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PATENT PROTECTION FOR HIGH TECHNOLOGY

Pesky Patents *Most Litigated Patents of 2008*

Papst Licensing GmbH & Co. KA
Picture Patents, LLC

Presented by James D. Hallenbeck

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James D. Hallenbeck



James D. Hallenbeck is a registered patent attorney focusing on patent prosecution and counseling in various industries and technology areas including complex computer software systems. Jim received a B.S. in Computer Information Systems from Chapman University and a Juris Doctorate from William Mitchell College of Law. Prior to joining Schwegman, Lundberg, & Woessner, PA, Jim worked as a software engineer and analyst, designing and developing global software systems supporting a wide range of industries including financial services, automotive, and insurance. Jim is also a frequent speaker on issues related to patent eligible subject matter.

Agenda

- Why talk about these patents
- Papst Licensing GmbH & Co. KA
 - Who is Papst?
 - Who has been targeted by Papst?
- Picture Patents, LLC
 - Who is Picture Patents, LLC?
 - Who has been targeted by Picture Patents, LLC?
- What do the patents cover?
 - What do the Papst patents cover?
 - What to the Picture Patents, LLC patents cover?
- What to do if targeted?

Why? These are of the most litigated patents

- Papst Licensing GmbH & Co. KA
 - In 2008, there were at least seven active cases.
- Picture Patents, LLC
 - In 2008, there were at least eight active cases.

Papst Licensing GmbH & Co. KA

PAPST
LICENSING

(12) **United States Patent** **Taster**

(40) Patent No.: **US 6,449,399 B1**
(43) Date of Patent: **Oct. 22, 2002**

UNCLASSIFIED

(54) **FLEXIBLE INTERFACE FOR COMMUNICATION BETWEEN A HOST AND AN ANALOG TO DIGITAL CONVERTER TO THE INTERFACE REGARDLESS THE TYPE OF THE INTERFACE**

(75) Inventor: **Michael Taster, Würzburg (DE)**

(75) Assignee: **Laborator Technik GmbH, Würzburg (DE)**

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

(51) Appl. No.: **09/331,082**

(52) PCT Filed: **Mar. 3, 1998**

(53) PCT No.: **PCT/EP98/01817**

§ 371 (c)(1): **YES**

§ 371 (c)(2): **NO**

(54) PCT Pub. No.: **WO98/31999**

(57) PCT Pub. Date: **Aug. 13, 1998**

(58) Foreign Application Priority Data

Dec. 4, 1997 (DE) **197 08 755**

(51) Int. Cl.⁷: **G06F 13/14**

(52) U.S. Cl.: **718/16, 718/62, 718/63**

(53) Field of Search: **718/15, 16, 11, 710/12, 62, 63, 64, 70/23, 24, 25**

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Primary Examiner—Thomas Lee
Assistant Examiner—Theresa D.

(73) Attorney, Agent, or Firm—Pattis Bogg LLP

(37)

ABSTRACT

An interface device (10) provides fast data communication between a host device (12) and an interface unit and a data-transmission device, wherein the interface device (10) comprises a processor means (14), a memory means (14), a first connecting device (12) for interfacing the host device with the interface device, and a second connecting device (12) for interfacing the interface device (10) with the data-transmission device. The interface device (10) is configured by the processor means (14) to the memory means (14) in such a way that, when receiving an inquiry from the host device (12) for the first connecting device (12) as the type of a device attached to the host device, regardless of the type of the data-transmission device, the interface device sends a signal to the host device via the first connecting device (12) which signals to the host device that it is communicating with an analog device.

13 Claims, 2 Drawing Sheets

(17) **United States Patent** **Tsuder**

(11) **Patent No. US 6,895,449 B2**
(54) **Date of Patent: May 17, 2005**

US06054494B2

(54) **FLEXIBLE INTERFACE FOR COMMUNICATION BETWEEN A HOST AND AN ANALOG-TO-DIGITAL CONVERTER TO THE INTERFACE REGARDLESS OF THE TYPE OF THE I/O DEVICE.**

(73) **Inventor: Michael Tsuder, Worcester (DE)**

(75) **Assignee: Laborforschungs-Tier GmbH, Würzburg (DE)**

(*) **Notice:** Subject to any disclaimer, the term of this patent is extended by or adjusted under 35 U.S.C. 154(d) by 369 days.

