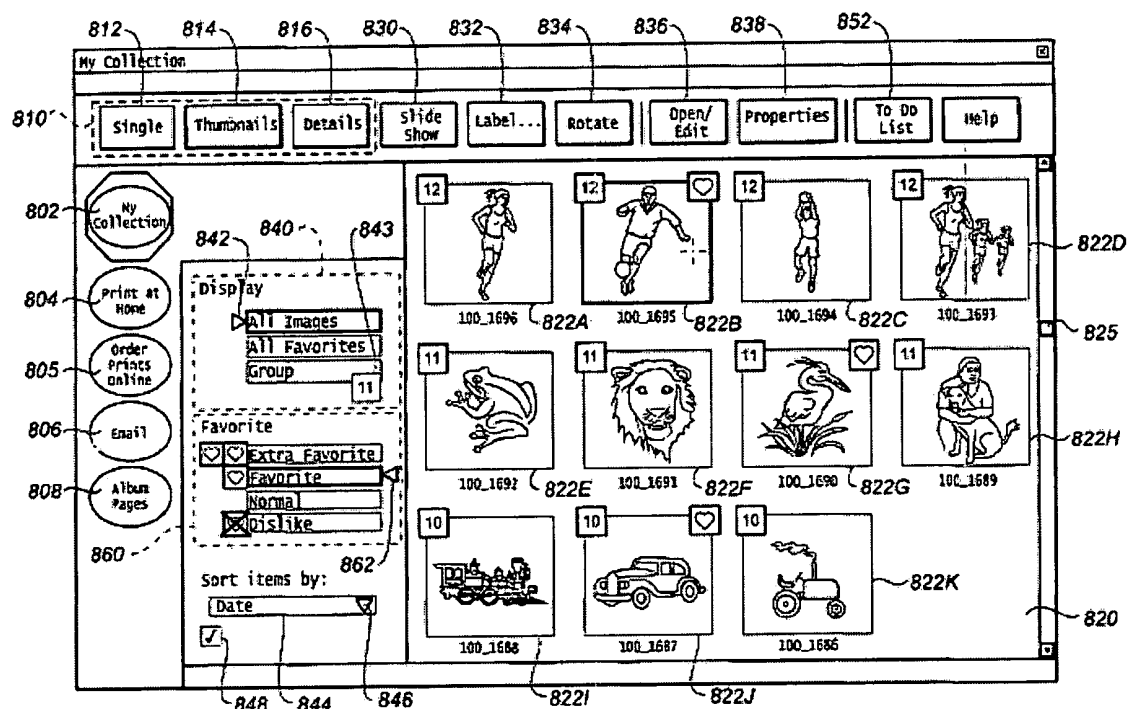


FIG. 9A

Figure 9A depicts an example of a computer user interface screen for displaying all of the transferred images. *Id.* ¶ 89. The user interface screen includes area 820 for displaying the thumbnail images provided using “thmnail” metadata 692 of each object from general assets table 600. *Id.* By moving selector 842 within display selection area 840, the user can select

among the display of “All Images,” “All Favorites,” or “Group” based on group number/name box 843. *Id.* The user also can change the level of a selected image to be an “Extra Favorite,” a “Favorite,” a “Normal,” or a “Dislike” image using selector 862 in favorites level selection area 860. *Id.* ¶ 96.

Petitioner contends, *inter alia*, that Bryant qualifies as prior art under 35 U.S.C. § 102(e) based on its filing date of April 11, 2003. Pet. 24 n.4. For purposes of this decision, we agree. Bryant’s filing date of April 11, 2003, is before the earliest possible effective filing date of the challenged claims, which is December 2, 2004. Ex. 1001, [30]; Ex. 1005, [22].

2. Claim 2

In its obviousness analysis for claim 2, Petitioner contends an ordinarily skilled artisan “would have understood that Bryant suggests reproducing selected video information from the recording medium,” as recited in claim 2. Pet. 52 (citing Ex. 1003 ¶ 147). Specifically, Petitioner cites Bryant’s teachings of “capturing ‘motion video images’ with a camera and loading them onto a home computer” and contends an ordinarily skilled artisan “would have recognized that a reason to transfer a video to a user’s computer is to reproduce (e.g., playback) the video from the recording medium when the user wants to watch it.” *Id.* (citing Ex. 1003 ¶ 147; Ex. 1005 ¶¶ 36–38, 80–81). Petitioner also contends ordinarily skilled artisans would have been motivated to incorporate video playback into Bryant. *Id.* at 53 (citing Ex. 1003 ¶ 151).

For “displaying . . . a user interface,” Petitioner cites Bryant’s “user interface screens” such as those in Figures 9A–9C. *Id.* at 55–56. Petitioner

contends these user interfaces “facilitate user selection of desired video information to be played back from the recording medium (*e.g.*, hard drive) by the recording unit (*e.g.*, computer).” *Id.* (citing Ex. 1003 ¶ 154; Ex. 1005 ¶¶ 29, 36–37, 88–90). Petitioner maps the recited “display device” of claim 2 to Bryant’s display monitor 14. *Id.* at 54 (citing Ex. 1005 ¶¶ 37, 38).

Regarding the recited “first area” and “second area . . . displayed within a menu display,” Petitioner provides annotated versions of Bryant’s Figures 9A–9C. *See* Pet. 60–62. Petitioner’s annotated version of Figure 9A is reproduced below.

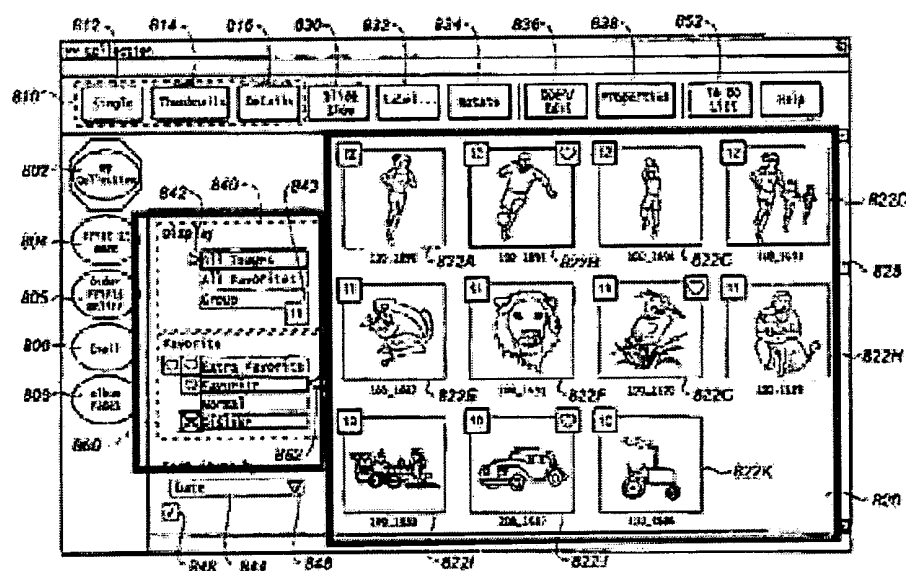


FIG. 9A

Pet. 61. In this annotated version of Figure 9A, Petitioner indicates its mapping of the “first area” (*i.e.*, selection area 840) in blue and the “second area” (*i.e.*, thumbnail image display area 820) in red. *Id.* at 62 (citing Ex. 1005 ¶ 89). Within the “first area,” Petitioner maps the “first indication associated with a first group of video information for a first classification” to “All Favorites,” which corresponds to all images marked “Favorite.” Petitioner maps the “second indication associated with a second group of

video information for a second classification” to “All Images” or “Group” (i.e., all images in a numbered group). *Id.* at 63 (citing Ex. 1005 ¶¶ 89–90, Figs. 9A, 9B; Ex. 1003 ¶¶ 160–162). According to Petitioner, “Bryant discloses that when a first indication (e.g., ‘All Favorites’) shown in the first area (blue box) is selected, the system displays in the second area (red box), a first group of thumbnails corresponding to the first group of video information (e.g., all images marked ‘Favorite’).” *Id.* at 63–64 (citing, *inter alia*, Ex. 1005 ¶¶ 88–89, 98–99, Figs. 3B, 9B). Petitioner further contends that when Bryant’s “second indication (e.g., ‘All images’ or ‘Groups’) shown in the first area is selected, Bryant displays in the second area, a second group of thumbnails corresponding to the second group of video information.” *Id.* at 63–64 (citing Ex. 1005 ¶¶ 89, 102, Figs. 9A, 9B).

For the final “wherein” clause of claim 2, Petitioner cites the user interface in Bryant’s Figures 9A–9C and the structure of Bryant’s local database with an assets table 600 and data fields 610 for a given media object. *Id.* at 65–66 (Ex. 1003 ¶¶ 168–169; Ex. 1005, Figs. 8, 9A–9C). With reference to Figures 9A–9C, Petitioner cites an example pertaining to a thumbnail image of a crane where “the media file corresponding to the crane, 100_1690 (822G), is classified as a ‘Favorite,’ as part of ‘Group/ 11,’ and is included in ‘All Images.’” *Id.* at 66–68 (citing Ex. 1003 ¶ 169; Ex. 1005, Figs. 9A–9C). In light of these teachings, Petitioner contends an ordinarily skilled artisan “would have recognized from Bryant that if the crane media object were removed as a favorite, the media object would continue to be included in the ‘All images’ and ‘Group/11’ groups of video information.” *Id.* at 68 (citing Ex. 1003 ¶ 170; Ex. 1005 ¶ 100). Petitioner additionally cites Bryant’s teachings that information is reset and metadata is

updated when images are no longer considered favorites. *Id.* at 68–69 (citing Ex. 1003 ¶ 170; Ex. 1005 ¶¶ 82–87, 96–101).

Patent Owner argues “Bryant does not disclose, explicitly or inherently, reproducing (*e.g.*, playback) of stored video information.” PO Resp. 23–24. Patent Owner contends that Petitioner’s resort to Dr. Bederson’s testimony about how Bryant *suggests* reproducing video information amounts to a concession about that Bryant lacks such a teaching. *Id.* at 23 (citing Pet. 52). Patent Owner also argues Bryant’s embodiments “have nothing to do with reproducing (playback) of the video information.” Prelim. Resp. 24. Patent Owner additionally argues that “the novelty if any in Bryant is in its improved methods to create jobs pages and/or hardcopy albums by using the disclosed grouping techniques.” *Id.* at 24–26 (citing Ex. 1005 ¶¶ 29, 108–136, Figs. 13A, 13B).

We do not agree with Patent Owner’s arguments. Petitioner’s contention (and Dr. Bederson’s testimony) (Pet. 52; Ex. 1003 ¶ 147) that Bryant suggests playback of stored video information is supported by Bryant itself. In particular, Bryant states that digital image files captured by a digital camera “can then be viewed, stored, retrieved, and printed using a home computer.” Ex. 1005 ¶ 3. Bryant also states that its disclosure pertains to “digital still images and digital motion images captured using a handheld digital camera.” *Id.* ¶ 29; *see also id.* ¶ 36 (discussing capture and classification of “motion video images”). This evidence disproves Patent Owner’s argument that Bryant does not disclose video reproduction capability. *See* Prelim. Resp. 24, 27. For these reasons, and based on the present record, we credit Dr. Bederson’s testimony that Bryant would have

suggested playback of video information to an ordinarily skilled artisan. *See* Ex. 1003 ¶ 147.

We also do not agree with Patent Owner’s argument (Prelim. Resp. 26) that Bryant’s novel features are unrelated to video playback, because we are obliged to “read[] the prior art for all that it teaches.” *Smith & Nephew, Inc. v. Rea*, 721 F.3d 1371, 1378 (Fed. Cir. 2013). As such, the fact that Bryant might focus on other novel features is irrelevant to our inquiry about what all of Bryant’s teachings may have suggested to an ordinarily skilled artisan.

Patent Owner also argues that Petitioner does not “explain where Bryant discloses, explicitly or inherently, . . . delet[ing] video information in one group while it remains in another group.” Prelim. Resp. 28. In particular, Petitioner contends “there is no explicit disclosure of a user’s ability to delete any information from any of the groups (*e.g.*, the ‘All images’ or ‘Group/11’ groups).” *Id.* Patent Owner also contends Dr. Bederson speculates that a user would expect to modify groups of videos independently via deletions and “has not shown that the system/method disclosed in Kaplan would be disrupted if a user was unable to delete video information from a group.” *Id.* at 29.

We do not agree with Patent Owner’s arguments. Petitioner cites Bryant’s teachings on a user resetting the “Favorites” metadata using selector 862 in favorites level selection area 860. Pet. 68–69 (citing Ex. 1005 ¶¶ 82–87, 96–101). With support from Dr. Bederson, Petitioner contends an ordinarily skilled artisan considering Figures 9A–9C of Bryant would have understood that removing an exemplary image from “Favorites” would not have led to its removal from other groups (*e.g.*, “All Images” and

“Group/12”). *Id.* at 66–68 (citing Ex. 1003 ¶¶ 169–170; Ex. 1005, Figs. 9A–9C). Dr. Bederson’s testimony is consistent with Bryant’s drawing figures and the written description regarding “Favorites.” For purposes of institution, we are satisfied that these teachings are commensurate with the final “wherein” clause of claim 2.

Similar to the Kaplan ground, Patent Owner argues that Petitioner did not address differences between Bryant and claim 2 and failed to identify what is missing in Bryant. Prelim. Resp. 32–34. We disagree. To the extent there are any differences between claim 2 and Bryant, Petitioner specifically addresses how the deleting aspect is taught via Bryant’s “Favorites” feature. *See* Pet. 65–69. We also do not agree that Petitioner has failed to provide sufficient rational underpinning (*see* Prelim. Resp. 29–32), because Petitioner’s analysis is supported by Dr. Bederson’s testimony and by cited portions from Bryant. *See* Pet. 66–69.

Having considered Petitioner’s analysis and submitted evidence, and the arguments presented in Patent Owner’s Preliminary Response, we determine that Petitioner has established a reasonable likelihood that it would prevail in showing that the subject matter of claim 2 would have been obvious over Bryant.

3. *Claims 5 and 6*

We have reviewed Petitioner’s analysis for claims 5 and 6, which depend from claim 2. Pet. 69–76. Patent Owner relies on the same arguments discussed above. Prelim. Resp. 34. Based on the present record, Petitioner has established a reasonable likelihood that it would prevail in

showing that the subject matter of claims 5 and 6 would have been obvious over Bryant.

C. Obviousness Ground Based on Kaplan and Bryant

Petitioner contends the subject matter of claims 2, 5, and 6 would have been obvious over Kaplan and Bryant. Pet. 76–79. Patent Owner disputes Petitioner’s contentions. Prelim. Resp. 35–38.

Petitioner contends an ordinarily skilled artisan would have been motivated to combine Kaplan and Bryant for at least two reasons: (1) to supplement the teachings of Kaplan by using Bryant’s methods regarding image capture and “affectation [sic] information;” and (2) to use Bryant’s robust disclosure of user-customizable metadata, such as editable “groups” (e.g., Animals, Sports) with corresponding areas of the interface menu.

Pet. 76 (citing Ex. 1003 ¶¶ 183–188). In particular, Petitioner contends an ordinarily skilled artisan “would have recognized that inclusion of the richer metadata in Bryant would have improved the Kaplan system, allowing for more effective (e.g., more detailed or more personalized) organization and retrieval of multimedia information.” *Id.* at 77 (quoting Ex. 1003 ¶ 185).

Patent Owner argues that “neither of Petitioner’s motivations to combine actually address[es] the deficiencies in either Kaplan or Bryant.” PO Resp. 37. According to Patent Owner, “Kaplan already teaches a system that can accept information (e.g., images) from a digital camera, so Bryant’s teachings appear redundant and unnecessary in this respect.” *Id.* (citing Ex. 1004 ¶¶ 7, 58–60, 58). Patent Owner also notes that Kaplan already discloses metadata, a fact acknowledged by Petitioner. *Id.* (citing Pet. 78).

At this stage of the proceeding, we do not agree with Patent Owner. Petitioner gives a persuasive reason for the combination: an ordinarily skilled artisan would have implemented Bryant's more extensive metadata (e.g., affective information) in Kaplan's system for "more effective (e.g., more detailed or more personalized) organization and retrieval of multimedia information." Pet. 76–78 (citing Ex. 1003 ¶¶ 185–186). Correspondingly, Bryant discloses extensive and specific metadata with reference to Bryant's Figure 8. Petitioner also shows that the combination would have been predictably successful. *Id.* at 78–79 (citing Ex. 1003 ¶¶ 187–188). Petitioner's rationale is sufficient for institution. We have discussed the remainder of Patent Owner's argument in the grounds above.

On this record, we determine Petitioner has established a reasonable likelihood that it would prevail in showing that the subject matter of claims 2, 5, and 6 would have been obvious over the combination of Kaplan and Bryant.

D. Obviousness Ground Based on Bryant and Kaplan

Petitioner contends the subject matter of claims 2, 5, and 6 would have been obvious over Bryant and Kaplan. Pet. 79–81. Patent Owner disputes Petitioner's contentions. Prelim. Resp. 38–41.

Petitioner contends an ordinarily skilled artisan "would have been motivated to update Bryant by adding Kaplan's specific reproduction (e.g., playback) features," such as the "in-window thumbnail playback mechanism, or the specific full/partial screen playback mechanisms," into Bryant's user interface. Pet. 79–80 (citing Ex. 1003 ¶¶ 191–192; Ex. 1004 ¶¶ 51, 57, Fig. 16; Ex. 1005, Figs. 9A–9C). According to Petitioner, "[t]he

combination would provide an improved playback mechanism for the user.”
Id. at 80.

Patent Owner rehashes the same arguments it made against Kaplan and Bryant individually and contends that Petitioner “do[es] not address or solve the fatal problem” with respect to Petitioner’s analysis of the final “wherein” clause of claim 2. Prelim. Resp. 40.

We do not agree with Patent Owner’s arguments. We are persuaded by Petitioner’s evidence that an ordinarily skilled artisan would have combined Kaplan with Bryant to improve Bryant’s playback capabilities with additional playback modes. *See* Pet. 79–80. Patent Owner’s remaining arguments pertain to the last “wherein” clause, and we have discussed Patent Owner’s arguments above.

Based on the current record, we determine Petitioner has established a reasonable likelihood that it would prevail in showing that the subject matter of claims 2, 5, and 6 would have been obvious over the combination of Bryant and Kaplan.

III. CONCLUSION

After considering the evidence and arguments presented in the Petition and Preliminary Response, we determine that Petitioner has demonstrated a reasonable likelihood of success that it would prevail with respect to its unpatentability challenges. Accordingly, we institute an *inter partes* review on all of the challenged claims and all of the grounds presented in the Petition. At this stage of the proceeding, we have not made a final determination as to the patentability of these challenged claims.

ORDER

Accordingly, it is:

ORDERED that pursuant to 35 U.S.C. § 314, *inter partes* review is instituted as to claims 2, 5, and 6 of the '783 patent with respect to all grounds of unpatentability presented in the Petition; and

FURTHER ORDERED that *inter partes* review is commenced on the entry date of this Order, and pursuant to 35 U.S.C. § 314(c) and 37 C.F.R. § 42.4, notice is hereby given of the institution of a trial.

IPR2018-01432
Patent 9,384,783 B2

PETITIONER:

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PATENT OWNER:

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AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Central District of California on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:17-cv-7538	DATE FILED 10/13/2017	U.S. DISTRICT COURT Central District of California
PLAINTIFF Maxell, Ltd.		DEFENDANT FOTV Media Networks, Inc. and CinemaNow, LLC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 ~~See Attachment A~~		
2 8311389		
3 9083942		
4 9773522		
5 6954583		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1 7575810			
2 9384783			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT		
CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

Maxell, Ltd.
 Ex. 2014
 Page 99 of 284

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Central District of California on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:17-cv-7534	DATE FILED 10/13/2017	U.S. DISTRICT COURT Central District of California
PLAINTIFF Maxell, Ltd.		DEFENDANT Fandango Media, LLC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 ~~See Attachment A~~		
2 83 11389		
3 9083942		
4 9773522		
5 6954583		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1 7515810			
2 9384783			
3 8255679			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT		
CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

Maxell, Ltd.
 Ex. 2014
 Page 100 of 284

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : 9,384,783 B2
APPLICATION NO. : 14/141417
DATED : July 5, 2016
INVENTOR(S) : Yoshida et al.

Page 1 of 1

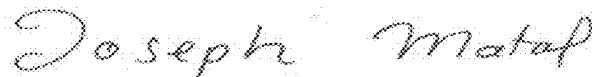
It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims

Column 10, Line 10, (approx.), at Claim 5: delete “The information processing apparatus” and insert
--The method--.

Column 10, Line 18, (approx.), at Claim 6: delete “The information processing apparatus” and insert
--The method--.

Signed and Sealed this
Thirteenth Day of June, 2017



Joseph Matal
*Performing the Functions and Duties of the
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office*

Maxell, Ltd.

Ex. 2014

Page 101 of 284



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/141,417	12/26/2013	Susumu YOSHIDA	ASA-10782-03	6488
24956	7590	05/25/2017	EXAMINER	
MATTINGLY & MALUR, PC			ZHAO, DAQUAN	
1800 DIAGONAL ROAD			ART UNIT	
SUITE 210			PAPER NUMBER	
ALEXANDRIA, VA 22314			2484	
			NOTIFICATION DATE	
			DELIVERY MODE	
			05/25/2017	
			ELECTRONIC	

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptomail@mmiplaw.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Patent No. 9384783
Issued Date: 05 July, 2016
Appl. No: 14/141,417
Filed.: 26 December 2013

PART (A) RESPONSE FOR CERTIFICATES OF CORRECTION

This is a decision on the Certificate of Correction request filed 11 May 2017.

The request for issuance of Certificate of Correction for the above-identified correction(s) under the provisions of 37 CFR 1.322 and/or 1.323 is hereby:

(Check one)

☒ Approved ☐ Approved in Part ☐ Denied

Comments:

PART (B) PETITION UNDER 37 CFR 1.324 OR 37 CFR 1.48

☐ This is a decision on the petition filed to correct inventorship under 37 CFR 1.324.

☐ This is a decision on the request under 37 CFR 1.48, petition filed . In view of the fact that the patent has already issued, the request under 37 CFR 1.48 has been treated as a petition to correct inventorship under 37 CFR 1.324.

The petition is hereby: ☐ Granted ☐ Dismissed

Comment:

The patented filed is being forwarded to Certificate of Corrections Branch for issuance of a certificate naming only the actual inventor or inventors.

Thai Tran /Thai Tran/
Technology Center 2400
Phone: (571)272-7382

Certificates of Correction Branch email: CustomerServiceCoC@uspto.gov CoC Central Phone Number: (703) 756-1814

Maxell, Ltd.
Ex. 2014
Page 103 of 284



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/141,417	12/26/2013	Susumu YOSHIDA	86890-896757 (161020US)

CONFIRMATION NO. 6488

POWER OF ATTORNEY NOTICE



OC000000091411764

20350
KILPATRICK TOWNSEND & STOCKTON LLP
Mailstop: IP Docketing - 22
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309

Date Mailed: 05/17/2017

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/11/2017.

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

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/qtran/



UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/141,417	12/26/2013	Susumu YOSHIDA	ASA-10782-03

CONFIRMATION NO. 6488

POA ACCEPTANCE LETTER



24956
MATTINGLY & MALUR, PC
1800 DIAGONAL ROAD
SUITE 210
ALEXANDRIA, VA 22314

Date Mailed: 05/17/2017

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/11/2017.

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.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/qtran/

TRANSMITTAL FOR POWER OF ATTORNEY TO ONE OR MORE REGISTERED PRACTITIONERS

NOTE: This form is to be submitted with the Power of Attorney by Applicant form (PTO/AIA/82B) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5, unless the application number and filing date are identified in the Power of Attorney by Applicant form. If neither form PTO/AIA/82A nor form PTO/AIA82B identifies the application to which the Power of Attorney is directed, the Power of Attorney will not be recognized in the application.

Application Number	14/141,417
Filing Date	December 26, 2013
First Named Inventor	S. YOSHIDA
Title	EDITING METHOD AND RECORDING AND REPRODUCING DEVICE
Art Unit	2484
Examiner Name	Daquan ZHAO
Attorney Docket Number	ASA-10782-03

SIGNATURE of Applicant or Patent Practitioner

Signature	/John R. Mattingly/	Date (Optional)	May 11, 2017
Name	John R. Mattingly	Registration Number	
Title (if Applicant is a juristic entity)	Attorney		
Applicant Name (if Applicant is a juristic entity)			

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. If more than one applicant, use multiple forms.



*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. 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 take 3 minutes 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.**

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出願人による委任状
POWER OF ATTORNEY BY APPLICANT

私はここに、添付の伝送書もしくは下記枠内で特定された出願に対して、現時点より前に与えられたすべての委任状を破棄します。
I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

出願番号 Application Number	出願日 Filing Date

(注記: PTO/AIA/82Aに同じ情報が明記されている場合、上の枠内は空欄でも可)
(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)



私は、下記顧客番号に関連する特許弁護士を、当方の弁護士あるいは代理人に指名し、添付の伝送書 (PTO/ATA/82A) 内もしくは上記に記載の特許出願に関連した米国特許商標庁との業務の全てを同弁護士あるいは代理人に委任します。

I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above:

又は
OR

24956



私は、添付のリスト (PTO/ATA/82C) に記載の特許弁護士を、当方の弁護士あるいは代理人に指名し、添付の伝送書 (PTO/ATA/82A) 内もしくは上記に記載の特許出願に関連した米国特許商標庁との業務の全てを同弁護士あるいは代理人に委任します。(注記: PTO/AIA/82C を記入すること。)

I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

添付の伝送書又は上記枠内にて特定された出願に対する郵便物送付先を下記のいずれかに登録または変更してください。

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:



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This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. 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 take 3 minutes 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.

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出願人による委任状
POWER OF ATTORNEY BY APPLICANT

私は出願人であり（出願人が法人の場合、出願人名を下記枠内に記入）：

I am the Applicant (if the Applicant is a Juristic entity, list the Applicant name in the box):

HITACHI MAXELL, LTD.

- ☐ 発明者もしくは共同発明者である（下記役職の明記は不要）
Inventor or Joint Inventor (title not required below)
- ☐ 死亡したもしくは成年被後見人である発明者の法定代理人である（下記役職の明記は不要）
Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)
- ☒ 被譲渡人もしくは発明者が譲渡する義務を負う人物である
Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a Juristic entity)
- ☐ 上記以外で、十分な独占的所有権を示す人物である（例：37 CFR 1.46(h)(2)に基づき申請が本出願において認められた、又は本書類と共にその申請がなされている場合）（出願人が法人の場合、署名者の役職を明記すること）
Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

特許出願人の署名

SIGNATURE of Applicant for Patent

下記署名者（役職は下記に記載）は出願人の代理人と認められている（出願人が法人の場合等）

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

署名 Signature		署名日（任意） Date (Optional)	27/08/2014
氏名 Name	Yoshihiro SENZAI		
役職 Title	President & Chief Executive Officer, HITACHI MAXELL, LTD.		

注記: 署名 本書類は37 CFR 1.33に基づき署名されなければならない。署名の要件および証明に関しては37 CFR 1.4を参照、出願人が複数いる場合は、複数の書類を使うこと。

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ 提出書類 計 _____ 枚。
Total of _____ forms are submitted.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

S. YOSHIDA, et al.

Application No.: 14/141,417

ATTENTION

Confirmation No.: 6488

CERTIFICATE OF CORRECTION

Filed: December 26, 2013

BRANCH

U.S. Patent No.: 9,384,783

Issued: July 5, 2016

For: EDITING METHOD AND RECORDING AND REPRODUCING DEVICE

REQUEST FOR CERTIFICATE OF CORRECTION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

May 11, 2017

Sir:

Patentee(s) respectfully request(s) that a Certificate of Correction be issued in the subject patent, pursuant to 35 U.S.C. §254 and 37 C.F.R. §1.322, to correct the mistake(s) shown on the attached Certificate of Correction form. The errors shown on the attached form are clerical or typographical errors that occurred in good faith, and the correction thereof is consistent with the prosecution record, including the specification and drawings. Enclosed is the fee of \$100.00 required under 37 C.F.R. §1.323. The Commissioner is authorized to charge any shortage in the fees due, or credit any

May 11, 2017

overpayment, to Deposit Account No. 50-1417 (referencing Attorney Docket No. ASA-10782-03).

Respectfully submitted,

MATTINGLY & MALUR, PC

/John R. Mattingly/

John R. Mattingly

Registration No. 30,293

703-684-1120

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO: 9,384,783

DATED: July 5, 2016

INVENTOR(S): S. YOSHIDA, et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 10, at Claim 5: delete "The information processing apparatus" and insert --The method--.

Column 10, at Claim 6: delete "The information processing apparatus" and insert --The method--.

MAILING ADDRESS OF SENDER:

John R. Mattingly
MATTINGLY & MALUR, PC
1800 Diagonal Road – Suite 210
Alexandria, Virginia 22314
Telephone 703-684-1120

Patent No. US 9,384,783.

No. of Additional Copies _____

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comment 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, Washington, DC 20231.

Electronic Patent Application Fee Transmittal

Application Number:	14141417			
Filing Date:	26-Dec-2013			
Title of Invention:	Editing Method and Recording and Reproducing Device			
First Named Inventor/Applicant Name:	Susumu YOSHIDA			
Filer:	John Roberts Mattingly/Krista Hargrove			
Attorney Docket Number:	86890-896757 (161020US)			
Filed as Large Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Certificate of correction	1811	1	100	Maxell, Ltd.

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Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				100

Electronic Acknowledgement Receipt

EFS ID:	29181990
Application Number:	14141417
International Application Number:	
Confirmation Number:	6488
Title of Invention:	Editing Method and Recording and Reproducing Device
First Named Inventor/Applicant Name:	Susumu YOSHIDA
Customer Number:	20350
Filer:	John Roberts Mattingly/Krista Hargrove
Filer Authorized By:	John Roberts Mattingly
Attorney Docket Number:	86890-896757 (161020US)
Receipt Date:	11-MAY-2017
Filing Date:	26-DEC-2013
Time Stamp:	15:18:00
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$ 100
RAM confirmation Number	051217INTEFSW15184200
Deposit Account	501417
Authorized User	Krista Hargrove

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

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Page 115 of 284

37 CFR 1.19 (Document supply fees)
 37 CFR 1.20 (Post Issuance fees)
 37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	10782-03-POA.pdf	238508	no	4
			1b3a4cea74419d88dad1d43a9d66f2df14c29e64		
Warnings:					
Information:					
2	Request for Certificate of Correction	10782-03-SUBOFCOC.pdf	15362	no	2
			5b3bc99baaf96cdfa8e495cea14d546c14a07083		
Warnings:					
Information:					
3	Request for Certificate of Correction	10782-03-COC.pdf	13926	no	1
			7b9e51011ba9350cd9632f8fc007a12d546cd2ff		
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30482	no	2
			f8020cc82c4478a14c121139262286dda822360d		
Warnings:					
Information:					
Total Files Size (in bytes):			298278		

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.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/141,417	07/05/2016	9384783	86890-896757 (161020US)	6488

20350 7590 06/15/2016
KILPATRICK TOWNSEND & STOCKTON LLP
Mailstop: IP Docketing - 22
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Hitachi, Ltd., Tokyo, JAPAN;
Susumu YOSHIDA, Kawasaki, JAPAN;
Junji Shiokawa, Chigasaki, JAPAN;
Hiroo Okamoto, Yokohama, JAPAN;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

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PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

20350 7590 05/24/2016
KILPATRICK TOWNSEND & STOCKTON LLP
Mailstop: IP Docketing - 22
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/141,417	12/26/2013	Susumu YOSHIDA	86890-896757 (161020US)	6488

TITLE OF INVENTION: Editing Method and Recording and Reproducing Device

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$960	\$0	\$0	\$960	08/24/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
ZHAO, DAQUAN	2484	386-278000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Kilpatrick Townsend & Stockton
 2 LLP
 3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Hitachi Maxell, Ltd.

Osaka, Japan

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☒ Payment by credit card. ~~XXXXXX~~ XXXXXXXX
- ☒ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number 20-1430 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ Applicant certifying micro entity status. See 37 CFR 1.29
- ☐ Applicant asserting small entity status. See 37 CFR 1.27
- ☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature /Charles W. Gray/

Date 06-03-2016

Typed or printed name Charles W. Gray

Registration No. 61,345

Maxell, Ltd.

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Electronic Patent Application Fee Transmittal

Application Number:	14141417			
Filing Date:	26-Dec-2013			
Title of Invention:	Editing Method and Recording and Reproducing Device			
First Named Inventor/Applicant Name:	Susumu YOSHIDA			
Filer:	Charles W. Gray/Emily Vanstrom			
Attorney Docket Number:	86890-896757 (161020US)			
Filed as Large Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	1501	1	960	Maxell, Ltd.

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Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				960

Electronic Acknowledgement Receipt

EFS ID:	25951264
Application Number:	14141417
International Application Number:	
Confirmation Number:	6488
Title of Invention:	Editing Method and Recording and Reproducing Device
First Named Inventor/Applicant Name:	Susumu YOSHIDA
Customer Number:	20350
Filer:	Charles W. Gray/Emily Vanstrom
Filer Authorized By:	Charles W. Gray
Attorney Docket Number:	86890-896757 (161020US)
Receipt Date:	03-JUN-2016
Filing Date:	26-DEC-2013
Time Stamp:	10:40:07
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$960
RAM confirmation Number	8296
Deposit Account	201430
Authorized User	GRAY, CHARLES

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Maxell, Ltd.
Ex. 2014
Charge any Additional Fees required under 37 CFR 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 CFR 1.19 (Document supply fees)

Charge any Additional Fees required under 37 CFR 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	2016-06-03_ISSUEFEE_086890-0896757.pdf	92678	no	1
			e369001207930b480ea6f3fad3f575cb6ba06e0f		

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30734	no	2
			91efea6f89450e94dd195f21e7f4cf100fa82b91		

Warnings:

Information:

Total Files Size (in bytes):			123412
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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.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

20350 7590 05/24/2016
KILPATRICK TOWNSEND & STOCKTON LLP
Mailstop: IP Docketing - 22
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309

EXAMINER

ZHAO, DAQUAN

ART UNIT

PAPER NUMBER

2484

DATE MAILED: 05/24/2016

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

14/141,417

12/26/2013

Susumu YOSHIDA

86890-896757 (161020US)

6488

TITLE OF INVENTION: Editing Method and Recording and Reproducing Device

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$960	\$0	\$0	\$960	08/24/2016

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

Maxell, Ltd.

Ex. 2014

Page 124 of 284

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

20350 7590 05/24/2016
KILPATRICK TOWNSEND & STOCKTON LLP
Mailstop: IP Docketing - 22
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/141,417	12/26/2013	Susumu YOSHIDA	86890-896757 (161020US)	6488

TITLE OF INVENTION: Editing Method and Recording and Reproducing Device

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$960	\$0	\$0	\$960	08/24/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
ZHAO, DAQUAN	2484	386-278000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.	2. For printing on the patent front page, list (1) The names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____ (2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____ 3 _____
---	---

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ Applicant certifying micro entity status. See 37 CFR 1.29
- ☐ Applicant asserting small entity status. See 37 CFR 1.27
- ☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____ **Maxell, Ltd.**

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/141,417	12/26/2013	Susumu YOSHIDA	86890-896757 (161020US)	6488

20350 7590 05/24/2016
KILPATRICK TOWNSEND & STOCKTON LLP
Mailstop: IP Docketing - 22
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309

EXAMINER

ZHAO, DAQUAN

ART UNIT PAPER NUMBER

2484

DATE MAILED: 05/24/2016

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. 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 1.14. This collection is estimated to take 12 minutes 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, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. 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.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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Notice of Allowability	Application No. 14/141,417	Applicant(s) YOSHIDA ET AL.	
	Examiner DAQUAN ZHAO	Art Unit 2484	AIA (First Inventor to File) Status No

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed on 3/16/2016.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 2-7. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) ☒ All b) ☐ Some *c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. ☐ Notice of References Cited (PTO-892) | 5. ☐ Examiner's Amendment/Comment |
| 2. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 6. ☐ Examiner's Statement of Reasons for Allowance |
| 3. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 7. ☐ Other _____. |
| 4. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____. | |

/DAQUAN ZHAO/
Primary Examiner, Art Unit 2484

Search Notes 	Application/Control No. 14141417	Applicant(s)/Patent Under Reexamination YOSHIDA ET AL.
	Examiner DAQUAN ZHAO	Art Unit 2484

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner
h04n9/80 or g11b27/00 or h04n5/93 or h04n5/92	5/15/2016	dz

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
386	239,240,278,280,281,282,326,353	5/15/2016	dz

SEARCH NOTES		
Search Notes	Date	Examiner
USPAT; USPGPUB; USOCR; EPO; JPO; DERWENT; IBM_TDB	5/15/2016	DZ

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
386	239,240,278,280,281,282,326,353	5/15/2016	dz
	h04n9/80 or g11b27/00 or h04n5/93 or h04n5/92	5/15/2016	dz

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	1	("8644684").PN.	USPAT; USOCR	OR	OFF	2016/05/15 12:03
L2	756	edit\$5 near5 thumbnail same select\$5 same user	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/05/15 12:04
L3	5001	(h04n9/80 or g11b27/00 or h04n5/93 or h04n5/92).CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/05/15 12:04
L4	9995	(386/239,240,278,280,281,282,326,353).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/05/15 12:04
L5	68	L2 and (L3 or L4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/05/15 12:04
S1	1	(11/203457).APP.	USPAT; USOCR	OR	OFF	2015/03/23 17:14
S2	1	(12/257898).APP.	USPAT; USOCR	OR	OFF	2015/03/23 17:23
S3	1	("8644684").PN.	USPAT; USOCR	OR	OFF	2015/03/23 17:24
S4	0	("20070022382").PN.	USPAT; USOCR	OR	OFF	2015/03/24 10:26
S5	1	("20070022382").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 10:26
S6	19717	thumbnail same user same (select\$5 or click\$5)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 10:59
S7	7795	thumbnail same user same (select\$5 or click\$5)	US-PGPUB;	OR	OFF	2015/03/24 10:59

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EX-2014

		same (area or GUI or interface near3 user)	USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			11:16
S8	5160	thumbnail same user same (select\$5 or click\$5) same (GUI or interface near3 user)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 11:22
S9	1217	thumbnail same user same (select\$5 or click\$5) same (GUI or interface near3 user) same video	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 11:22
S10	181	thumbnail same user same (select\$5 or click\$5) same (GUI or interface near3 user) same video same edit\$5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 11:28
S11	2	("20030063897" "6181870").PN. OR ("7613383").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 12:53
S12	0	fujita.in. and in same out same tiem	USPAT	OR	OFF	2015/03/24 13:18
S13	780	fujita.in. and video	USPAT	OR	OFF	2015/03/24 13:18
S14	251	fujita.in. and video same time	USPAT	OR	OFF	2015/03/24 13:18
S15	58	fujita.in. and video same time and edit\$3	USPAT	OR	OFF	2015/03/24 13:18
S16	1	("20030220970").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 13:31
S17	1	("20030220970").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 15:00
S18	757	thumbnail same user same (select\$5 or click\$5) same (GUI or interface near3 user) same video and edit\$5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 15:18
S19	181	thumbnail same user same (select\$5 or click\$5) same (GUI or interface near3 user) same video same edit\$5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 15:18
S20	576	S18 not S19	US-PGPUB;	OR	OFF	2015/03/24

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Ex. 2014

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			15:19
S21	332	daquan near3 zhao	USPAT	OR	OFF	2015/03/24 17:33
S22	6	("20040047589" "20040179820" "5652824" "6188835" "6754435").PN. OR ("8078034").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 17:37
S23	18	("20010037430" "20030005442" "20030152366" "5995101" "6073108" "6452609" "7020663").PN. OR ("7457532").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 17:38
S24	10	("20010037430" "20030005442" "20030152366" "5995101" "6073108" "6389467" "6452609" "7020663" "7178106" "7457532").PN. OR ("8238713").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 17:39
S25	52	S21 and thumbnail	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 17:42
S26	7	("20050100308" "20050246740" "20080016089" "20080092168" "20090080930" "20090232472" "20100070510").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 17:44
S27	8	("20030031120" "20030177503" "20050008327" "20050166230" "5930446" "6408301" "6456321").PN. OR ("8041188").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 17:50
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S29	224	("5724595" "5793366" "5796945" "5864868" "5905983" "6005563" "6018768" "6025841" "6133913" "6141010" "6169997" "6226618" "6262723" "6346951").PN. OR ("6452609").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 17:57
S30	26	S29 and thumbnail	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 17:57
S31	9328	(386/239,240,278,280,281,282,326,353).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 20:27
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S33	525	S31 and S32	US-PGPUB; USPAT;	OR	OFF	2015/03/24 20:30

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S34	5160	thumbnail same user same (select\$5 or click\$5) same (GUI or interface near3 user)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 20:30
S35	111	S31 and S34	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 20:30
S36	4611	(h04n9/80 or g11b27/00 or h04n5/93 or h04n5/92).CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 20:47
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S38	16	S34 and S36	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 20:48
S39	2	"20140178042"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/25 10:16
S40	0	S39 and software	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/25 10:17
S41	0	S39 and CPU	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/25 10:17

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S42	1	S39 and program	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/25 10:17
S43	699	edit\$5 near5 thumbnail same select\$5 same user	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/04 10:25
S44	1	("7313383").PN.	USPAT; USOCR	OR	OFF	2015/10/04 10:30
S45	1	("7613383").PN.	USPAT; USOCR	OR	OFF	2015/10/04 10:30
S46	1	("8644684").PN.	USPAT; USOCR	OR	OFF	2015/10/04 10:35
S47	7	("20030063897" "20070022382" "6181870" "6470140" "6480669" "7257774").PN. OR ("8644684").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/10/04 10:36
S48	231	edit\$5 near5 thumbnail same select\$5 same (user near4 interface or GUI)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/04 10:57
S49	476	S43 not S48	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/04 11:28
S50	2	("5637871" "5856931").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/10/04 12:04
S51	4731	(h04n9/80 or g11b27/00 or h04n5/93 or h04n5/92).CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/10/04 13:24
S52	9856	(386/239,240,278,280,281,282,326,353).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/10/04 13:24
S53	64	S43 and (S51 or S52)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	OR	OFF	2015/10/04 13:25

				IBM_TDB			
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5/ 15/ 2016 1:01:06 PM

C:\Users\dzhao1\Documents\EAST\Workspaces\14141417.wsp

Issue Classification 	Application/Control No. 14141417	Applicant(s)/Patent Under Reexamination YOSHIDA ET AL.	
	Examiner DAQUAN ZHAO	Art Unit 2484	

CPC						
Symbol					Type	Version
G11B		27	/	102	F	2013-01-01
G11B		27	/	034	I	2013-01-01
G11B		27	/	34	I	2013-01-01
G11B		2220	/	2562	A	2013-01-01
H04N		5	/	76	I	2013-01-01
H04N		9	/	8205	A	2013-01-01
H04N		9	/	87	I	2013-01-01
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			/			
			/			

CPC Combination Sets				
Symbol	Type	Set	Ranking	Version

NONE		Total Claims Allowed:	
		6	
(Assistant Examiner) /DAQUAN ZHAO/ Primary Examiner.Art Unit 2484 (Primary Examiner)	(Date) 05/15/2016 (Date)	O.G. Print Claim(s)	O.G. Print Figure

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

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	14/141,417
Filing Date	December 26, 2013
First Named Inventor	Susumu Yoshida
Art Unit	2484
Examiner Name	Daquan Zhao
Attorney Docket Number	086890-0896757-161020US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, to any international application that does not comply with the requirements of 35 U.S.C. 371, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO on page 2.)

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to
- a. ☐ Deposit Account No. _____
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	/Charles W. Gray/	Date	2016-03-16
Name (Print/Type)	Charles W. Gray	Registration No.	61345

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature			
Name (Print/Type)		Date	

This collection of information is required by 37 CFR 1.114. 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 take 12 minutes 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: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Maxell Ltd.