(21) **Appl. No. 10/218,048**

(22) **Filed: Aug. 15, 2002**

(65) **Priority Publication Data**

US 2002/0091007 A1 Dec. 26, 2002

Related U.S. Application Data

(62) **Division of application No. 09/333,602, filed on Jan. 14, 1999.**

(30) **Foreign Application Priority Data**

Mar. 4, 1997 (DE) 47 08 755 000
Mar. 3, 1998 (EP) 97/018 718

(51) **Int. Cl. G06F 1/04**

(52) **ECL, C, CONF 3314**

(53) **ECL, C, 7018-16, 7018-04, 7009-20**

(54) **Field of Search** 7018, 15, 64, 7011, 12, 15, 62, 63, 7002A, 24, 25, 7009-20, 222

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Assistant Examiner—Harold Kim

(74) **Attorney, Agent, or Firm—Gibson Patent Group, Michael A. Giblin**

(57) **ABSTRACT**

An interface device (10) provides fast data communication between a host device with input/output interfaces and a data transmit/receive device, wherein the interface device (10) comprises a processor means (14), a memory means (15), a first connecting device (12) for interfacing the host device with the interface device, and a second connecting device (13) for interfacing the interface device (10) with the data transmit/receive device. The interface device (10) is configured by the processor means (14) and the memory means (15) in such a way that, when receiving an inquiry from the host device via the first connecting device (12) as to the type of a device attached to the host device, regardless of the type of the data transmit/receive device, the interface device sends a signal to the host device via the first connecting device (12) which signals to the host device that it is communicating with an input/output device.

18 Claims, 2 Drawing Sheets

Who is Papst Licensing GmbH & Co. KA?

- Papst Licensing is a German company that started as Papst Motoren GmbH & Co. KG
 - Designed, manufactured, and patented drive motors
- According to an August 2009 Reuters article:
 - In the 1980's, competitors mostly in Asia allegedly began to copy Papst drive motors and effectively forced Papst Motoren into a sale of the company;
 - Founder George Papst was able to buy the patents back; and
 - Papst Licensing was founded
- Papst found success with their own patents

Who is Papst Licensing GmbH & Co. KA?

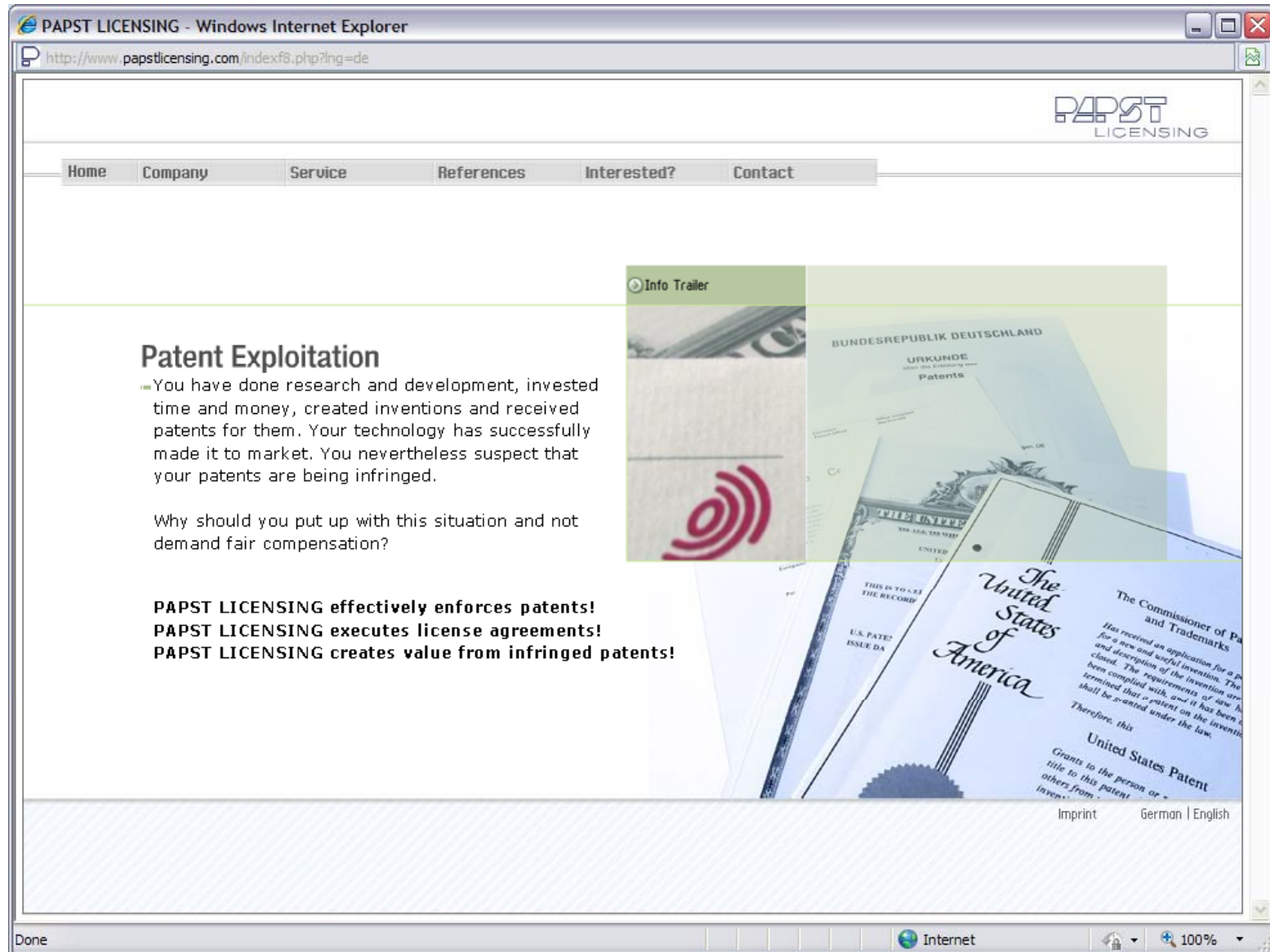
- However, having previously manufactured their own patented products, rather than starting out as a patent troll, Papst started out as more of a gnome.