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Electronic Patent Application Fee Transmittal

Application Number:	14141417			
Filing Date:	26-Dec-2013			
Title of Invention:	Editing Method and Recording and Reproducing Device			
First Named Inventor/Applicant Name:	Susumu YOSHIDA			
Filer:	Charles W. Gray/Lily Sun			
Attorney Docket Number:	86890-896757 (161020US)			
Filed as Large Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:	Maxell, Ltd. Ex. 2014			

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 3 months with \$0 paid	1253	1	1400	1400
Miscellaneous:				
Request for Continued Examination	1801	1	1200	1200
Total in USD (\$)				2600

Electronic Acknowledgement Receipt

EFS ID:	25220378
Application Number:	14141417
International Application Number:	
Confirmation Number:	6488
Title of Invention:	Editing Method and Recording and Reproducing Device
First Named Inventor/Applicant Name:	Susumu YOSHIDA
Customer Number:	20350
Filer:	Charles W. Gray/Lily Sun
Filer Authorized By:	Charles W. Gray
Attorney Docket Number:	86890-896757 (161020US)
Receipt Date:	16-MAR-2016
Filing Date:	26-DEC-2013
Time Stamp:	22:20:34
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 2600
RAM confirmation Number	9303
Deposit Account	201430
Authorized User	GRAY, CHARLES

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 CFR 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 CFR 1.17 (Patent application and reexamination processing fees)

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Page 142 of 284

Charge any Additional Fees required under 37 CFR 1.19 (Document supply fees)

Charge any Additional Fees required under 37 CFR 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		AMD.pdf	119626 636e21bcba0289685030152a305791b5ca13f4fe	yes	8
Multipart Description/PDF files in .zip description					
	Document Description		Start	End	
	Amendment Submitted/Entered with Filing of CPA/RCE		1	1	
	Claims		2	5	
	Applicant Arguments/Remarks Made in an Amendment		6	8	
Warnings:					
Information:					
2	Request for Continued Examination (RCE)	RCE.pdf	126607 6d0b6b4937a271886f1abe94731d04706b27f64e	no	1
Warnings:					
This is not a USPTO supplied RCE SB30 form.					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	32713 e92d2f3006ce5dce05502593877856b1df409ef3	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			278946		

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.

I hereby certify that this correspondence is being filed via
EFS-Web with the United States Patent and Trademark Office
on March 16, 2016

PATENT
Attorney Docket No.: 086890-0896757-161020US
Client Ref. No.: W2496-03ET

KILPATRICK TOWNSEND & STOCKTON LLP

By: /Lily Sun/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Susumu Yoshida et al.

Application No.: 14/141,417

Filed: December 26, 2013

For: EDITING METHOD AND
RECORDING AND REPRODUCING
DEVICE

Customer No.: 20350

Confirmation No.: 6488

Examiner: Daquan Zhao

Technology Center/Art Unit: 2484

AMENDMENT WITH RCE

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

In response to the Final Office Action mailed October 13, 2015 on the above-referenced application, please enter the following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Canceled)

2. (Currently Amended) An information processing apparatus ~~for reproducing selected video information from among a plurality of video information stored in a recording medium, the apparatus~~ comprising:

a recording unit configured to record a plurality of video information on a recording medium;

an output unit configured to output a menu display for a user to select ~~desired~~ video information to be reproduced from among the plurality of video information ~~stored in~~ **recorded on** the recording medium **by the recording unit**; and

a reproducing unit configured to reproduce the selected video information **read out** from the recording medium,

wherein a first area and a second area are displayed within the menu display, ~~wherein~~ the first area **[[is]] being** configured to display at least **[[a]]** first indication associated with ~~video~~ a first group of **video** information for a first classification and **[[a]]** second indication associated with a second group of video information for a second classification different from the first classification, ~~wherein~~ the second area **[[is]] being** configured to display **[[a]]** thumbnails corresponding to video information ~~stored in a~~ **recorded on the** recording medium **by the recording unit**,

wherein, when the first indication shown in the first area is selected, a first group of thumbnails corresponding to the first group of video information is displayed in the second area,

wherein, when the second indication shown in the first area is selected, a second group of thumbnails corresponding to the second group of video information is displayed in the second area, ~~and~~

wherein, even if one video information recorded on the recording medium included in both the first group of video information and the second group of video information is deleted from the first group of video information, the one video information continue to be included in the second group of video information independently editable in each case when the first indication shown in the first area is selected and when the second indication shown in the first area is selected.

3. (Currently Amended) A method ~~of reproducing selected video information from among a plurality of video information stored in a recording medium, the method~~ comprising:

reproducing selected video information from among a plurality of video information recorded on a recording medium by the recording unit,

displaying, on a display device, a user interface for a user to select desired video information to be reproduced from among the plurality of video information [[in]] recorded on the recording medium by the recording unit;

reproducing the selected video information read out from the recording medium, wherein a first area and a second area are displayed within a menu display,

wherein the first area is configured to display at least [[a]] first indication associated with a first group of video information for a first classification and [[a]] second indication associated with a second group of video information for a second classification different from the first classification, and

wherein the second area is configured to display [[a]] thumbnails corresponding to video information ~~stored in a~~ recorded on the recording medium by the recording unit;

wherein, when the first indication shown in the first area is selected, displaying, in the second area, a first group of thumbnails corresponding to the first group of video information;

wherein, when the second indication shown in the first area is selected, displaying, in the second area, a second group of thumbnails corresponding to the second group of video information, ~~and~~

wherein, even if one video information recorded on the recording medium included in both the first group of video information and the second group of video information

is **deleted from the first group of video information, the one video information continue to be included in the second group of video information** ~~independently editable in each case when the first indication shown in the first area is selected and when the second indication shown in the first area is selected.~~

4. (Previously Presented) The information processing apparatus according to claim 2,

wherein a thumbnail corresponding to the video information included in both the first group of video information and the second group of video information is displayed in the second area in each case when the first indication shown in the first area is selected and when the second indication shown in the first area is selected.

5. (Currently Amended) The information processing apparatus according to claim 2,

wherein the first area is configured to display third indication different from the first indication and the second indication,

wherein, when the third indication shown in the first area is selected, thumbnails corresponding to the all video information ~~stored in~~ **recorded on** the recording medium are displayed in the second area.

6. (Previously Presented) The information processing apparatus according to claim 3,

wherein a thumbnail corresponding to the video information included in both the first group of video information and the second group of video information is displayed in the second area in each case when the first indication shown in the first area is selected and when the second indication shown in the first area is selected.

7. (Currently Amended) The information processing apparatus according to claim 3,

wherein the first area is configured to display third indication different from the first indication and the second indication,

wherein, when the third indication shown in the first area is selected, thumbnails corresponding to the all video information ~~stored in~~ **recorded on** the recording medium are displayed in the second area.

REMARKS/ARGUMENTS

Status of the Claims

Upon entry of the present amendment, claims 2-7 will be pending in this application. Claims 2, 3, 5, and 7 has been amended. No new matter is added. Based on the following remarks, Applicant respectfully requests reconsideration and allowance of the pending claims.

Claim Rejections - 35 USC § 103

Claims 2-7 are rejected under pre-AIA 35 U.S.C. 1 03(a) as being unpatentable over U.S. Patent No. 7,512,622 at Volk et al ("Volk") in view of U.S. Publication No. 2001/0023436 at Srinivasan et al ("Srinivasan"). The applicant respectfully disagree.

The claimed invention has a characteristic feature of providing a convenient information processing apparatus with which respective users' favorable contents for reproduction can be managed even when a single recording medium is shared by a plurality of users. The recitations of the pending claim 2 (before the current amendments) include the case where the recording medium is external; thus, in the proposed amendments, a recording unit is added as a constituent and it is clarified that independently editable video information is the video information recorded on a recording medium by the recording unit.

Since, in the subject matters disclosed in any of the cited references, video information is not recorded on the side of a display apparatus but recorded on the side of an external server or the like via a network, they are different by nature from the subject matter of the present application and none of the references describe editing of vide information recorded on a recording medium by a recording unit.

Moreover, in order to make the expression of being independently editable more specific, it is clarified in the proposed amendments that deletion of video information, which is included in both of the first group and the second group, from one group would not affect the other group.

As stated above and repeated here, the references deal with video information recorded on the side of an external server via a network and neither of the aspect of deleting video information from a group or the aspect of "even if one video information recorded on the

recording medium included in both of the first group of video information and the second group of video information group of video information is deleted from the first group of video information, the one video information continue to be included in the second group of video information", as recited by amended claim 2.

Therefore, applicant submits that claims 2 and 3 are in condition for allowance, for at least the reasons mentioned above. Claims 4-7 depend from claims 2 and 3, and are also allowable. Accordingly, Applicants respectfully request that these rejections be withdrawn.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

Except for the issue fees payable under 37 C.F.R. § 1.18, the Director is authorized to charge any additional fees during pendency of this application, including any required extension of time fees, or credit any overpayment to Deposit Account Number 20-1430. This paragraph is intended to be a constructive petition for extension of time in accordance with 37 C.F.R. § 1.136(a)(3).

If the Examiner believes a telephone conference would expedite prosecution of this application, please contact the undersigned at 303 405 8522 or CGray@KilpatrickTownsend.com.

Respectfully submitted,

/Charles W. Gray/

Charles W. Gray

Registration No. 61,345

KILPATRICK TOWNSEND & STOCKTON LLP

CWG/lsun

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 14/141,417	Filing Date 12/26/2013	☐ To be Mailed
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ENTITY: ☒ LARGE ☐ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

(Column 1)

(Column 2)

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	03/16/2016	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 6	Minus	** 20	= 0	X \$80 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0	X \$420 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	0

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	*	Minus	**	X \$ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	X \$ =	
	☐ Application Size Fee (37 CFR 1.16(s))					
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
					TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/GAIL WOOTEN/

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Page 153 of 284

Application Number 	Application/Control No. 14141417	Applicant(s)/Patent Under Reexamination YOSHIDA ET AL.
Document Code -		Internal Document – DO NOT MAIL

TERMINAL DISCLAIMER	☒ APPROVED	☐ DISAPPROVED
Date Filed: 10/25/2015	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:	
TD APPROVED 02/07/16 KLW	

U.S. Patent and Trademark Office



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/141,417	12/26/2013	Susumu YOSHIDA	86890-896757 (161020US)

CONFIRMATION NO. 6488
IMPROPER CPOA LETTER

20350
KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834



Date Mailed: 11/04/2015

NOTICE REGARDING POWER OF ATTORNEY

This is in response to the power of attorney filed 10/25/2015. The power of attorney in this application is not accepted for the reason(s) listed below:

- The power of attorney you provided did not comply with the power of attorney rules that became effective on June 25, 2004. See 37 CFR 1.32 and 69 Fed. Reg. 29865.

/fstephanos/

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

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単数又は複数の特許弁護士への委任状伝送書
TRANSMITTAL FOR POWER OF ATTORNEY TO ONE OR MORE REGISTERED PRACTITIONERS

注記: 37 CFR 1.5に従い、委任状が示す出願を特定するため、本書類は「出願人による委任状(PTO/AIA/82B)」と共に提出すること。ただし、「出願人による委任状」で出願番号および出願日が特定されている場合を除く。委任状が示す出願が、PTO/AIA/82AおよびPTO/AIA/82Bのどちらにもおいても特定されていない場合、同出願においての代理権は認められない。

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出願番号 Application Number	14/141,417
出願日 Filing Date	December 26, 2013
第一発明者 First Named Inventor	Susumu YOSHIDA
名称 Title	Editing Method and Recording and Reproducing Device
技術審査部門 Art Unit	2484
審査官氏名 Examiner Name	DAQUAN ZHAO
特許弁護士整理番号 Attorney Docket Number	86890-896757 (161020US)

出願人または特許弁護士の署名
SIGNATURE of Applicant or Patent Practitioner

署名 Signature	署名日(任意) Date (Optional)
氏名 Name	登録番号 Registration Number
役職(出願人が法人の場合) Title (if Applicant is a juristic entity)	

出願人名(出願人が法人の場合)
Applicant Name (if Applicant is a juristic entity) HITACHI MAXELL, LTD.

注記: 本書類は37 CFR 1.33に基づき署名されなければならない。署名に関する要件および証明については37 CFR 1.4(d)を参照。出願人が複数の場合は複数の用紙を使うこと。

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ *提出書類 計 _____ 枚。
*Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. 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 take 3 minutes 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.

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出願人による委任状
POWER OF ATTORNEY BY APPLICANT

私はここに、添付の伝送書もしくは下記枠内で特定された出願に対して、現時点より前に与えられたすべての委任状を破棄します。
I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

出願番号 Application Number	出願日 Filing Date

(注記: PTO/AIA/82Aに同じ情報が明記されている場合、上の枠内は空欄でも可)
(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

私は、下記顧客番号に関連する特許弁護士を、当方の弁護士あるいは代理人に指名し、添付の伝送書 (PTO/AIA/82A) 内もしくは上記に記載の特許出願に関連した米国特許商標庁との業務の全てを同弁護士あるいは代理人に委任します。



I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above:

又は

OR

私は、添付のリスト (PTO/AIA/82C) に記載の特許弁護士を、当方の弁護士あるいは代理人に指名し、添付の伝送書 (PTO/AIA/82A) 内もしくは上記に記載の特許出願に関連した米国特許商標庁との業務の全てを同弁護士あるいは代理人に委任します。(注記: PTO/AIA/82C を記入すること。)



I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

添付の伝送書又は上記枠内にて特定された出願に対する郵便物送付先を下記のいずれかに登録または変更してください。

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:



上記顧客番号に付随する住所
The address associated with the above-mentioned Customer Number

又は

OR



顧客番号に付随する住所
The address associated with Customer Number:

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OR

事務所または個人
名
Firm or
Individual Name

住所
Address

市
City

州
State

郵便番号
Zip

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Country

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This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. 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 take 3 minutes 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.

出願人による委任状 POWER OF ATTORNEY BY APPLICANT

私は出願人であり（出願人が法人の場合、出願人名を下記枠内に記入）：

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

Hitachi Maxell, Ltd.

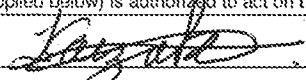
- ☐ 発明者もしくは共同発明者である（下記役職の明記は不要）
Inventor or Joint Inventor (title not required below)
- ☐ 死亡したもしくは成年被後見人である発明者の法定代理人である（下記役職の明記は不要）
Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)
- ☒ 被譲渡人もしくは発明者が譲渡する義務を負う人物である
Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)
- ☐ 上記以外で、十分な独占的所有権を示す人物である（例：37 CFR 1.46(b)(2)に基づく申請が本出願において認められた、又は本書類と共にその申請がなされている場合）（出願人が法人の場合、署名者の役職を明記すること）
Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

特許出願人の署名

SIGNATURE of Applicant for Patent

下記署名者（役職は下記に記載）は出願人の代理人と認められている（出願人が法人の場合等）

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

署名 Signature		署名日（任意） Date (Optional)	Oct. 13, 2015
氏名 Name	Kazuhiro KAIZAKI		
役職 Title	Executive Officer (Authorized Signing Officer)		

注記：署名 - 本書類は37 CFR 1.33に基づき署名されなければならない。署名の要件および証明に関しては37 CFR 1.4を参照。出願人が複数いる場合は、複数の書類を使うこと。

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ 提出書類 計 _____ 枚。
Total of _____ forms are submitted.

**出願人による委任状
 POWER OF ATTORNEY BY APPLICANT**

下記に氏名および登録番号と共に指名することができる特許弁護士は合計10人までです。顧客番号に関連した特許弁護士を指名する場合、本書類の提出は必要ありません。(PTO/AIA/82B参照) :

No more than ten (10) patent practitioners total may be appointed as set forth below by name and registration number. This page need not be submitted if appointing the Patent Practitioner(s) associated with a Customer Number (see form PTO/AIA/82B):

氏名 Name	登録番号 Registration Number

Privacy Act Statement

1974年プライバシー保護法(P.L. 93-579)により、特許出願あるいは特許に関する添付書類の提出に関連し、特定情報を提供することが求められています。同法の規定要件に基づき、下記の事項に注意してください。(1) 本情報の収集は35 U.S.C 2(b)(2)により認められています。(2) 求められた情報の提供は任意です。(3) 米国特許商標庁による本情報の主な使用目的は、特許出願あるいは特許に関する提出書類の処理や審査であり、求められた情報を提出しない場合、米国特許商標庁による提出書類の処理や審査に支障をきたす場合があります。その場合、特許出願の中止や放棄、または特許失効につながる場合があります。

本用紙に記載された情報は以下の通常使用目的に使われます。

1. 本用紙に記載の情報は、情報公開法(5 U.S.C. 552)およびプライバシー法(5 U.S.C 552a)が許容する範囲において機密情報扱いとなります。本記録システムの記録は、同記録の開示が情報公開法で要求されるものに該当するか否かを判断する目的で、司法省に開示される場合があります。
2. 本記録システムの記録は、通常使用として、法廷、予審判事、行政裁判所に証拠として開示される場合があります。これには示談交渉における反対側弁護士への情報開示も含まれます。
3. 本記録システムの記録は、同記録に関連する個人から、同記録についての支援を依頼され、当該個人に関連した要求を行う米国会議員に対し、通常使用の範囲として開示される場合があります。
4. 本記録システムの記録は、契約を履行するために同記録を必要とする本庁の契約業者に対し、通常使用の範囲として開示される場合があります。情報を受け取る側は、5 U.S.C. 552a(m)に基づき、1974年プライバシー法修正法の規定要件を遵守しなければなりません。
5. 本記録システム内の、特許協力条約に基づき出願された国際出願に関する記録は、通常使用の範囲として、特許協力条約に従い世界知的所有権機関に開示される場合があります。
6. 本記録システムの記録は、通常使用の範囲として、国家安全保障(35 U.S.C. 181)および原子力法(42 U.S.C. 218(c))に拠る検討目的で、他の連邦政府機関に開示される場合があります。
7. 本記録システムの記録は、通常使用の範囲として、44 U.S.C 2904および2906に基づき、記録管理方法およびプログラムに対する改善を提案するという米一般調達局長官(GSA)の職務の一部として実施される記録監査において、GSAまたはその委任による代理人に対し開示される場合があります。この開示は、上記目的による記録監査を規定するGSA法規およびその他関連する(GSAまたは商務省)指令に従って行われます。この開示は、個人を特定する目的に使用されてはなりません。
8. 本記録システムの記録は、通常使用の範囲として、特許出願公開後(35 U.S.C 112(b))、または特許発行後(35 U.S.C. 151)に一般に開示される場合があります。さらに、同記録が、放棄されたもしくは処理が集結している特許出願に記載されており、かつ公開後の出願、一般審査に公開された出願、または発行済み特許の中で参照されている場合には、37 CFR 1.14の制限に従い、通常使用の範囲として、一般に開示される場合があります。
9. 本記録システムの記録は、法律に違反している、もしくは違反する可能性があるとして米国特許商標庁により判断された場合、通常使用の範囲として、連邦、州、または地方自治体の警察等に開示される場合があります。

**TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

86890-896757 (161020US)

In re Application of: Susumu YOSHIDA et al.

Application No.: 14/141,417

Filed: December 26, 2013

For: Editing Method and Recording and Reproducing Device

The applicant, HITACHI MAXELL, LTD., owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 8,644,684 as the term of said **prior patent** is presently shortened by any terminal disclaimer. The applicant hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the applicant does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

expires for failure to pay a maintenance fee;

is held unenforceable;

is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

is reissued; or

is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ The undersigned is the applicant. If the applicant is an assignee, the undersigned is authorized to act on behalf of the assignee.

I hereby acknowledge that any willful false statements made are punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. _____

/Charles W. Gray/

Signature

2015-10-25

Date

Charles W. Gray

Typed or printed name

Attorney, Reg. No. 61,345

Title

303-405-8522

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.321. 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 take 12 minutes 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.**

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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(c)Applicant/Patent Owner: HITACHI MAXELL, LTD.Application No./Patent No.: 14/141,417 Filed/Issue Date: December 26, 2013Titled: Editing Method and Recording and Reproducing DeviceHITACHI MAXELL, LTD., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose **one** of options 1, 2, 3 or 4 below):

1. ☒ The assignee of the entire right, title, and interest.
2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):
- ☐ The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.
- ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (e.g., bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose **one** of options A or B below):

- 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 _____, Frame _____, or for which a copy thereof is attached.
- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: YOSHIDA, SUSUMU et al. To: HITACHI, LTD.The document was recorded in the United States Patent and Trademark Office at
Reel 023038, Frame 0307, or for which a copy thereof is attached.2. From: HITACHI, LTD. To: HITACHI MAXELL, LTD.The document was recorded in the United States Patent and Trademark Office at
Reel 033654, Frame 0268, or for which a copy thereof is attached.

[Page 1 of 2]

This collection of information is required by 37 CFR 3.73(b). 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 take 12 minutes 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.**

Maxell, Ltd.

Ex. 2014

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Page 163 of 284

STATEMENT UNDER 37 CFR 3.73(c)

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.

4. 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.

5. 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.

6. 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(c)(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.

/Charles W. Gray/

2015-10-25

Signature

Date

Charles W. Gray

61345

Printed or Typed Name

Title or Registration Number

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	23883255
Application Number:	14141417
International Application Number:	
Confirmation Number:	6488
Title of Invention:	Editing Method and Recording and Reproducing Device
First Named Inventor/Applicant Name:	Susumu YOSHIDA
Customer Number:	20350
Filer:	Charles W. Gray/Lily Sun
Filer Authorized By:	Charles W. Gray
Attorney Docket Number:	86890-896757 (161020US)
Receipt Date:	25-OCT-2015
Filing Date:	26-DEC-2013
Time Stamp:	23:07:33
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	POA.pdf	4791161 9c61a0325e004b38c71ef22bd43f6c4368d d79d2	no	5

Warnings:

Information:

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2	Terminal Disclaimer Filed	Terminal_Disclaimer.pdf	132570	no	2
			ce28b6cb79764bb4280a968bb003312420d2939d		
Warnings:					
Information:					
3	Assignee showing of ownership per 37 CFR 3.73	373_Statement.pdf	83175	no	3
			cec74deba4179ae95817a0806c069821d1b6b1fe		
Warnings:					
Information:					
Total Files Size (in bytes):			5006906		
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. <u>New Applications Under 35 U.S.C. 111</u> 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. <u>National Stage of an International Application under 35 U.S.C. 371</u> 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. <u>New International Application Filed with the USPTO as a Receiving Office</u> 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.					

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SAN FRANCISCO, CA 94111-3834



**Courtesy Reminder for
Application Serial No: 14/141,417**

Attorney Docket No: 86890-896757
(161020US)

Customer Number: 20350

Date of Electronic Notification: 10/13/2015

This is a courtesy reminder that new correspondence is available for this application. If you have not done so already, please review the correspondence. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

An email notification regarding the correspondence was sent to the following email address(es) associated with your customer number:

ipefiling@kilpatricktownsend.com

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To view your correspondence online or update your email addresses, please visit us anytime at **<https://sportal.uspto.gov/secure/myportal/privatepair>**.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/141,417	12/26/2013	Susumu YOSHIDA	86890-896757 (161020US)	6488
20350	7590	10/13/2015	EXAMINER	
KILPATRICK TOWNSEND & STOCKTON LLP			ZHAO, DAQUAN	
TWO EMBARCADERO CENTER			ART UNIT	
EIGHTH FLOOR			PAPER NUMBER	
SAN FRANCISCO, CA 94111-3834			2484	
			NOTIFICATION DATE	
			DELIVERY MODE	
			10/13/2015	
			ELECTRONIC	

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com

Office Action Summary	Application No. 14/141,417	Applicant(s) YOSHIDA ET AL.	
	Examiner DAQUAN ZHAO	Art Unit 2484	AIA (First Inventor to File) Status No

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/31/2015.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance 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.

Disposition of Claims*

- 5) ☒ Claim(s) 2-7 is/are pending in the application.
5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 2-7 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) ☐ All b) ☐ Some** c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date ____.
- 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 4) ☐ Other: ____.

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1. The present application is being examined under the pre-AIA first to invent provisions.

DETAILED ACTION

Terminal Disclaimer

2. The terminal disclaimer filed on 8/31/2015 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 8644684 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Response to Arguments

3. Applicant's arguments with respect to claims 2-7 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

Claim Rejections - 35 USC § 103

4. In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

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

Art Unit: 2484

(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.

5. Claims 2-7 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Volk et al (US 7512622) and further in view of Srinivasan et al (US 2001/0023436).

For claim 2, Volk et al teach an information processing apparatus for reproducing selected video information from among a plurality of video information stored in recording medium, the apparatus comprising:

an output unit configured to output a menu (e.g. figures 6-8) display for a user to select desired video information to be reproduced from among the plurality of video information stored in the recording medium (e.g. figure 11, column 12, lines 61-64, Mass Storage 1112); and

a reproducing unit configured to reproduce the selected video information from the recording medium, wherein a first area (e.g. figures 6-8, column 8, lines 37-44, region 601, 701) and a second area (e.g. figures 6-8, column 8, lines 63-67, region 801) are displayed with the menu display,

wherein the first area is configured to display a first indication association with video a first group of information for a first classification(e.g. figures 6-8,"news") and a second indication associated with a second group of video information for a second classification different from the first classification (e.g. figures 6-8, "Entertainment"),

wherein the second area is configured to display a thumbnail corresponding to video information stored in a recording medium (e.g. column 8,lines 63-67,

"...thumbnails of available episodes are shown..." or "title of the show" corresponds to the claimed "video information"),

wherein, when the first indication shown in the first area is selected, a first group of thumbnails corresponding to the first group of video information is displayed in the second area (e.g. column 8, lines 63-67, user selects e.g. "Entertainment" in region 601 cause the pull-down menu of 701 to be displayed, and "when a show has been selected in region 701. The title of the show is displayed in region 801 and thumbnails of available episodes are shown in regions 802-804),

wherein, when the second indication shown in the first area is selected, a second group of thumbnails corresponding to the second group of video information is displayed in the second area (e.g. column 8, lines 63-67, user selects e.g. "Entertainment" in region 601 cause the pull-down menu of 701 to be displayed, and "when a show has been selected in region 701. The title of the show is displayed in region 801 and thumbnails of available episodes are shown in regions 802-804), and

when the first indication shown in the first area is selected and when the second indication shown in the first area is selected (e.g. column 8, lines 63-67, user selects e.g. "Entertainment" in region 601 cause the pull-down menu of 701 to be displayed, and "when a show has been selected in region 701. The title of the show is displayed in region 801 and thumbnails of available episodes are shown in regions 802-804, figures 6-8, "news"),

Volk et al do not further disclose wherein video information included in both the first group of video information and the second group of video information is independently editable. Srinivasan et al teach video information included in both the first group of video information and the second group of video information is independently editable (e.g. paragraphs 44, 85, 182, "The author may use any of the editing functions described, including text annotation and display of time stamps..."). It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the teaching of Srinivasan et al into the teaching of Volk et al to edit the text title of the shows of Volk et al or to add annotations to the video information of Volk et al to perform authoring in near real-time such that delay of the broadcast video to the end user is negligible (e.g. Srinivasan et al, paragraph 85).

Claim 3 is rejected for the same reasons as discussed in claim 2 above.

For claims 4 and 6, Volk et al teach wherein a thumbnail corresponding to the video information included in both the first group of video information and the second group of video information is displayed in the second area in each case when the first indication shown in the first area is selected and when the second indication shown in the first area is elected (e.g. column 8, lines 63-67, user selects e.g. "Entertainment" in region 601 cause the pull-down menu of 701 to be displayed, and "when a show has been selected in region 701. The title of the show is displayed in region 801 and thumbnails of available episodes are shown in regions 802-804).

For claims 5 and 7, Volk et al teach wherein the first area is configured to display third indication different from first indication and second indication, wherein, when the

Art Unit: 2484

third indication shown in the first area is elected, thumbnails corresponding to the all video information stored in the recording medium are displayed in the second area (e.g. figure 6, "sports", also see above).

Applicant's amendment necessitated the new ground(s) of rejection presented in this office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEG § 706.07 (a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136 (a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing data of this action. In the event a first reply is filed within TWO MONTHS of the mailing data of this action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period. Then the shortened statutory period will expire on the data the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing data of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the data of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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 Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daquan Zhao

/Daquan Zhao/

Primary Examiner, Art Unit 2484

Notice of References Cited	Application/Control No. 14/141,417	Applicant(s)/Patent Under Reexamination YOSHIDA ET AL.	
	Examiner DAQUAN ZHAO	Art Unit 2484	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2001/0023436 A1	09-2001	SRINIVASAN et al.	709/219
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Search Notes 	Application/Control No. 14141417	Applicant(s)/Patent Under Reexamination YOSHIDA ET AL.
	Examiner DAQUAN ZHAO	Art Unit 2484

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner
h04n9/80 or g11b27/00 or h04n5/93 or h04n5/92	10/4/2015	dz

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
386	239,240,278,280,281,282,326,353	10/4/2015	dz

SEARCH NOTES		
Search Notes	Date	Examiner
USPAT; USPGPUB; USOCR; EPO; JPO; DERWENT; IBM_TDB	10/4/2015	DZ

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

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<i>Index of Claims</i> 	Application/Control No. 14141417	Applicant(s)/Patent Under Reexamination YOSHIDA ET AL.
	Examiner DAQUAN ZHAO	Art Unit 2484

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant				☐ CPA		☐ T.D.		☐ R.1.47	
CLAIM		DATE							
Final	Original	03/25/2015	10/04/2015						
	1	-	-						
	2	✓	✓						
	3	✓	✓						
	4		✓						
	5		✓						
	6		✓						
	7		✓						

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	699	edit\$5 near5 thumbnail same select\$5 same user	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/04 10:25
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L3	1	("7613383").PN.	USPAT; USOCR	OR	OFF	2015/10/04 10:30
L4	1	("8644684").PN.	USPAT; USOCR	OR	OFF	2015/10/04 10:35
L5	7	("20030063897" "20070022382" "6181870" "6470140" "6480669" "7257774").PN. OR ("8644684").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/10/04 10:36
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L7	476	1 not 6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/04 11:28
L8	2	("5637871" "5856931").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/10/04 12:04
L9	4731	(h04n9/80 or g11b27/00 or h04n5/93 or h04n5/92).CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/10/04 13:24
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L11	64	1 and (9 or 10)	US-PGPUB; USPAT;	OR	OFF	2015/10/04 13:25

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S4	0	("20070022382").PN.	USPAT; USOCR	OR	OFF	2015/03/24 10:26
S5	1	("20070022382").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 10:26
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S7	7795	thumbnail same user same (select\$5 or click\$5) same (area or GUI or interface near3 user)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 11:16
S8	5160	thumbnail same user same (select\$5 or click\$5) same (GUI or interface near3 user)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 11:22
S9	1217	thumbnail same user same (select\$5 or click\$5) same (GUI or interface near3 user) same video	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 11:22
S10	181	thumbnail same user same (select\$5 or click\$5) same (GUI or interface near3 user) same video same edit\$5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 11:28
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S13	780	fujita.in. and video	USPAT	OR	OFF	2015/03/24 13:18
S14	251	fujita.in. and video same time	USPAT	OR	OFF	2015/03/24 13:18

						13:18
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S19	181	thumbnail same user same (select\$5 or click\$5) same (GUI or interface near3 user) same video same edit\$5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 15:18
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S21	332	daquan near3 zhao	USPAT	OR	OFF	2015/03/24 17:33
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S24	10	("20010037430" "20030005442" "20030152366" "5995101" "6073108" "6389467" "6452609" "7020663" "7178106" "7457532").PN. OR ("8238713").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 17:39
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S26	7	("20050100308" "20050246740" "20080016089" "20080092168" "20090080930" "20090232472" "20100070510").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 17:44
S27	8	("20030031120" "20030177503" "20050008327" "20050166230" "5930446" "6408301" "6456321").PN. OR ("8041188").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 17:50
S28	6	("20010041049" "20020135607" "6285826" "6289165" "6728170" "6839504").PN. OR ("8036516").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2015/03/24 17:53
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S34	5160	thumbnail same user same (select\$5 or click\$5) same (GUI or interface near3 user)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 20:30
S35	111	S31 and S34	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 20:30
S36	4611	(h04n9/80 or g11b27/00 or h04n5/93 or h04n5/92).CPC.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 20:47
S37	5160	S34 and S34	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/24 20:48
S38	16	S34 and S36	US-PGPUB; USPAT; USOCR;	OR	OFF	2015/03/24 20:48

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
S39	2	"20140178042"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/25 10:16
S40	0	S39 and software	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/25 10:17
S41	0	S39 and CPU	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/25 10:17
S42	1	S39 and program	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/25 10:17

EAST Search History (Interference)

<This search history is empty>

10/ 4/ 2015 1:25:13 PM
C:\ Users\ dzhao1\ Documents\ EAST\ Workspaces\ 14141417.wsp

Application Number 	Application/Control No. 14/141,417	Applicant(s)/Patent under Reexamination YOSHIDA ET AL.	
Document Code - DISQ		Internal Document – DO NOT MAIL	

TERMINAL DISCLAIMER	☒ APPROVED	☐ DISAPPROVED
Date Filed : 8/31/15	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

Felicia D. Roberts

8,644,684



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/141,417	12/26/2013	Susumu YOSHIDA	86890-896757 (161020US)

CONFIRMATION NO. 6488

POA ACCEPTANCE LETTER



20350
KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

Date Mailed: 09/09/2015

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/31/2015.

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.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/fstephanos/

I hereby certify that this correspondence is being filed via
EFS-Web with the United States Patent and Trademark Office
on August 31, 2015.

PATENT
Attorney Docket No.: 86890-896757 (161020US)

KILPATRICK TOWNSEND & STOCKTON LLP

By: /Lily Sun/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Susumu Yoshida et al.

Application No.: 14/141,417

Filed: December 26, 2013

For: EDITING METHOD AND
RECORDING AND REPRODUCING
DEVICE

Customer No.: 20350

Confirmation No.: 6488

Examiner: Daquan Zhao

Technology Center/Art Unit: 2484

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

In response to the Office Action mailed March 31, 2015, please enter the
following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this
paper.

Remarks/Arguments begin on page 5 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

1. (Canceled)

2. (Currently Amended) An information processing apparatus for reproducing selected video information from among a plurality of video information stored in a recording medium, the apparatus comprising:

an output unit configured to output a menu display for a user to select desired video information to be reproduced from among the plurality of video information stored in the recording medium; and

a reproducing unit configured to reproduce the selected video information from the recording medium, wherein a first area and a second area are displayed within the menu display,

wherein the first area is configured to display **at least** a first indication associated with video **a first group of** information for a first classification and a second indication associated with **a second group of** video information for a second classification different from the first classification,

wherein the second area is configured to display a thumbnail **specifying arbitrary corresponding to** video information ~~from among the plurality of video information stored in a recording medium,~~

wherein, when the first indication shown in the first area is selected, ~~the thumbnail of the video information associated with the first indication~~ **a first group of thumbnails corresponding to the first group of video information** is displayed in the second area,

wherein, when the second indication shown in the first area is selected, ~~the thumbnail of the video information associated with the second indication~~ **a second group of thumbnails corresponding to the second group of video information** is displayed in the second area, and

wherein ~~the video information associated with both of the first indication and the second indication are~~ video information included in both the first group of video information and the second group of video information is independently editable in each case when the first indication shown in the first area is selected and when the second indication shown in the first area is selected.

3. (Currently Amended) A method of reproducing selected video information from among a plurality of video information stored in a recording medium, the method comprising:

displaying, on a display device, a user interface for a user to select desired video information to be reproduced from among the plurality of video information in the recording medium;

reproducing the selected video information from the recording medium, wherein a first area and a second area are displayed within a menu display,

wherein the first area is configured to display at least a first indication associated with a first group of video information for a first classification and a second indication associated with a second group of video information for a second classification different from the first classification, and

wherein the second area is configured to display a thumbnail ~~specifying arbitrary corresponding to~~ video information ~~from among the plurality of video information stored in a recording medium;~~

wherein, when the first indication shown in the first area is selected, displaying, in the second area, ~~the thumbnail of the video information associated with the first indication a~~ first group of thumbnails corresponding to the first group of video information;

wherein, when the second indication shown in the first area is selected, displaying, in the second area, ~~the thumbnail of the video information associated with the second indication~~ a second group of thumbnails corresponding to the second group of video information, and

wherein ~~the video information associated with both of the first indication and the second indication are~~ video information included in both the first group of video information and the second group of video information is independently editable in each

case when the first indication shown in the first area is selected and when the second indication shown in the first area is selected.

4. (New) The information processing apparatus according to claim 2, wherein a thumbnail corresponding to the video information included in both the first group of video information and the second group of video information is displayed in the second area in each case when the first indication shown in the first area is selected and when the second indication shown in the first area is selected.

5. (New) The information processing apparatus according to claim 2, wherein the first area is configured to display third indication different from the first indication and the second indication, wherein, when the third indication shown in the first area is selected, thumbnails corresponding to the all video information stored in the recording medium are displayed in the second area.

6. (New) The information processing apparatus according to claim 3, wherein a thumbnail corresponding to the video information included in both the first group of video information and the second group of video information is displayed in the second area in each case when the first indication shown in the first area is selected and when the second indication shown in the first area is selected.

7. (New) The information processing apparatus according to claim 3, wherein the first area is configured to display third indication different from the first indication and the second indication, wherein, when the third indication shown in the first area is selected, thumbnails corresponding to the all video information stored in the recording medium are displayed in the second area.

REMARKS/ARGUMENTS

Status of the Claims

Upon entry of the present amendment, claims 2-7 will be pending in this application. Claims 2-3 have been amended, and claims 4-7 have been added. No new matter is added. Based on the following remarks, Applicant respectfully requests reconsideration and allowance of the pending claims.

Claim Rejections - 35 USC § 102

Claims 2-3 are rejected under pre-AIA 35 U.S.C. 102(e) as being anticipated by Volk et al., U.S. Patent No. 7,512,622 (“Volk”).

Applicants submit that claim 2, as amended, recites that the video information included in both the first group and the second group is independently editable when either of the first indication and the second indication is selected. With this configuration, even when more than one user share single video information, management for each of the users remains possible and usability of the apparatus can be improved.

In contrast, Volk discloses only user interface to select contents distributed through the network. Although the Office Action has stated that the update of the information described in column 9, lines 10-25 of Volk with regard to the above feature recited in the claimed invention, this discloses only address update of the information on the selected items. In other words, Volk lacks the disclosure of “video information included in both the first group and the second group”. Further, Volk does not describe the feature of “video information included in the both groups is independently editable when either of the first and second indications is selected”.

Therefore, for at least these reasons, Applicants submit that Volk fails to anticipate claims 2-3 and their dependent claims. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Double Patenting

Claims 2-3 are rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-2 of U.S. Patent No. 8,644,684. A terminal disclaimer has been filed

herewith, thus obviating this rejection. Accordingly, Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Except for the issue fees payable under 37 C.F.R. § 1.18, the Director is authorized to charge any additional fees during pendency of this application, including any required extension of time fees, or credit any overpayment to Deposit Account Number 20-1430. This paragraph is intended to be a constructive petition for extension of time in accordance with 37 C.F.R. § 1.136(a)(3).

If the Examiner believes a telephone conference would expedite prosecution of this application, please contact the undersigned at 303 405 8522 or CGray@KilpatrickTownsend.com.

Respectfully submitted,

/ Charles W. Gray /
Charles W. Gray
Registration No. 61,345

KILPATRICK TOWNSEND & STOCKTON LLP

CWG/lsum

67666852V.1

**TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

86890-896757 (161020US)

In re Application of: Susumu YOSHIDA et al.

Application No.: 14/141,417

Filed: December 26, 2013

For: Editing Method and Recording and Reproducing Device

The applicant, HITACHI, LTD., owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 8,644,684 as the term of said **prior patent** is presently shortened by any terminal disclaimer. The applicant hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the applicant does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

expires for failure to pay a maintenance fee;

is held unenforceable;

is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

is reissued; or

is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ The undersigned is the applicant. If the applicant is an assignee, the undersigned is authorized to act on behalf of the assignee.

I hereby acknowledge that any willful false statements made are punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 61,345

/Charles W. Gray/

Signature

2015-08-31

Date

Charles W. Gray

Typed or printed name

Attorney

Title

303-405-8522

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal

Application Number:	14141417			
Filing Date:	26-Dec-2013			
Title of Invention:	Editing Method and Recording and Reproducing Device			
First Named Inventor/Applicant Name:	Susumu YOSHIDA			
Filer:	Charles W. Gray/Lily Sun			
Attorney Docket Number:	86890-896757 (161020US)			
Filed as Large Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Maxell, Ltd.

Ex. 2014

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 2 months with \$0 paid	1252	1	600	600
Miscellaneous:				
Statutory or Terminal Disclaimer	1814	1	160	160
Total in USD (\$)				760

Electronic Acknowledgement Receipt

EFS ID:	23351042
Application Number:	14141417
International Application Number:	
Confirmation Number:	6488
Title of Invention:	Editing Method and Recording and Reproducing Device
First Named Inventor/Applicant Name:	Susumu YOSHIDA
Customer Number:	20350
Filer:	Charles W. Gray/Lily Sun
Filer Authorized By:	Charles W. Gray
Attorney Docket Number:	86890-896757 (161020US)
Receipt Date:	31-AUG-2015
Filing Date:	26-DEC-2013
Time Stamp:	05:40:11
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$760
RAM confirmation Number	8211
Deposit Account	
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Maxell, Ltd.

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Page 197 of 284

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		Amendment.pdf	117656	yes	7
			2a940a3c24aec15e5146f24f525fea654157a1d1		
	Multipart Description/PDF files in .zip description				
	Document Description		Start		End
	Amendment/Req. Reconsideration-After Non-Final Reject		1		1
	Claims		2		4
	Applicant Arguments/Remarks Made in an Amendment		5		7
Warnings:					
Information:					
2	Power of Attorney	Signed_POA.pdf	6120788	no	3
			50a9be37e4ad60795cf11b54b2f7b89b63a6b902		
Warnings:					
Information:					
3	Assignee showing of ownership per 37 CFR 3.73	373_Statement.pdf	80894	no	3
			986175196aa57c730200fcb850875f278f008186		
Warnings:					
Information:					
4	Terminal Disclaimer Filed	Terminal_Disclaimer.pdf	131703	no	2
			68ca6a34b707d280bbc63e13bc0edb6d6a2d3fe5		
Warnings:					
Information:					
5	Fee Worksheet (SB06)	fee-info.pdf	32544	no	2
			1f77ee91e5bafb6ada1ee19a92d4e509c2af0578		
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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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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.

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申請番号 Application Number	14/141417
出願日 Filing Date	December 26, 2013
発明者代表名 First Named Inventor	Susumu YOSHIDA
肩書き Title	EDITING METHOD AND RECORDING AND REPRODUCING DEVICE
技術単位 Art Unit	Not Yet Known
検査官番号 Examiner Name	Not Yet Known
特許弁護士件名整理番号 Attorney Docket Number	Not Yet Known

出願者あるいは特許弁護士の署名
SIGNATURE of Applicant or Patent Practitioner

署名 Signature	日付 Date
姓名 Name	電話 Telephone
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出願者による委任状
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私はここと、添付の伝送書中に同定されている出願書中の、以前のすべての委任状はこれを破棄する。
I hereby revoke all previous powers of attorney given in the application identified in the attached transmittal letter.

☒ 私は下記の顧客番号に関連した特許弁護士を、私/私たちの弁護士あるいは代理人と指名し、添付の伝送書（(書式PTO/AIA/82A あるいはその同等書類)に記載されている出願に関連した米国特許商標局に対するすべての必要事項を遂行なさしめる。
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あるいは
OR

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I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A or equivalent):

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[1/2]

[Page 1 of 2]

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出願者による委任状

POWER OF ATTORNEY BY APPLICANT

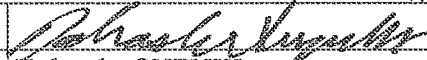
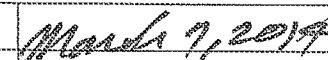
私は出願者であり:

I am the Applicant:

- ☐ 発明者あるいは共同発明者である
Inventor or Joint Inventor
- ☐ 死亡、あるいは禁治産者とされた発明者の法的代理人である
Legal Representative of a Deceased or Legally Incapacitated Inventor
- ☒ 被譲渡人あるいは発明者が譲渡する義務を負う人物である
Assignee or Person to Whom the Inventor is Under an Obligation to Assign
- 別面において十分な独占的所有権 (たとえば出願のなかで 37 CFR 1.46(b)(2) のもとにおける請願が出願のなかで受理された、あるいは本書類とともに申請がなされた場合) を有することを示した人物である)
Person Who Otherwise Shows Sufficient *Proprietary* Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document)

特許出願人の署名

SIGNATURE of Applicant for Patent

署名 Signature		日付 Date	
姓名 Name	Takashi SUZUKI	電話 Telephone	
肩書きおよび会社 Title and Company	Corporate Officer, General Manager, Intellectual Property Division (Authorized Signing Officer) Hitachi, Ltd.		

注記: 署名: 本書式は 37 CFR 1.33 にのっとり、出願者あるいは出願者の代理人の署名がなされていなければならない。署名およびその証明必要条件については 37 CFR 1.4 を参照のこと。署名がひとつ以上ある場合はその数の書式を提出すること。下記参照*。

NOTE: Signature - This form must be signed by the applicant or applicant's representative in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms for more than one signature, see below*.

- ☐ *提出書式の合計数は _____ である。
- ☐ *Total of _____ forms are submitted.

[2/2]

[Page 2 of 2]

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(c)Applicant/Patent Owner: HITACHI, LTD.Application No./Patent No.: 14/141,417 Filed/Issue Date: December 26, 2013Titled: EDITING METHOD AND RECORDING AND REPRODUCING DEVICEHITACHI, LTD., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose one of options 1, 2, 3 or 4 below):

1. ☒ The assignee of the entire right, title, and interest.
2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):
- ☐ The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.
- ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (e.g., bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose one of options A or B below):

- 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 023038, Frame 0307, or for which a copy thereof is attached.
- 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.

[Page 1 of 2]

This collection of information is required by 37 CFR 3.73(b). 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 take 12 minutes 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.**

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STATEMENT UNDER 37 CFR 3.73(c)

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.

4. 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.

5. 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.

6. 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(c)(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.

/Charles W. Gray/

2015-08-31

Signature

Date

Charles W. Gray

61,345

Printed or Typed Name

Title or Registration Number

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 14/141,417	Filing Date 12/26/2013	☐ To be Mailed
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 ENTITY: ☒ LARGE ☐ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	(Column 1)	(Column 2)	(Column 3)	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	08/31/2015	CLAIMS REMAINING AFTER AMENDMENT					
	Total (37 CFR 1.16(i))	* 6	Minus	** 20	= 0	X \$80 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0	X \$420 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
TOTAL ADD'L FEE							0

AMENDMENT	(Column 1)	(Column 2)	(Column 3)	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
		CLAIMS REMAINING AFTER AMENDMENT					
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =	
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
TOTAL ADD'L FEE							

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

 LIE
/PATRICIA WARNER/

This collection of information is required by 37 CFR 1.16. 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 1.14. This collection is estimated to take 12 minutes 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.**

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/141,417	12/26/2013	Susumu YOSHIDA	86890-161020US	6488
20350	7590	03/31/2015	EXAMINER	
KILPATRICK TOWNSEND & STOCKTON LLP			ZHAO, DAQUAN	
TWO EMBARCADERO CENTER			ART UNIT	
EIGHTH FLOOR			PAPER NUMBER	
SAN FRANCISCO, CA 94111-3834			2484	
			NOTIFICATION DATE	
			DELIVERY MODE	
			03/31/2015	
			ELECTRONIC	

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com

Office Action Summary	Application No. 14/141,417	Applicant(s) YOSHIDA ET AL.	
	Examiner DAQUAN ZHAO	Art Unit 2484	AIA (First Inventor to File) Status No

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/13/2014.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance 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.

Disposition of Claims*

- 5) ☒ Claim(s) 2 and 3 is/are pending in the application.
5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 2-3 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☒ The drawing(s) filed on 12/26/2013 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) ☒ All b) ☐ Some** c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date ____.
- 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 4) ☐ Other: ____.

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1. The present application is being examined under the pre-AIA first to invent provisions.

DETAILED ACTION

Claim Rejections - 35 USC § 102

2. In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

3. The following is a quotation of the appropriate paragraphs of pre-AIA 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 –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 2-3 are rejected under pre-AIA 35 U.S.C. 102e as being anticipated by Volk et al (US 7512622).

For claim 2, Volk et al teach an information processing apparatus for reproducing selected video information from among a plurality of video information stored in recording medium, the apparatus comprising:

an output unit configured to output a menu (e.g. figures 6-8) display for a user to select desired video information to be reproduced from among the plurality of video information stored in the recording medium (e.g. figure 11, column 12, lines 61-64, Mass Storage 1112); and

a reproducing unit configured to reproduce the selected video information from the recording medium, wherein a first area (e.g. figures 6-8, column 8, lines 37-44, region 601, 701) and a second area (e.g. figures 6-8, column 8, lines 63-67, region 801) are displayed with the menu display,

wherein the first area is configured to display a first indication association with video information for a first classification(e.g. figures 6-8,“news”) and a second indication associated with video information for a second classification different from the first classification (e.g. figures 6-8, "Entertainment"),

wherein the second area is configured to display a thumbnail specifying arbitrary video information from among the plurality of video information (e.g. column 8,lines 63-67, “...thumbnails of available episodes are shown...”),

wherein, when the first indication shown in the first area is selected, the thumbnail of the video information associated with the first indication is displayed in the second area (e.g. column 8, lines 63-67, user selects e.g. “Entertainment” in region 601 cause the pull-down menu of 701 to be displayed, and "when a show has been selected in region 701. The title of the show is displayed in region 801 and thumbnails of available episodes are shown in regions 802-804),

wherein, when the second indication shown in the first area is selected, the thumbnail of the video information associated with the second indication is displayed in the second area (e.g. column 8, lines 63-67, user selects e.g. "Entertainment" in region 601 cause the pull-down menu of 701 to be displayed, and "when a show has been selected in region 701. The title of the show is displayed in region 801 and thumbnails of available episodes are shown in regions 802-804), and

wherein the video information associated with both of the first indication and the second indication are independently editable (e.g. column 9, lines 10-25, "update", the number of shows available must be different, for example, under the category of "Entertainment", new shows or episodes should be added by the system to area 701 of figure 7 as the new shows or episodes become available).

Claim 3 is rejected for the same reasons as discussed in claim 2 above.

Double Patenting

5. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory double patenting rejection is appropriate where the claims at issue are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d

1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the reference application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

The USPTO internet Web site contains terminal disclaimer forms which may be used. Please visit <http://www.uspto.gov/forms/>. The filing date of the application will determine what form should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to <http://www.uspto.gov/patents/process/file/efs/guidance/eTD-info-I.jsp>.

6. Claims 2-3 are rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-2 of U.S. Patent No. 8,644,684. Although the claims at issue are not identical, they are not patentably distinct from each other because the instant application claims broader in every aspect than the patent claim and is therefore an obvious variant thereof.

For claim 2 of the instant application, the Patent teaches an information processing apparatus for reproducing selected video information from among a plurality of video information stored in recording medium (e.g. see preamble of claim 1 of the Patent), the apparatus comprising:

an output unit configured to output a menu display for a user to select desired video information to be reproduced from among the plurality of video information stored in the recording medium (e.g. claim 1 of the Patent teaches "an output mean for outputting a menu display for a user to select desired video information to be reproduced from among the plurality of video information in the recording medium"); and

a reproducing unit configured to reproduce the selected video information from the recording medium, wherein a first area and a second area are displayed with the menu display (e.g. claim 1 of the Patent teaches "a reproducing means for reproducing the selected video information from the recording medium, wherein a first area and a second area are displayed within the menu display..."),

wherein the first area is configured to display a first indication association with video information for a first classification and a second indication associated with video information for a second classification different from the first classification (e.g. claim 1 of the Patent, "...wherein the first area is configured to display at least first tags associated with video information or play list information for a first user and second tags associated with video information or play list information for a second user different from the first user..."),

wherein the second area is configured to display a thumbnail specifying arbitrary video information from among the plurality of video information (e.g. claim 1 of the Patent, "...wherein the second area is configured to display a thumbnail specifying arbitrary video information..."),

wherein, when the first indication shown in the first area is selected, the thumbnail of the video information associated with the first indication is displayed in the second area (e.g. claim 1 of the Patent, "when one of the first tags shown in the first area is selected, the video information or the thumbnail of the playlist information associated with the selected tag is displayed in the second area"),

wherein, when the second indication shown in the first area is selected, the thumbnail of the video information associated with the second indication is displayed in the second area (e.g. claim 1 of the Patent, "when one of the first tags shown in the first area is selected, the video information or the thumbnail of the playlist information associated with the selected tag is displayed in the second area"), and

wherein the video information associated with both of the first indication and the second indication are independently editable (e.g. claim 1 of the Patent, "the video information or the playlist information associated with both of the first tags and the second tags are independently editable").

Claim 3 of the instant application is corresponding to claim 2 of the patent as discussed above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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 Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daquan Zhao

/Daquan Zhao/

Primary Examiner, Art Unit 2484

Notice of References Cited	Application/Control No. 14/141,417		Applicant(s)/Patent Under Reexamination YOSHIDA ET AL.	
	Examiner DAQUAN ZHAO		Art Unit 2484	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-7,512,622 B2	03-2009	Volk et al.	1/1
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



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BIB DATA SHEET

CONFIRMATION NO. 6488

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.		
14/141,417	12/26/2013	386	2484	86890-161020US		
RULE						
APPLICANTS Hitachi, Ltd., Tokyo, JAPAN, Assignee (with 37 CFR 1.172 Interest); INVENTORS Susumu YOSHIDA, Kawasaki, JAPAN; Junji Shiokawa, Chigasaki, JAPAN; Hiroo Okamoto, Yokohama, JAPAN; ** CONTINUING DATA ***** This application is a CON of 12/567,898 09/28/2009 PAT 8644684 which is a CON of 11/203,457 08/11/2005 PAT 7613383 ** FOREIGN APPLICATIONS ***** JAPAN 2004-349264 12/02/2004 JAPAN 2004-378768 12/28/2004 JAPAN 2004-378767 12/28/2004 ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 01/09/2014						
Foreign Priority claimed ☒ Yes ☐ No 35 USC 119(a-d) conditions met ☒ Yes ☐ No Verified and Acknowledged <u>/DAQUAN ZHAO/</u> Examiner's Signature		☐ Met after Allowance Initials	STATE OR COUNTRY JAPAN	SHEETS DRAWINGS 9	TOTAL CLAIMS 1	INDEPENDENT CLAIMS 1
ADDRESS KILPATRICK TOWNSEND & STOCKTON LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834 UNITED STATES						
TITLE Editing Method and Recording and Reproducing Device						
FILING FEE RECEIVED 1740	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:			☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit		

Search Notes 	Application/Control No. 14141417	Applicant(s)/Patent Under Reexamination YOSHIDA ET AL.
	Examiner DAQUAN ZHAO	Art Unit 2484

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner
h04n9/80 or g11b27/00 or h04n5/93 or h04n5/92	3/25/2015	dz

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
386	239,240,278,280,281,282,326,353	3/25/2015	dz

SEARCH NOTES		
Search Notes	Date	Examiner
USPAT; USPGPUB; USOCR; EPO; JPO; DERWENT; IBM_TDB	3/25/2015	DZ

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

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<i>Index of Claims</i> 	Application/Control No. 14141417	Applicant(s)/Patent Under Reexamination YOSHIDA ET AL.
	Examiner DAQUAN ZHAO	Art Unit 2484

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant		☐ CPA		☐ T.D.		☐ R.1.47			
CLAIM		DATE							
Final	Original	03/25/2015							
	1	-							
	2	✓							
	3	✓							

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
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L2	0	1 and software	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/25 10:17
L3	0	1 and CPU	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/25 10:17
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S2	1	(12/257898).APP.	USPAT; USOCR	OR	OFF	2015/03/23 17:23
S3	1	("8644684").PN.	USPAT; USOCR	OR	OFF	2015/03/23 17:24
S4	0	("20070022382").PN.	USPAT; USOCR	OR	OFF	2015/03/24 10:26
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S7	7795	thumbnail same user same (select\$5 or click\$5) same (area or GUI or interface near3 user)	US-PGPUB; USPAT; USOCR;	OR	OFF	2015/03/24 11:16

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Ex. 2014

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
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S14	251	fujita.in. and video same time	USPAT	OR	OFF	2015/03/24 13:18
S15	58	fujita.in. and video same time and edit\$3	USPAT	OR	OFF	2015/03/24 13:18
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Ex. 2014

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EAST Search History (I nterference)

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/141,417	12/26/2013	Susumu YOSHIDA	86890-161020US

CONFIRMATION NO. 6488

PUBLICATION NOTICE



OC00000069310814

20350
KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

Title:Editing Method and Recording and Reproducing Device

Publication No.US-2014-0178042-A1

Publication Date:06/26/2014

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

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PATENT
Attorney Docket No.: 86890-896757 (161020US)
Client Ref. No.: W2496-03EO

KILPATRICK TOWNSEND & STOCKTON LLP

By: /Lily Sun/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Susumu Yoshida et al.

Application No.: 14/141,417

Filed: December 26, 2013

For: EDITING METHOD AND
RECORDING AND REPRODUCING
DEVICE

Customer No.: 20350

Confirmation No.: 6488

Examiner:

Technology Center/Art Unit: 3714

PRELIMINARY AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Prior to examination of the above-referenced application, please enter the
following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this
paper.

Remarks/Arguments begin on page 4 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

1. (Canceled)

2. (New) An information processing apparatus for reproducing selected video information from among a plurality of video information stored in a recording medium, the apparatus comprising:

an output unit configured to output a menu display for a user to select desired video information to be reproduced from among the plurality of video information stored in the recording medium; and

a reproducing unit configured to reproduce the selected video information from the recording medium, wherein a first area and a second area are displayed within the menu display,

wherein the first area is configured to display a first indication associated with video information for a first classification and a second indication associated with video information for a second classification different from the first classification,

wherein the second area is configured to display a thumbnail specifying arbitrary video information from among the plurality of video information,

wherein, when the first indication shown in the first area is selected, the thumbnail of the video information associated with the first indication is displayed in the second area,

wherein, when the second indication shown in the first area is selected, the thumbnail of the video information associated with the second indication is displayed in the second area, and

wherein the video information associated with both of the first indication and the second indication are independently editable.

3. (New) A method of reproducing selected video information from among a plurality of video information stored in a recording medium, the method comprising:

displaying, on a display device, a user interface for a user to select desired video information to be reproduced from among the plurality of video information in the recording medium;

reproducing the selected video information from the recording medium, wherein a first area and a second area are displayed within a menu display, wherein the first area is configured to display a first indication associated with video information for a first classification and a second indication associated with video information for a second classification different from the first classification, and wherein the second area is configured to display a thumbnail specifying arbitrary video information from among the plurality of video information;

wherein, when the first indication shown in the first area is selected, displaying, in the second area, the thumbnail of the video information associated with the first indication;

wherein, when the second indication shown in the first area is selected, displaying, in the second area, the thumbnail of the video information associated with the second indication, and wherein the video information associated with both of the first indication and the second indication are independently editable.

REMARKS/ARGUMENTS

Upon entry of the present amendment, claims 2-3 will be pending in this application. Claim 1 has been cancelled, and new claims 2-3 have been added. No new matter is added.

Prosecution on the merits is respectfully requested.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Except for the issue fees payable under 37 C.F.R. § 1.18, the Director is authorized to charge any additional fees during pendency of this application, including any required extension of time fees, or credit any overpayment to Deposit Account Number 20-1430. This paragraph is intended to be a constructive petition for extension of time in accordance with 37 C.F.R. § 1.136(a)(3).

If the Examiner believes a telephone conference would expedite prosecution of this application, please contact the undersigned at 303 405 8522 or CGray@KilpatrickTownsend.com.

Respectfully submitted,

/Charles W. Gray/

Charles W. Gray

Registration No. 61,345

KILPATRICK TOWNSEND & STOCKTON LLP

CWG/lsun

66281268V.1

Electronic Acknowledgement Receipt

EFS ID:	19024945
Application Number:	14141417
International Application Number:	
Confirmation Number:	6488
Title of Invention:	Editing Method and Recording and Reproducing Device
First Named Inventor/Applicant Name:	Susumu YOSHIDA
Customer Number:	20350
Filer:	Charles W. Gray/Lily Sun
Filer Authorized By:	Charles W. Gray
Attorney Docket Number:	86890-161020US
Receipt Date:	13-MAY-2014
Filing Date:	26-DEC-2013
Time Stamp:	22:54:33
Application Type:	Utility under 35 USC 111(a)

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		PA.pdf	89280 9b62e56d145d40c8595ed61647095152e6bbb041	yes	5

	Multipart Description/PDF files in .zip description		
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	Preliminary Amendment	1	1
	Claims	2	3
	Applicant Arguments/Remarks Made in an Amendment	4	5
Warnings:			
Information:			
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 14/141,417		Filing Date 12/26/2013		☐ To be Mailed			
ENTITY: ☒ LARGE ☐ SMALL ☐ MICRO												
APPLICATION AS FILED – PART I												
(Column 1)			(Column 2)									
FOR		NUMBER FILED		NUMBER EXTRA		RATE (\$)		FEE (\$)				
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A		N/A		N/A						
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A		N/A		N/A						
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A		N/A		N/A						
TOTAL CLAIMS (37 CFR 1.16(i))		minus 20 =		*		X \$ =						
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =		*		X \$ =						
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).										
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))												
* If the difference in column 1 is less than zero, enter "0" in column 2.						TOTAL						
APPLICATION AS AMENDED – PART II												
(Column 1)			(Column 2)			(Column 3)						
AMENDMENT	05/13/2014		CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)		ADDITIONAL FEE (\$)	
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	Independent (37 CFR 1.16(h))		* 2		Minus	*** 3	= 0		X \$420 =		0	
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	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))											
									TOTAL ADD'L FEE		0	
(Column 1)			(Column 2)			(Column 3)						
AMENDMENT			CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)		ADDITIONAL FEE (\$)	
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	☐ Application Size Fee (37 CFR 1.16(s))											
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))											
									TOTAL ADD'L FEE			
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.												

LIE
/ANGELONA JONES/

This collection of information is required by 37 CFR 1.16. 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 1.14. This collection is estimated to take 12 minutes 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.

Maxell, Ltd.

Ex. 2014

Page 232 of 284

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 14/141,417				
APPLICATION AS FILED - PART I										
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY				
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)			
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	280			
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A			N/A	600			
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	720			
TOTAL CLAIMS (37 CFR 1.16(j))	1	minus 20 = *			OR	x 80 =	0.00			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1	minus 3 = *				x 420 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s)) If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							0.00			
							0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0.00			
			TOTAL			TOTAL	1600			
* If the difference in column 1 is less than zero, enter "0" in column 2.										
APPLICATION AS AMENDED - PART II										
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY		
AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	x	=	OR	x	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x	=	OR	x	=
	Application Size Fee (37 CFR 1.16(s))							OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	x	=	OR	x	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x	=	OR	x	=
	Application Size Fee (37 CFR 1.16(s))							OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.										



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United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
14/141,417	12/26/2013	3714	1740	86890-161020US	1	1

CONFIRMATION NO. 6488

UPDATED FILING RECEIPT



20350
KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

Date Mailed: 03/21/2014

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Susumu YOSHIDA, Kawasaki, JAPAN;
Junji Shiokawa, Chigasaki, JAPAN;
Hiroo Okamoto, Yokohama, JAPAN;

Applicant(s)

Hitachi, Ltd., Tokyo, JAPAN

Assignment For Published Patent Application

Hitachi, Ltd., Tokyo, JAPAN

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 12/567,898 09/28/2009 PAT 8644684
which is a CON of 11/203,457 08/11/2005 PAT 7613383

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.)

JAPAN 2004-349264 12/02/2004

JAPAN 2004-378768 12/28/2004

JAPAN 2004-378767 12/28/2004

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

Request to Retrieve - This application either claims priority to one or more applications filed in an intellectual property Office that participates in the Priority Document Exchange (PDX) program or contains a proper **Request to Retrieve Electronic Priority Application(s)** (PTO/SB/38 or its equivalent). Consequently, the USPTO will attempt to electronically retrieve these priority documents.

If Required, Foreign Filing License Granted: 01/09/2014

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/141,417**

Projected Publication Date: 06/26/2014

Non-Publication Request: No

Early Publication Request: No
Title

Editing Method and Recording and Reproducing Device

Preliminary Class

463

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION

USING AN APPLICATION DATA SHEET (37 CFR 1.76)

発明の名称

Title of Invention

EDITING METHOD AND RECORDING AND
REPRODUCING DEVICE

下記発明者である私は、つぎのことがらを宣言します。

As the below named inventor, I hereby declare that:

本宣言は

This declaration is directed to:



添付されている、あるいは

The attached application, or

に、米国出願あるいは PCT 国際出願番号 として出願されているものに



宛てられています。

United States application or PCT international application

number

14/141417

filed on

December 26, 2013

上記の出願は私自身、あるいは私が権限を譲与したものによって行われたものです。

The above-identified application was made or authorized to be made by me.

私は本出願書中にあらわれるもとの発明者、あるいはもとの共同発明者です。

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

私は本宣言書において故意に虚偽の申し立てを行った場合は 18 U.S.C. 1001 により、罰金あるいは最高五(5)年の禁固刑、あるいはその両方による罰則の対象となることを認めます。

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私は、特許請求の範囲を含む上記の明細書を確認し内容を理解しています。

I have reviewed and understand the contents of the above-identified application, including the claims.

私は、連邦規則法典第 37 編規則 1.56 に定義されている、特許性について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

発明者の正式氏名:

LEGAL NAME OF INVENTOR:

SUSUMU YOSHIDA

署名:

Signature:

Susumu Yoshida

日付(任意):

Date (Optional):

Feb. 17, 2014

備考: 出願データシート(PTO/AIA/14 あるいはその同等用紙)は、発明の自主独立体全体の命名を含め、本用紙に添付すること。なお残余の発明者ごとにこの用紙の写しを使用する。

Note: An application data sheet (PTO/AIA/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional copy of the present form for each additional inventor.

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)

発明の名称

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_____に、米国出願あるいは PCT 国際出願番号 _____として出願されているものに



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United States application or PCT international application

number

14/141417

filed on

December 26, 2013

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I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

発明者の正式氏名:

LEGAL NAME OF INVENTOR:

JUNJI SHIOKAWA

署名:

Signature:

Junji Shiohawa

日付(任意):

Date (Optional):

Feb. 25, 2014

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Note: An application data sheet (PTO/AIA/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional copy of the present form for each additional inventor.

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申請データシート(37 CFR 1.76)を使った実用及び意匠登録出願宣言書(37 CFR 1.63)

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)

発明の名称

Title of Invention

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REPRODUCING DEVICE

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_____に、米国出願あるいは PCT 国際出願番号 _____として出願されているものに



宛てられています。

United States application or PCT international application

number 14/141417 filed on December 26, 2013

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I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

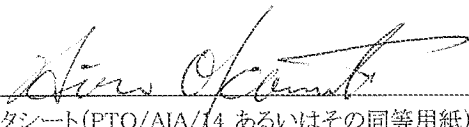
発明者の正式氏名:

LEGAL NAME OF INVENTOR:

HIROO OKAMOTO

署名:

Signature:



日付(任意):

Date (Optional):

Feb. 25, 2014

備考: 出願データシート(PTO/AIA/14 あるいはその同等用紙)は、発明の自主独立体全体の命名を含め、本用紙に添付すること。なお残余の発明者ごとにこの用紙の写しを使用する。

Note: An application data sheet (PTO/AIA/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional copy of the present form for each additional inventor.

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Electronic Acknowledgement Receipt

EFS ID:	18397339
Application Number:	14141417
International Application Number:	
Confirmation Number:	6488
Title of Invention:	Editing Method and Recording and Reproducing Device
First Named Inventor/Applicant Name:	Susumu YOSHIDA
Customer Number:	20350
Filer:	Charles W. Gray/Lily Sun
Filer Authorized By:	Charles W. Gray
Attorney Docket Number:	86890-161020US
Receipt Date:	06-MAR-2014
Filing Date:	26-DEC-2013
Time Stamp:	21:42:16
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Oath or Declaration filed	Signed_Declaration.pdf	1574541 d4ab5436b24dbbbbe93da116a28ca6c07b2cc108	no	3

Warnings:

Information:

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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 Patent Application Fee Transmittal

Application Number:	14141417			
Filing Date:	26-Dec-2013			
Title of Invention:	Editing Method and Recording and Reproducing Device			
First Named Inventor/Applicant Name:	Susumu YOSHIDA			
Filer:	Charles W. Gray/Lily Sun			
Attorney Docket Number:	86890-161020US			
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility application filing	1011	1	280	280
Utility Search Fee	1111	1	600	600
Utility Examination Fee	1311	1	720	720
Pages:				
Claims:				
Miscellaneous-Filing:				
Late Filing Fee for Oath or Declaration	1051	1	140	140
Petition:				

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Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1740

Electronic Acknowledgement Receipt

EFS ID:	18052576
Application Number:	14141417
International Application Number:	
Confirmation Number:	6488
Title of Invention:	Editing Method and Recording and Reproducing Device
First Named Inventor/Applicant Name:	Susumu YOSHIDA
Customer Number:	20350
Filer:	Charles W. Gray/Lily Sun
Filer Authorized By:	Charles W. Gray
Attorney Docket Number:	86890-161020US
Receipt Date:	28-JAN-2014
Filing Date:	26-DEC-2013
Time Stamp:	21:49:34
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 1740
RAM confirmation Number	9794
Deposit Account	201430
Authorized User	GRAY, CHARLES

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

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Page 245 of 284

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Fee Worksheet (SB06)	fee-info.pdf	36756	no	2
			c52043278a7662440c3683ef5e00cfaef63da0ac		

Warnings:

Information:

Total Files Size (in bytes):

36756

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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

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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/141,417	12/26/2013	Susumu YOSHIDA	86890-161020US

CONFIRMATION NO. 6488

FORMALITIES LETTER



20350
KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

Date Mailed: 01/10/2014

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$280 to complete the basic filing fee for an undiscounted entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27) or make a certification of entitlement to micro entity status and pay the micro entity filing fee (37 CFR 1.29).

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A surcharge as set forth in 37 CFR 1.16(f) was not received.
The surcharge is due for any one of:
 - late submission of the basic filing fee, search fee, or examination fee,
 - late submission of inventor's oath or declaration,
 - filing an application that does not contain at least one claim on filing, or
 - submission of an application filed by reference to a previously filed application.

SUMMARY OF FEES DUE:

The fee(s) required within **TWO MONTHS** from the date of this Notice to avoid abandonment is/are:

- \$ 280 application filing fee.
- \$ 140 surcharge.
- \$ 600 application search fee.
- \$ 720 application examination fee.
- \$(0.00) Previous Payment Amount.
- \$ 1740 TOTAL FEE BALANCE DUE.

Items Required To Avoid Processing Delays:

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

- A properly executed inventor's oath or declaration has not been received for the following inventor(s):
Susumu YOSHIDA
Junji Shiokawa
Hiroo Okamoto

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

Replies should be mailed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web, including a copy of this Notice and selecting the document description "Applicant response to Pre-Exam Formalities Notice".
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/mabebe/

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 14/141,417			
APPLICATION AS FILED - PART I									
(Column 1)		(Column 2)		SMALL ENTITY		OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)	OR	RATE(\$)	FEE(\$)		
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	280		
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A			N/A	600		
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	720		
TOTAL CLAIMS (37 CFR 1.16(j))	1	minus 20 = *			OR	x 80 =	0.00		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1	minus 3 = *				x 420 =	0.00		
APPLICATION SIZE FEE (37 CFR 1.16(s)) If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							0.00		
							0.00		
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0.00		
			TOTAL			TOTAL	1600		
* If the difference in column 1 is less than zero, enter "0" in column 2.									
APPLICATION AS AMENDED - PART II									
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OTHER THAN SMALL ENTITY	
AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)	RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	x	=	OR	x
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x	=	OR	x
	Application Size Fee (37 CFR 1.16(s))							OR	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR	
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)	RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	x	=	OR	x
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x	=	OR	x
	Application Size Fee (37 CFR 1.16(s))							OR	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR	
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.									



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
14/141,417	12/26/2013	3714	0.00	86890-161020US	1	1

CONFIRMATION NO. 6488

20350
KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

FILING RECEIPT



Date Mailed: 01/10/2014

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Susumu YOSHIDA, Kawasaki, JAPAN;
Junji Shiokawa, Chigasaki, JAPAN;
Hiroo Okamoto, Yokohama, JAPAN;

Applicant(s)

Hitachi, Ltd., Tokyo, JAPAN

Assignment For Published Patent Application

Hitachi, Ltd., Tokyo, JAPAN

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 12/567,898 09/28/2009
which is a CON of 11/203,457 08/11/2005 PAT 7613383

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.)

JAPAN 2004-349264 12/02/2004

JAPAN 2004-378768 12/28/2004

JAPAN 2004-378767 12/28/2004

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

Request to Retrieve - This application either claims priority to one or more applications filed in an intellectual property Office that participates in the Priority Document Exchange (PDX) program or contains a proper **Request to Retrieve Electronic Priority Application(s)** (PTO/SB/38 or its equivalent). Consequently, the USPTO will attempt to electronically retrieve these priority documents.

If Required, Foreign Filing License Granted: 01/09/2014

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/141,417**

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No
Title

Editing Method and Recording and Reproducing Device

Preliminary Class

463

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific

countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

SelectUSA

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop

technology, manufacture products, deliver services, and grow your business, visit <http://www.SelectUSA.gov> or call +1-202-482-6800.

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	86890-161020US
		Application Number	
Title of Invention	Editing Method and Recording and Reproducing Device		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

Secrecy Order 37 CFR 5.2

☐	Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
--------------------------	---

Inventor Information:

Inventor 1					Remove
Legal Name					
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Susumu		YOSHIDA		
Residence Information (Select One) ☐ US Residency ☒ Non US Residency ☐ Active US Military Service					
City	Kawasaki	Country of Residence ⁱ	JP		
Mailing Address of Inventor:					
Address 1	c/o Hitachi, Ltd., Intellectual Property Group				
Address 2	6-1, Marunouchi 1-chome, Chiyoda-ku				
City	Tokyo	State/Province			
Postal Code	100-8220	Country ⁱ	JP		
Inventor 2					Remove
Legal Name					
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Junji		SHIOKAWA		
Residence Information (Select One) ☐ US Residency ☒ Non US Residency ☐ Active US Military Service					
City	Chigasaki	Country of Residence ⁱ	JP		
Mailing Address of Inventor:					
Address 1	c/o Hitachi, Ltd., Intellectual Property Group				
Address 2	6-1, Marunouchi 1-chome, Chiyoda-ku				
City	Tokyo	State/Province			
Postal Code	100-8220	Country ⁱ	JP		
Inventor 3					Remove
Legal Name					

Maxell, Ltd.

Ex. 2014

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	86890-161020US
		Application Number	
Title of Invention	Editing Method and Recording and Reproducing Device		

Prefix	Given Name	Middle Name	Family Name	Suffix
	Hiroo		OKAMOTO	
Residence Information (Select One) ☐ US Residency ☒ Non US Residency ☐ Active US Military Service				
City	Yokohama	Country of Residence ⁱ	JP	

Mailing Address of Inventor:				
Address 1	c/o Hitachi, Ltd., Intellectual Property Group			
Address 2	6-1, Marunouchi 1-chome, Chiyoda-ku			
City	Tokyo	State/Province		
Postal Code	100-8220	Country ⁱ	JP	
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button. Add				

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).		
☐ An Address is being provided for the correspondence information of this application.		
Customer Number	20350	
Email Address		Add Email Remove Email

Application Information:

Title of the Invention	Editing Method and Recording and Reproducing Device		
Attorney Docket Number	86890-161020US	Small Entity Status Claimed	☐
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	13	Suggested Figure for Publication (if any)	

Filing By Reference :

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country ⁱ

Maxell, Ltd.

Ex. 2014

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	86890-161020US
		Application Number	
Title of Invention	Editing Method and Recording and Reproducing Device		

Publication Information:

☐	Request Early Publication (Fee required at time of Request 37 CFR 1.219)
☐	Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.			
Please Select One:	☒ Customer Number	☐ US Patent Practitioner	☐ Limited Recognition (37 CFR 11.9)
Customer Number	20350		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

When referring to the current application, please leave the application number blank.

Prior Application Status		Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Continuation of	US12567898	2009-09-28
Prior Application Status		Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
US12567898	Continuation of	US11203457	2005-08-11

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(d). When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)ⁱ the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(h)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

Maxell, Ltd.

EX. 2014

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	86890-161020US
		Application Number	
Title of Invention	Editing Method and Recording and Reproducing Device		

Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	 Access Code ⁱ (if applicable)
2004-378767	JP	2004-12-28	
Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	 Access Code ⁱ (if applicable)
2004-378768	JP	2004-12-28	
Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	 Access Code ⁱ (if applicable)
2004-349264	JP	2004-12-02	
Additional Foreign Priority Data may be generated within this form by selecting the Add button.			

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013. NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

Authorization to Permit Access:

☒ Authorization to Permit Access to the Instant Application by the Participating Offices
--

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	86890-161020US
		Application Number	
Title of Invention	Editing Method and Recording and Reproducing Device		

If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.			
Applicant 1			
If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.			
Clear			
☒ Assignee	☐ Legal Representative under 35 U.S.C. 117	☐ Joint Inventor	
☐ Person to whom the inventor is obligated to assign.		☐ Person who shows sufficient proprietary interest	
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:			
Name of the Deceased or Legally Incapacitated Inventor :			
If the Applicant is an Organization check here. ☒			
Organization Name	Hitachi, Ltd.		
Mailing Address Information For Applicant:			
Address 1	6-6, Marunouchi 1-chome, Chiyoda-ku		
Address 2			
City	Tokyo	State/Province	
Country	JP	Postal Code	100-8220
Phone Number		Fax Number	

Maxell, Ltd.

Ex. 2014

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	86890-161020US
		Application Number	
Title of Invention	Editing Method and Recording and Reproducing Device		
Email Address			
Additional Applicant Data may be generated within this form by selecting the Add button.			

Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.				
Assignee 1				
Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.				
If the Assignee or Non-Applicant Assignee is an Organization check here. ☐				
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information For Assignee including Non-Applicant Assignee:				
Address 1				
Address 2				
City		State/Province		
Country ⁱ		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.				

Signature:

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications.					
Signature	/Charles W. Gray/			Date (YYYY-MM-DD)	2013-12-26
First Name	Charles	Last Name	Gray	Registration Number	61345
Additional Signature may be generated within this form by selecting the Add button.					

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	86890-161020US
		Application Number	
Title of Invention	Editing Method and Recording and Reproducing Device		

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FIG.1

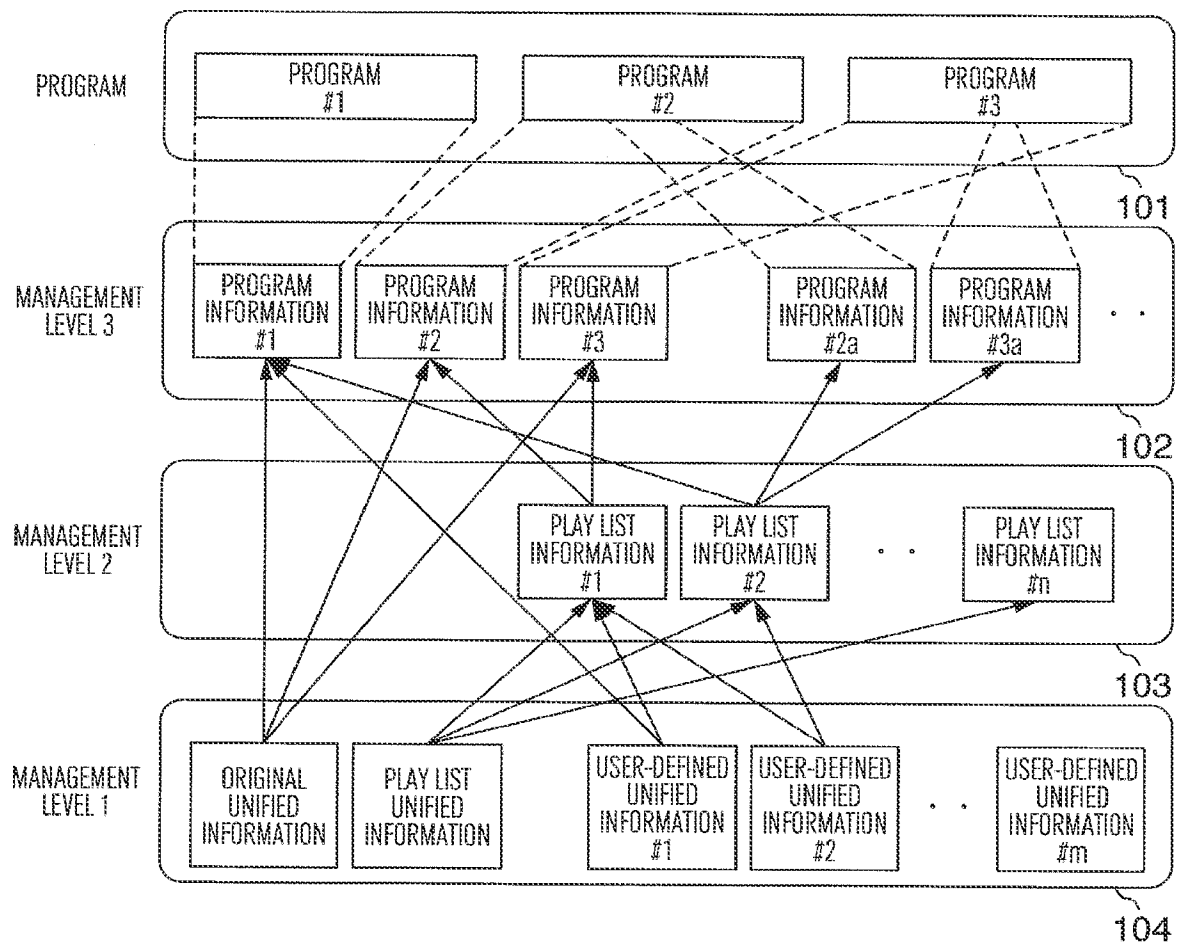


FIG.2
PRIOR ART

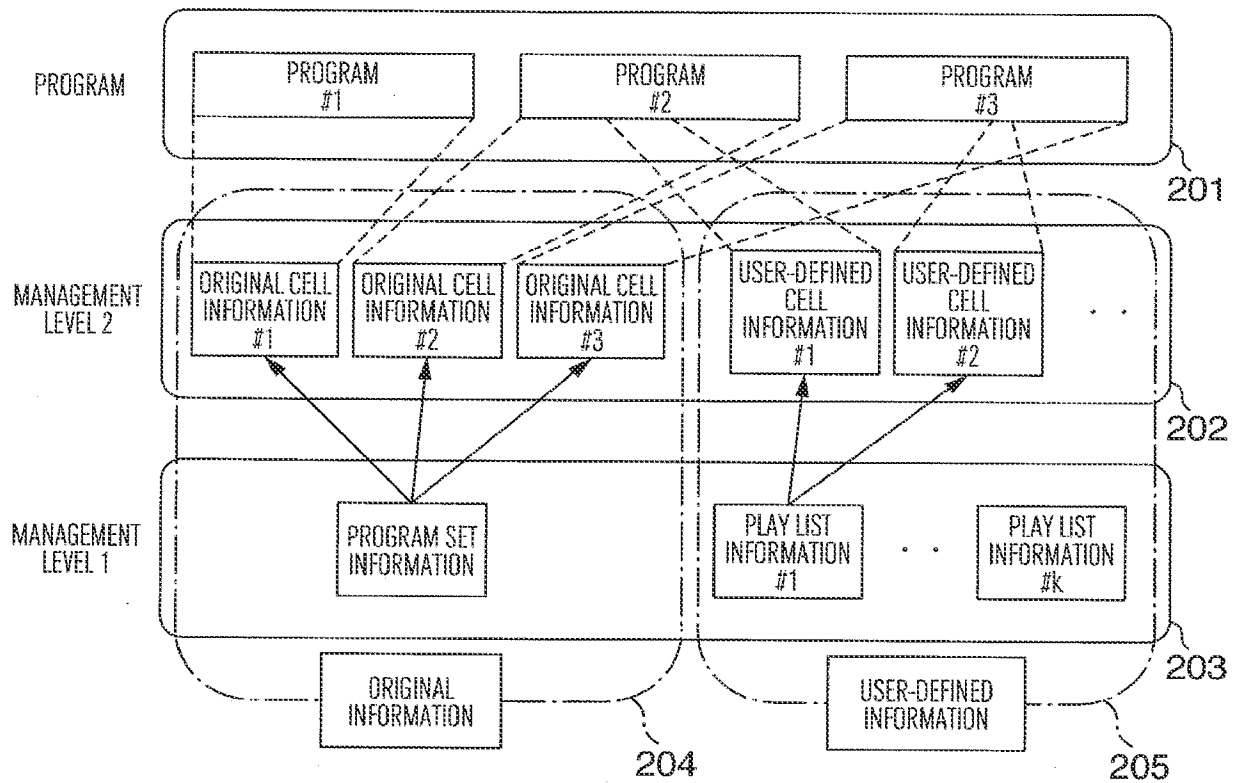


FIG.3

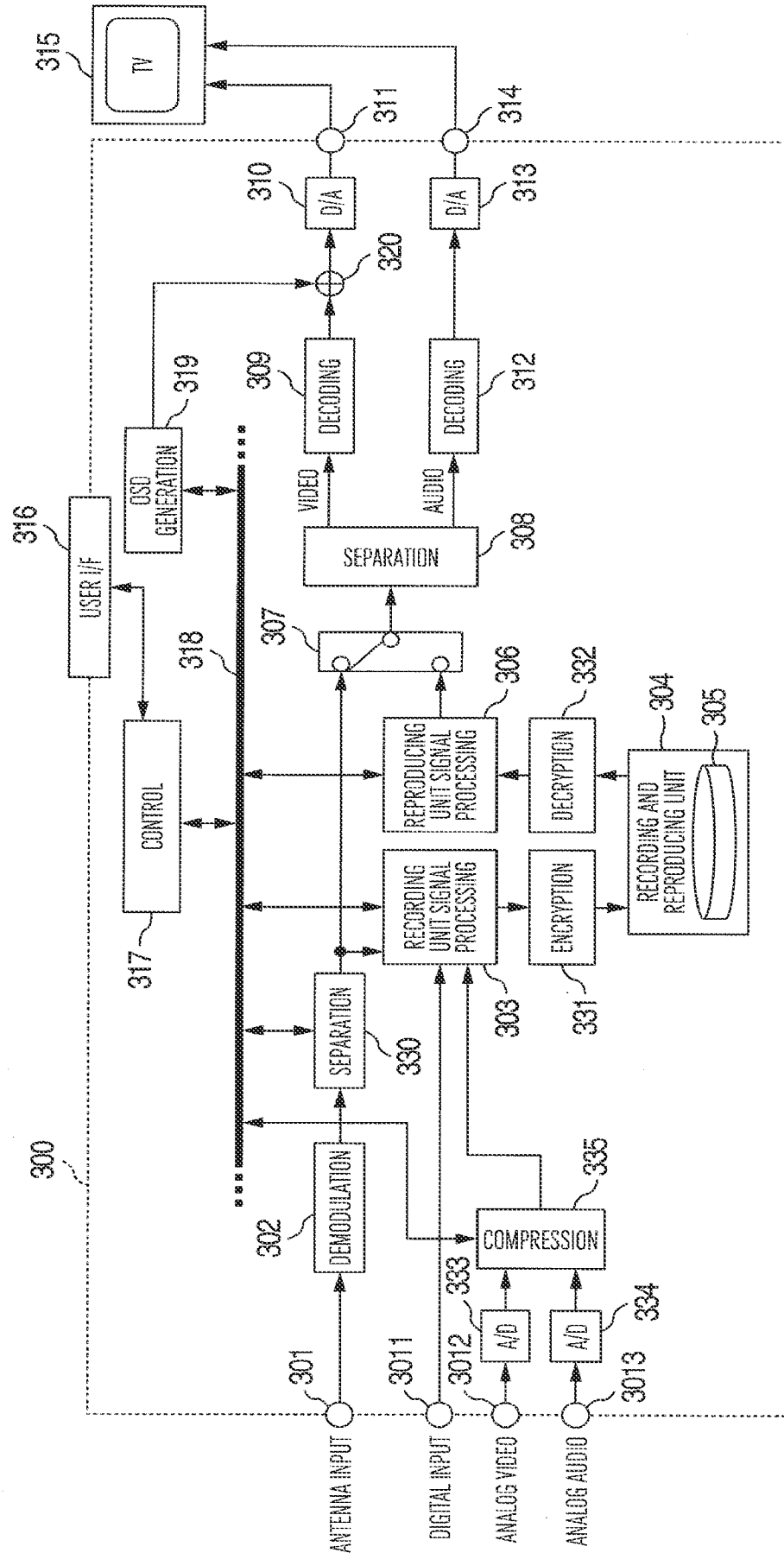


FIG.4

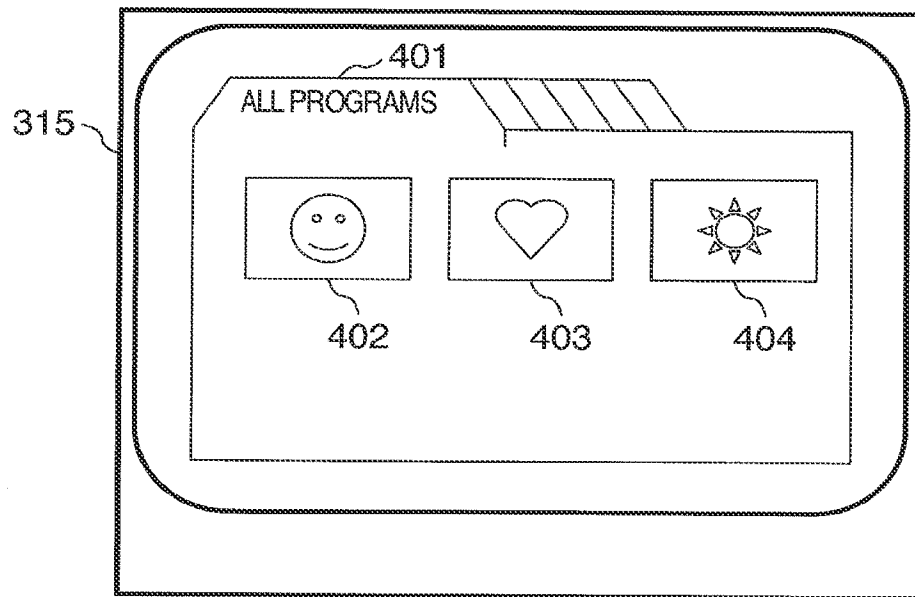


FIG.5

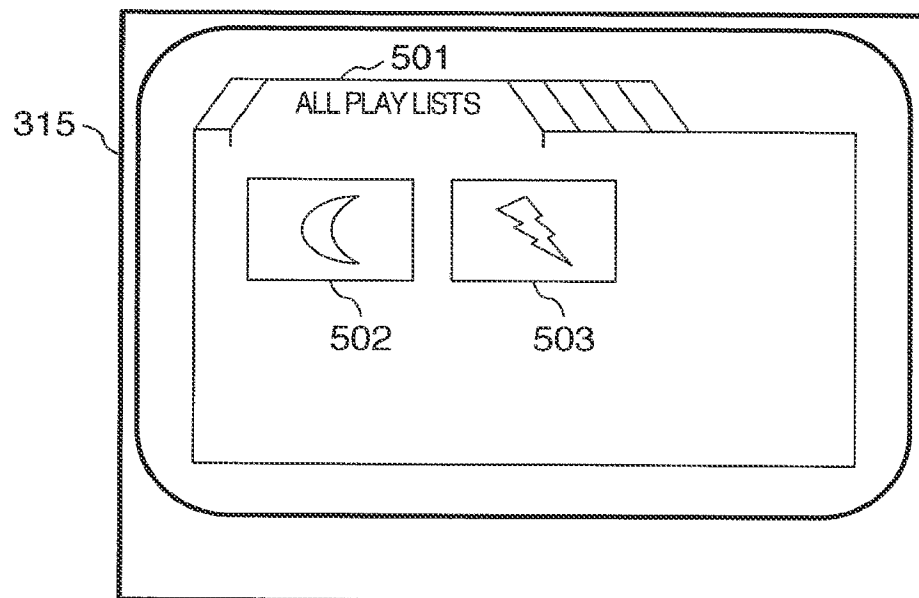


FIG.6

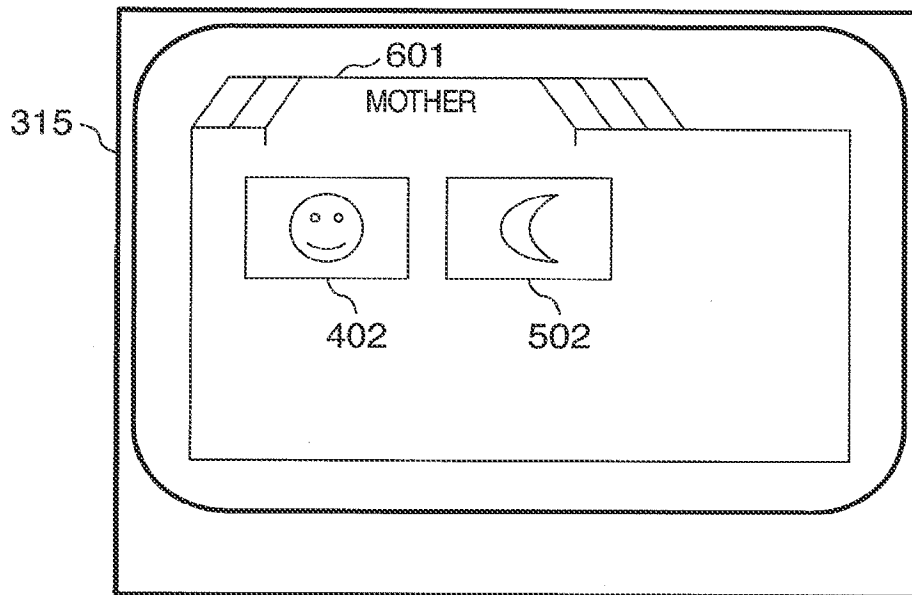


FIG.7

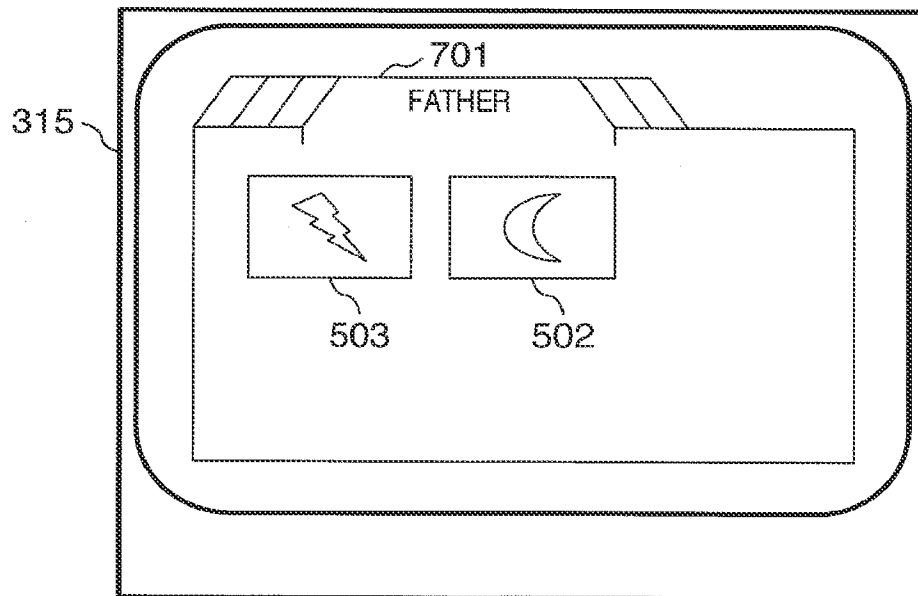


FIG.8

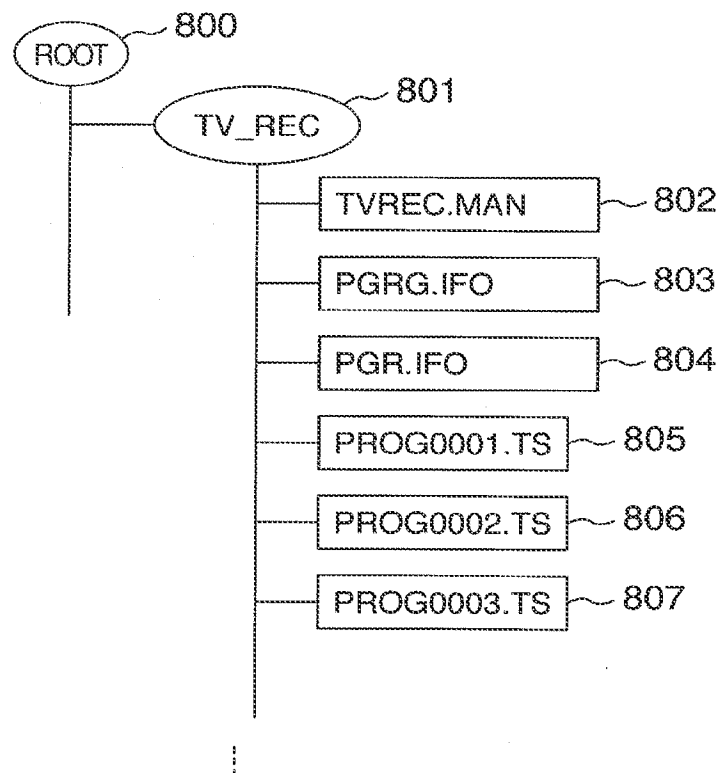


FIG.9

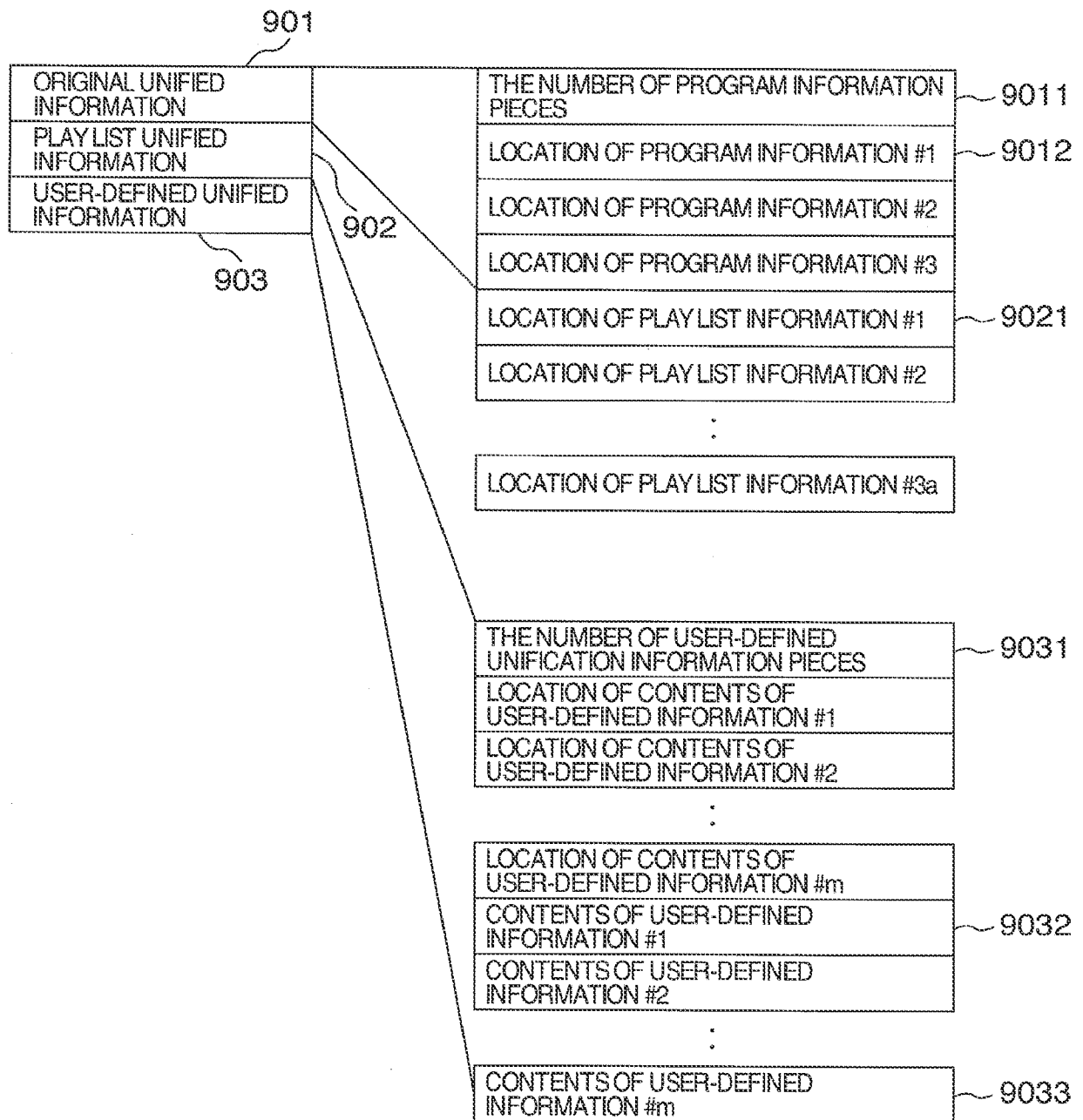


FIG.10

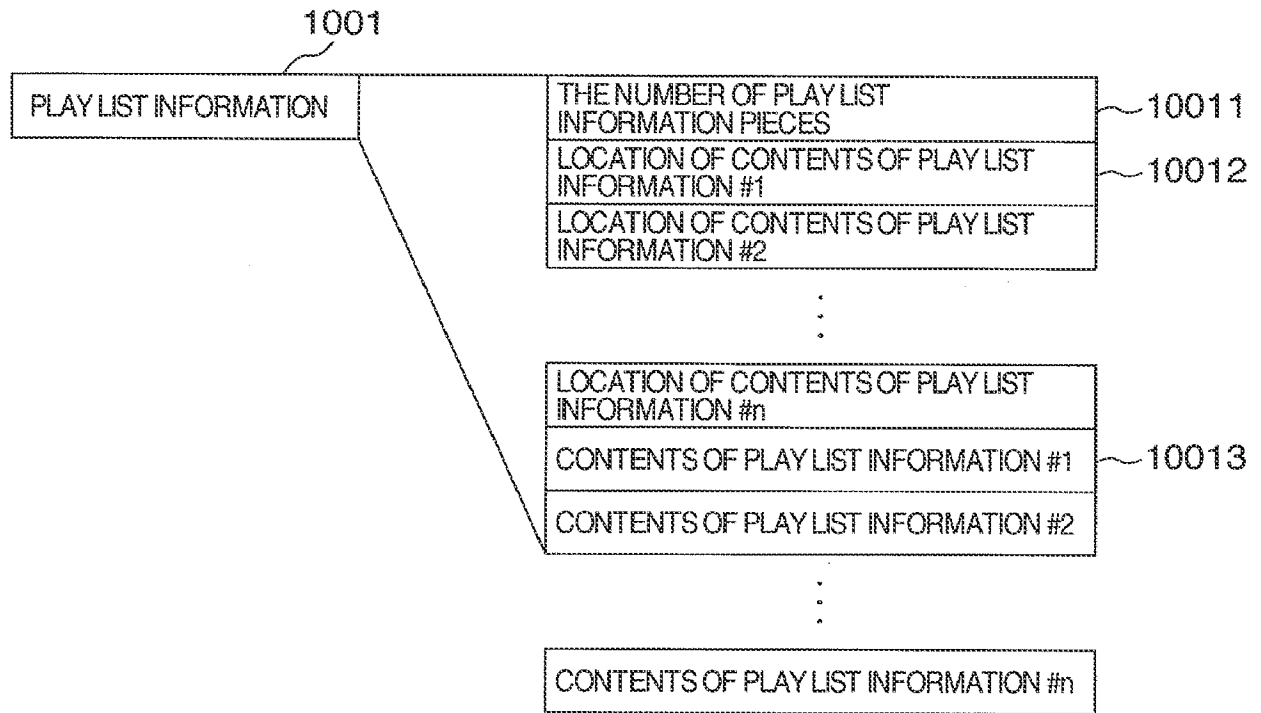


FIG.11

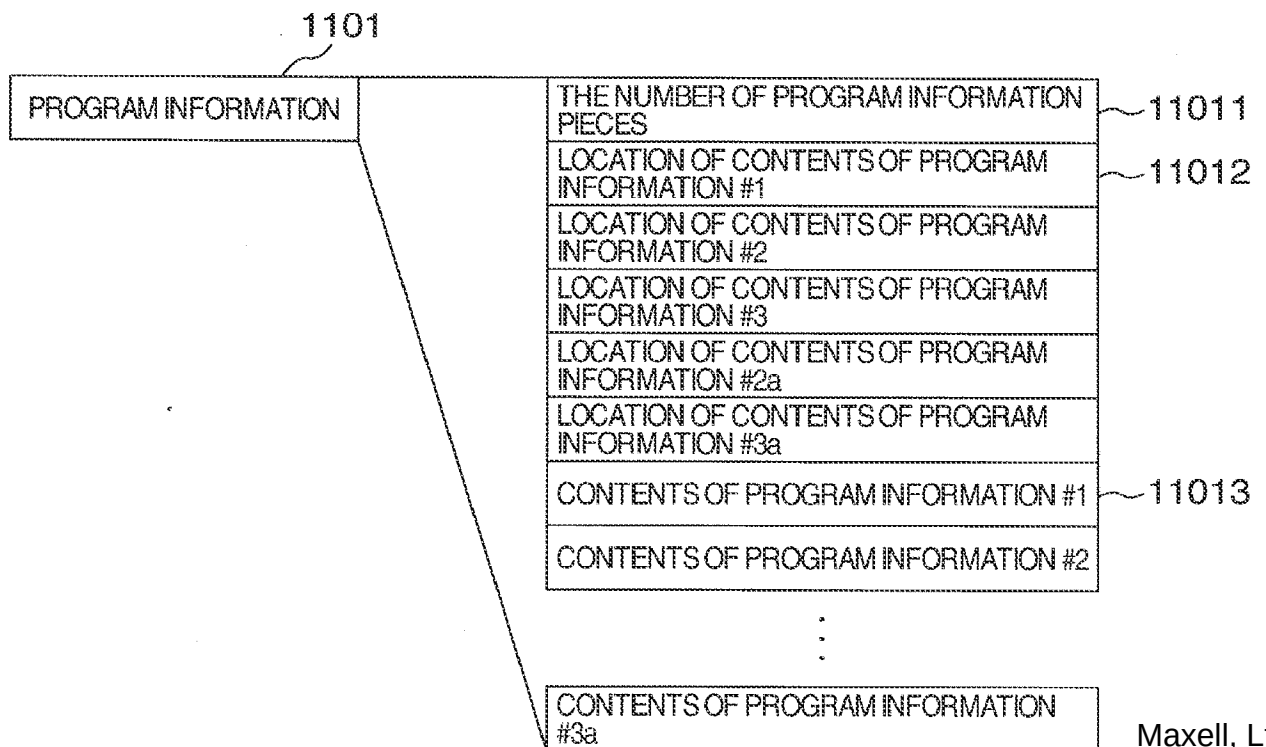


FIG.12

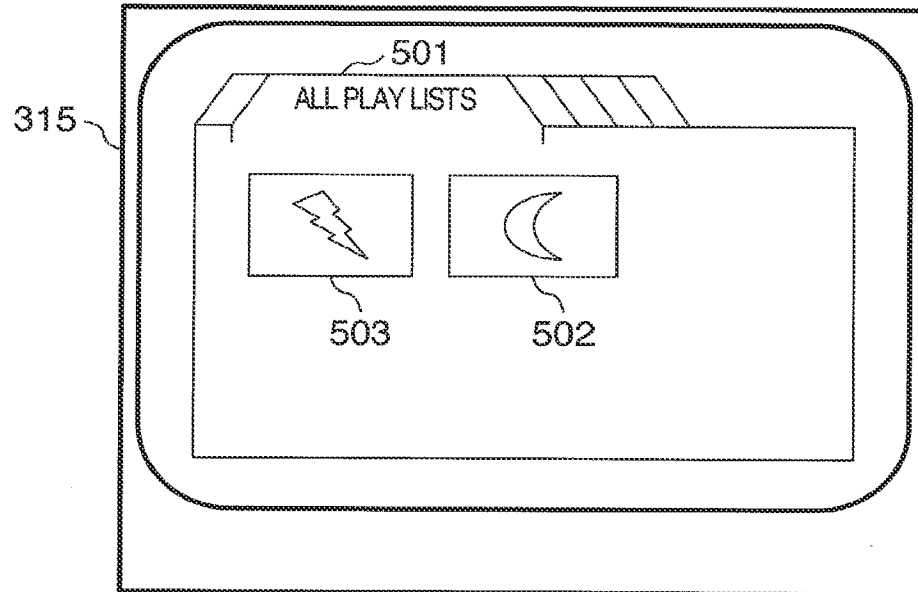
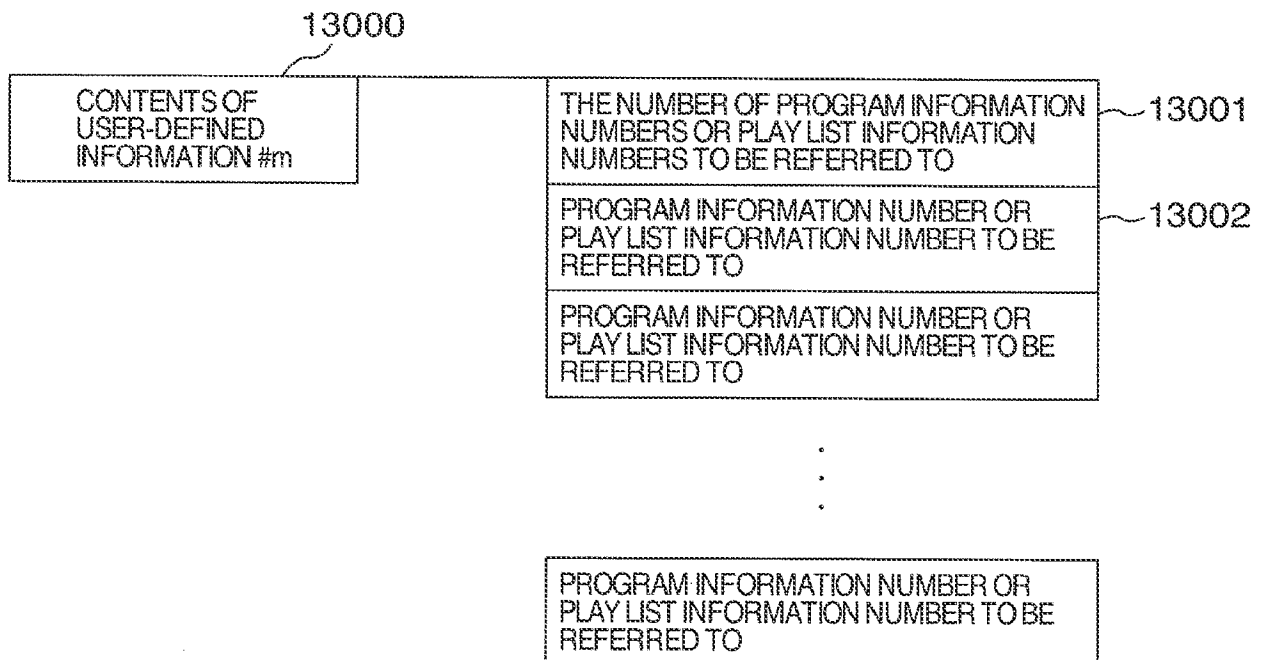


FIG.13



PATENT APPLICATION

EDITING METHOD AND RECORDING AND REPRODUCING DEVICE

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EDITING METHOD AND RECORDING AND REPRODUCING DEVICE

CROSS-REFERENCE TO RELATED APPLICATION(S)

[0001] This is a continuation of U.S. Patent Application No. 12/567,898, filed on September 28, 2009 (the entire disclosure of which is incorporated herein by reference for all purposes), which is a continuation of U.S. Patent Application No. 11/203,457, filed on August 11, 2005 (the entire disclosure of which is incorporated herein by reference for all purposes), which application claims priority from Japanese Patent Application Nos. JP2004-349264, filed December 2, 2004, JP2004-378767, filed December 28, 2004, and JP2004-378768, filed on December 28, 2004, the entire disclosures of which are incorporated herein by reference for all purposes.

BACKGROUND OF THE INVENTION

[0002] Field of the Invention

[0003] The present invention relates to a recording and reproducing device which records data onto a recording medium and reproduces data from the recording medium.

[0004] Description of the Related Art

[0005] As the high-efficiency coding technique advances, it has become possible to handle AV data such as video data and audio data as digital data, conduct code rate compression, and record resultant data on a large-capacity recording medium such as a hard disk or a recording type optical disk in real time. When digital data already compressed in code rate is inputted to a recording and reproducing device having such a recording medium from outside by broadcasting or communication, it is also possible to record the digital data on the recording medium intact.

[0006] In these recording and reproducing devices, management information for managing digital data to be recorded is generated and recorded together onto the same recording medium. When a rewritable recording medium is used, the user can conduct editing work on the recording and reproducing device by rewriting the management information and generating and manipulating a list indicating the reproduction sequence (hereafter referred to as play list) (see, for example, JP-A-2000-152180).

SUMMARY OF THE INVENTION

[0007] In the above-described conventional technique, it is mentioned that the play list indicates the reproduction sequence by linking portions of AV data together. As an

example, a management state of AV data on a recording medium in the above-described conventional technique is shown in Fig. 2.

[0008] Reference numeral 201 designates AV data themselves on the recording medium. The case where a program #1 to a program #3 are present as recording units is shown. Reference numeral 202 designates a second management hierarchical level (management level 2) in management information. Original cell information #1 to original cell information #3 indicate the whole reproduction range of program units, i.e., a program #1 to a program #3, respectively. Each of user-defined cell information #1 to user-defined information #2 indicates a reproduction range of the whole or a part of a program arbitrarily specified by the user. The number of the user-defined cell information #1 to user-defined information #2 is increased or decreased by the user's editing manipulation. Reference numeral 203 designates a first management hierarchical level (management level 1). Program information contains all of the original cell information #1 to original cell information #3. By conducting reproduction on the basis of the program set information, the user can reproduce all AV data recorded on the recording medium. Play list information #1 to play list information #k indicate a reproduction sequence of the user-defined cell information arbitrarily specified by the user. It is possible to have a plurality of reproduction sequences. Inside of a frame 204 becomes original information for managing the whole AV data in the management information. Inside of a frame 205 becomes user-defined information for managing the play list obtained by the user's editing manipulation.

[0009] In Fig. 2, the play list information is placed on the same level with the program set information and managed as the management level 1. Therefore, the sequence of a plurality of play list information pieces themselves is determined uniquely. For example, as for a catalog of the play lists, it is impossible on the user's interface to alter the display sequence. In view of the problem, the present invention has been achieved. An object of the present invention is to provide a recording scheme and device in which the user can conduct manipulation of arbitrarily rearranging the display sequence of the play lists in the play list catalog on the user interface.

[0010] Furthermore, in the conventional technique example, attention is not paid to that a plurality of users generate, select and manage favorite play list information. For example, even when a plurality of users desire to generate, select and manage respective favorite play list information pieces, it cannot be implemented. Furthermore, attention is not especially paid to that a user select some arbitrary play lists from among a plurality of play lists and manage them.

[0011] In view of these problems, the present invention has been achieved. An object of the present invention is to provide a recording and reproducing device in which the user can select and manage arbitrary play lists.

[0012] In order to achieve the objects, in accordance with the present invention, a unit of management for managing all registered play list information and an upper management hierarchical level are added. The unit of management is adapted to be handled on the same level with unified information that indicates a reproduction range of all AV data. User-defined unified information is adapted to be handled on the added management hierarchical level. The user-defined unified information is formed to allow arbitrary reproduction ranges contained on a lower hierarchical level to be registered.

[0013] In a recording and reproducing device according to the present invention, it becomes possible for the user to select arbitrary play lists or reproduction ranges and conduct management. Even in the case where a plurality of users share a single recording medium, therefore, each user can manage favorite reproduction contents, resulting in improved usage. Since the play lists are subject to unified management, it becomes possible for the user to arbitrarily alter the display sequence of play lists.

[0014] According to the present invention, a recording and reproducing device improved in usage can be provided.

[0015] Other objects, features and advantages of the invention will become apparent from the following description of the embodiments of the invention taken in conjunction with the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

[0016] Fig. 1 shows a management state of AV data in a recording and reproducing device according to an embodiment of this invention;

[0017] Fig. 2 shows a management state of AV data in a conventional technique example;

[0018] Fig. 3 shows a block diagram of a recording and reproducing device according to an embodiment of this invention;

[0019] Fig. 4 shows a display output example of original unified information;

[0020] Fig. 5 shows a display output example of play list unified information;

[0021] Fig. 6 shows a first output example of user-defined unified information;

[0022] Fig. 7 shows a second output example of user-defined unified information;

[0023] Fig. 8 shows an example of a file structure of original unified information, play list unified information, user-defined unified information, play list information, program information, and AV data (program);

[0024] Fig. 9 shows an example of a management table structure of original unified information, play list unified information, and user-defined unified information;

[0025] Fig. 10 shows an example of a management table of play list information;

[0026] Fig. 11 shows an example of a management table of program list information;

[0027] Fig. 12 shows a display output example of play list unified information; and

[0028] Fig. 13 shows an example of a table indicating contents of user-defined information #m.

DESCRIPTION OF THE EMBODIMENTS

[0029] Hereafter, embodiments of the present invention will be described with reference to the drawings. Fig. 1 shows a management state of AV data on a recording medium in a recording and reproducing device according to the present invention. In the same way as the reference numeral 201 in Fig. 2, reference numeral 101 designates AV data themselves on the recording medium. The case where programs #1 to #3 are present as recording units is shown.

[0030] Reference numeral 102 corresponds to 202 in Fig. 2. However, reference numeral 102 designates a third management hierarchical level (management level 3) in management information. Program information #1 to program information #3 indicate the whole reproduction ranges of program units, i.e., program #1 to program #3, respectively. Each of program information #2a to program information #3a indicates a reproduction range of the whole or a part of a program arbitrarily specified by the user. The program information #2a to program information #3a indicate a part of the program #2 and a part of the program #3, respectively. In places corresponding to the program information #1 to program information #3, information is also added, as AV data is added, i.e., with an increase in programs. In places corresponding to the program information #2a to the program information #3a, the number of information pieces increases or decreases due to the editing manipulation of the user.

[0031] Reference numeral 103 corresponds to the management level 1 in Fig. 2. However, numeral 103 designates a second management hierarchical level (management level 2), which includes only play list information #1 to play list information #n. Each play list information indicates a reproduction sequence of arbitrary program information pieces on the management level 3. It is possible to have a plurality of reproduction sequences.

[0032] Reference numeral 104 designates a newly added first management hierarchical level (management level 1) in the management information as a feature point of the present invention. The management level 1 includes a plurality of unified information pieces. Original unified information corresponds to the program set information shown in Fig. 2. The original unified information contains all of the program information #1 to program information #3 on the management level 3. By conducting reproduction on the basis of all of the program information #1 to program information #3, it becomes possible for the user to reproduce all AV data recorded on the recording medium. Play list unified information contains all of the play list information #1 to play list information #n on the management level 2. By conducting reproduction on the basis of all of the play list information #1 to play list information #n on the management level 2, it becomes possible for the user to successively reproduce all registered play lists. User-defined unified information #1 to user-defined unified information #m contain arbitrary one or more from among play list information pieces on the management level 2 and program information pieces on the management level 3. For example, when a plurality of users use a single recording medium, it becomes possible to manage reproduced contents that meet respective users' tastes by using one user-defined unified information every user.

[0033] An embodiment of a recording and reproducing device according to the present invention will be described more specifically by using another drawing.

[0034] Fig. 3 is a block diagram showing an example of a recording and reproducing device according to the present invention. A recording and reproducing device capable of receiving digital broadcast, recording the digital broadcast on a recording medium, reproducing recorded data, and obtaining a reproduced output is shown. Reference numeral 300 designates a recording and reproducing device, 301 an input terminal supplied with a received wave from an antenna, 3011 an input terminal supplied with compressed video and audio data from another device, 3012 an analog video input terminal supplied with an analog video signal, 3013 an analog audio input terminal supplied with an analog audio input terminal, 333 and 334 analog/digital (A/D) conversion circuits each of which converts an analog signal to a digital signal, 302 a demodulation circuit, 330 a separation circuit which separates the demodulated digital signal into audio, video and other data, 335 a compression circuit which compresses digitized video and audio signals, 303 a recording unit signal processing circuit, 331 an encryption circuit which encrypts data to be recorded, 304 a recording and reproducing unit including a drive function of a recording medium, 305 a recording medium, 332 a decryption circuit which decrypts data encrypted and recorded on

the recording medium, 306 a reproducing unit signal processing circuit, 307 a switchover circuit, 308 a separation circuit, 309 a video decoding circuit, 310 a digital/analog (D/A) conversion circuit, 311 a video output terminal, 312 an audio decoding circuit, 313 a D/A conversion circuit, 314 an audio output terminal, 315 a TV set, 316 a user I/F, 317 a control unit, 318 a system bus, 319 an OSD generation unit, and 320 an addition circuit.

[0035] At the time of recording, a signal transmitted by digital broadcast or the like and received is demodulated in the demodulation circuit 302 by using a predetermined scheme, subjected to necessary signal processing such as timing adjusting data addition and modulation in the recording unit signal processing circuit 303, encrypted in the encryption circuit 331, and then recorded on the recording medium 305 by the recording and reproducing unit 304. A digital signal input from the digital input terminal 3011 is subjected to necessary signal processing such as timing adjusting data addition and modulation in the recording unit signal processing circuit 303, encrypted in the encryption circuit 331, and then recorded on the recording medium 305 by the recording and reproducing unit 304. An analog video signal input from the analog video input terminal 3012 and an analog audio signal input from the analog audio input terminal 3013 are subjected to compression processing in the compression circuit 335, encrypted in the encryption circuit 331 via the recording unit signal processing circuit 303, and then recorded on the recording medium 305 by the recording and reproducing unit 304.

[0036] At the time of reproducing, encrypted digital data read out from the recording medium 305 via the recording and reproducing unit 304 in accordance with the user's order is decrypted in the decryption circuit 332, subjected to signal processing required for reproduction such as demodulation in a form based on a predetermined modulation scheme in the reproducing unit signal processing circuit 103, and sent to the separation circuit 308 via the switchover circuit 307. Resultant video digital data is subjected to predetermined video decoding processing in the video decoding circuit 309, converted to an analog signal in the D/A conversion circuit 310, and then displayed as a monitor output on the TV set 315 via the video output terminal 311. Audio digital data obtained from the separation circuit 308 is subjected to predetermined audio decoding processing in the audio decoding circuit 312, converted to an analog signal in the D/A conversion circuit 313, and then outputted by an audio output mechanism in the TV set 315 via the audio output terminal 314.

[0037] The control unit 317 controls various components in the recording and reproducing device 300 via the system bus 318. Furthermore, the control unit 317 controls the whole device to cause operation based on the user's order input which is inputted via the

user I/F 316 to be conducted. By the way, an order input request to the user or necessary OSD display for the user is implemented by preparing it in the OSD generation unit 319, adding it to an output of the video decoding circuit 309 on a suitable level, and finally outputting it to a monitor screen on the TV set 315.

[0038] The case where each unified information on the management level 1 is used for menu display of recording data will now be described as a specific use example of the management information configuration in Fig. 1.

[0039] Fig. 4 shows an example in which menu display is conducted by using the original unified information shown in Fig. 1. Reference numeral 315 designates the TV set shown in Fig. 3, 401 a tag for displaying all programs, 402 a thumbnail indicating program information #1, 403 a thumbnail indicating program information #2, and 404 a thumbnail indicating program information #3. The user moves a cursor position on the screen to a desired thumbnail and conducts selection and determination by using a remote controller or the like. As a result, the user can reproduce arbitrary programs or all programs.

[0040] Fig. 5 shows an example in which menu display is conducted by using the play list unified information shown in Fig. 1. Reference numeral 501 designates a tag for displaying all play lists, 502 a thumbnail indicating play list information #1, and 503 a thumbnail indicating play list information #2. In the same way as the above-described case, the user moves a cursor position on the screen to a desired thumbnail and conducts selection and determination by using a remote controller or the like. As a result, the user can reproduce arbitrary play lists or all play lists. By the way, display switching from the all program display tag 401 to all play list display tag can be implemented by, for example, movement of the cursor in tag character positions conducted by the user.

[0041] Fig. 6 shows an example in which menu display is conducted by using the user-defined unified information #1 shown in Fig. 1. Reference numeral 601 designates a menu display tag for user #1 (who is supposed to be “mother” here). As appreciated from Fig. 1, reference numerals 402 and 502 designate thumbnails indicating the program information #1 and the play list information #1, respectively. The “mother” can use the menu display tag for mother 601 as a folder dedicated to herself, and freely register and delete data to be reproduced. In the same way, Fig. 7 shows an example in which menu display is conducted by using the user-defined unified information #2 shown in Fig. 1. Reference numeral 701 designates a menu display tag for user #2 (who is supposed to be “father” here). As appreciated from Fig. 1, reference numerals 503 and 502 designate thumbnails indicating the play list information #2 and the play list information #1, respectively. In this case, the

“father” selects two play lists. However, the reproduction sequence of them can be altered. In the same way as the “mother,” the “father” can use the menu display tag for father 701 as a folder dedicated to himself, and freely register and delete data to be reproduced.

[0042] As heretofore described, in the embodiment of the present invention, a unit of management for managing all registered play list information and an upper management hierarchical level are added. The unit of management is adapted to be handled on the same level with unified information that indicates a reproduction range of all AV data. User-defined unified information is adapted to be handled on the added management hierarchical level. The user-defined unified information is formed to allow arbitrary reproduction ranges contained on a lower hierarchical level to be registered therein. As a result, it becomes possible for the user to select arbitrary play lists or reproduction ranges and conduct management. Even in the case where a plurality of users share a single recording medium, therefore, each user can manage favorite reproduction contents, resulting in improved usage.

[0043] In the embodiment heretofore described, the case where digital broadcast is received and digital data is recorded intact has been described. However, this is not restrictive. A configuration having a network I/F to acquire AV data from an external network or having coding unit to conduct recording onto the recording medium while coding analog data may also be used. In other words, the present embodiment refers to data management on the recording medium, and its input route is not especially restricted.

[0044] Fig. 8 shows an example of file configurations used to actually record the program, program information, play list information, original unified information, play list unified information, and user-defined information on the recording medium 305 (Fig. 3). The recording medium is a medium on which digital recording and reproducing are conducted. Files on the medium are managed by a file system similar to that used to manage a recording medium in the so-called personal computer or the like. In Fig. 8, “ROOT” 800 represents a highest hierarchical level of a file directory. “TV_REC” 801 is a directory under the highest hierarchical level. “TVREC.MAN” 802, “PGRG.IFO” 803, “PGR.IFO” 804, “PROG0001.TS” 805, ... of files which implement the management structure shown in Fig. 1 according to the present invention are recorded in the “TV_REC” 801. In the “TVREC.MAN” 802, the original unified information, the play list unified information, and the user-defined unified information #1 to #m on the management level 1 shown in Fig. 1 are described as management tables. In the “PGRG.IFO” 803, the play list information #1 to the play list information #n on the management level 2 shown in Fig. 1 are recorded as management tables. In the “PGR.IFO” 804, the program information #1 to the program

information #3a on the management level 3 shown in Fig. 1 are recorded as management tables. “PROG0001.TS” 805, “PROG0002.TS” 806 and “PROG0003.TS” 807 are entity files of AV data in each program. For example, AV data between recording start and recording end of one time is recorded in the “PROG0001.TS.” AV data between recording start and recording end of the next time is recorded in the “PROG0002.TS.” In this way, the file name is updated and recording is conducted. Thereafter, the management files 802 to 804 are updated.

[0045] The file structure and the configuration of management tables themselves concerning the management structure “TVREC.MAN” 802, “PGRG.IFO” 803, “PGR.IFO” 804, “PROG0001.TS” 805, •• of files may be formed by using any method. However, an example of how to implement the management configuration in the case of Fig. 1 using the files will now be described.

[0046] Fig. 9 shows a configuration of management tables of the “TVREC.MAN” 802 (Fig. 8). As original unified information 901, the number of AV data recorded as the number of program information pieces 9011, i.e., the total number (three in this case) of entity files (“PROG0001.TS” 805, “PROG0002.TS” 806 and “PROG0003.TS” 807) of the AV data is described. Under the original unified information 901, location tables 9012 of respective original program information pieces are recorded. As play list unified information 902, play list location information tables are recorded in 9021 and subsequent tables. In 9031, the number of user-defined unified information pieces is recorded. After that, contents of #1 to #m of the user-defined information are recorded.

[0047] Fig. 13 shows contents of the user-defined information #m described above. The user-defines information #m has combinations of original program information and play list information as a table.

[0048] Fig. 10 shows a management table of the “PGRG.IFO” 803 (Fig. 8), which corresponds to the management level 2 shown in Fig. 1. As play list information 1001, the total number of the play list information pieces is first described as designated by 10011. (In this case, the total number of the play list information pieces is n.) Beginning with 10012 indicated under the reference numeral 10011, locations in which contents of the play list information #1 to #n are described are recorded as tables. Beginning with 10013, contents of the play list information #1 to #n (contents of the reproduction sequence, which are management tables having combinations of program information indicating the reproduction start location and reproduction end location of AV data described later) are recorded.

[0049] Fig. 11 shows a management table of the “PGR.IFO” 804 (Fig. 8), which corresponds to the management level 3 shown in Fig. 1. As program information 1101, the total number of the program information pieces including all of the program information pieces paired with the original information program #1, #2 and #3 (Fig. 1) and the user-defined program information #2a and #3a (Fig. 1) is recorded as designated by 11011. Beginning with 11012 indicated under the reference numeral 11011, tables indicating locations in which contents of the program information #1 to #3a are described are recorded. Beginning with 11013, contents of the program information #1 to #3a (describing the reproduction start location and reproduction end location of the “PROG0001.TS” 805, “PROG0002.TS” 806 and “PROG0003.TS” 807 (Fig. 8)) are recorded.

[0050] By conducting the management as heretofore described, it becomes possible to sort the location information, for example, in the play list location table 9021 and alter the sequence of displaying play lists on a GUI view from the state shown in Fig. 5 to the state shown in Fig. 12. In the case where the number of play lists has become very large, a play list that is high in user’s use frequency can be displayed in the first place in the GUI view. As a result, it is possible to implement a usable recording and reproducing device, reproducing device, or recording method. For example, a plurality of users can set play lists that they want to view and recorded original contents freely and individually. Even when the number of recorded programs is very large, the user can rapidly find out a program that the user wants to view, because the user can refer to a folder defined by the user.

[0051] In the present embodiment, a clear distinction is made between the user-defined play list unified information and the user-defined unified information #1 to #m. The user-defined play list unified information may be defined as user-defined play list unified information having no link to the original program information of the user-defined unified information.

[0052] It should be further understood by those skilled in the art that although the foregoing description has been made on embodiments of the invention, the invention is not limited thereto and various changes and modifications may be made without departing from the spirit of the invention and the scope of the appended claims.

What is claimed is:

- 1 1. An information processing apparatus for reproducing selected video
2 information from among a plurality of video information stored in a recording medium which
3 is usable by a plurality of users, the apparatus comprising:
4 an output means for outputting a menu display for a user to select desired
5 video information to be reproduced from among the plurality of video information in the
6 recording medium; and
7 a reproducing means for reproducing the selected video information from the
8 recording medium, wherein
9 a first area and a second area are displayed within the menu display,
10 wherein the first area is configured to display at least first tags associated with video
11 information or play list information for a first user and second tags associated with
12 video information or play list information for a second user different from the first
13 user, and wherein the second area is configured to display a thumbnail specifying
14 arbitrary video information from among the plurality of video information or a
15 plurality of play list information,
16 when one of the first tags shown in the first area is selected, the video
17 information or the thumbnail of the playlist information associated with the selected
18 tag is displayed in the second area, and
19 the video information or the play list information associated with both
20 of the first tags and the second tags are independently editable.

ABSTRACT OF THE DISCLOSURE

In order to provide a recording and reproducing device that allows a user to select and manage arbitrary play lists, a unit of management for managing all registered play list information and an upper management hierarchical level are added. The unit of management is adapted to be handled on the same level with unified information that indicates a reproduction range of all AV data. User-defined unified information is adapted to be handled on the added management hierarchical level. The user-defined unified information is formed to allow arbitrary reproduction ranges contained on a lower hierarchical level to be registered.

Electronic Acknowledgement Receipt

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International Application Number:	
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First Named Inventor/Applicant Name:	Susumu YOSHIDA
Customer Number:	20350
Filer:	Charles W. Gray/Lily Sun
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	ADS.pdf	114630 cbc5ec911a6c16be3c831611d17021a57ab bec91	no	7

Warnings:

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