Who is Papst Licensing GmbH & Co. KA?

Then....

When a gnome goes feral!



When a gnome goes feral!

PAPST LICENSING effectively enforces patents!

PAPST LICENSING executes license agreements!

PAPST LICENSING creates value from infringed patents!

When a gnome goes feral!

PAPST LICENSING effectively enforces patents!

PAPST LICENSING executes license agreements!

PAPST LICENSING create value from infringed patents!

PAPST LICENSING is a non-practicing entity!

When a gnome goes feral!

Papst began seeking out other patent holders who believed their patents were being infringed.

From their website, you can see that Papst is preying on patent holders who feel they have been wronged.

Papst obtains patents, in one form or another, and proceeds to aggressively pursue licensing deals and litigation.

According to the August 2009 Reuters article, Papst has entered into more than 140 licensing agreements.

When a gnome goes feral!

Thus, Papst has completed the metamorphosis from being an innovative manufacturer

When a gnome goes feral!

Thus, Papst has completed the metamorphosis from being an innovative manufacturer --> patent gnome



When a gnome goes feral!

Thus, Papst has completed the metamorphosis from being an innovative manufacturer --> patent gnome --> PATENT TROLL



Who is Papst Licensing GmbH & Co. KA?

- According to their Amicus Brief filed in *Quanta Computer, Inc. v. LG Electronic, Inc.* Supreme Court case, **Papst** is now the holder of a **patent portfolio of over 100 patents**.
- Papst is also actively working to acquire additional patents.
- Thus, if your organization is active within the areas of computer and electronic related technologies, you are likely to hear the name Papst Licensing again.

Who has been targeted by Papst?

- Previously
 - Hard drive manufacturers including:
Seagate JVC
Casio Samsung
- Currently
 - Digital Camera manufacturers including:
Fujifilm Corporation (and subsidiaries)
Matsushita Electric Industrial Co., Ltd. (and Panasonic)
Victor Company of Japan, Ltd. (JVC)
Olympus Corporation (and subsidiaries)
Samsung (and subsidiaries)
Ricoh Corporation (and subsidiaries)
Hewlett-Packard Company;
Nikon Corporation (and subsidiaries)

Picture Patents, LLC

(12) United States Patent Baker

(10) Patent No.: **US 6,278,455 B1**
(45) Date of Patent: ***Aug. 21, 2001**



(54) PICTORIAL INTERFACE FOR ACCESSING INFORMATION IN AN ELECTRONIC FILE SYSTEM

(76) Inventor: **Michelle Baker**, 325 Riverside Dr., Apt
#123, New York, NY (US) 10025

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

This patent is subject to a terminal dis-
claimer.

(21) Appl. No.: **09/459,934**
(22) Filed: **Dec. 13, 1999**

Related U.S. Application Data

(63) Continuation of application No. 09/003,553, filed on Jan. 6,
1998, now Pat. No. 6,002,401, which is a continuation of
application No. 08/316,518, filed on Sep. 30, 1994, now Pat.
No. 5,715,416.

(51) Int. Cl. **G06F 3/14**

(52) U.S. Cl. **345/349; 345/335; 345/473**

(58) Field of Search **345/348, 349,
345/350, 351, 346, 356, 357, 335, 977,
968, 302, 113, 115, 121, 473, 435**

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Primary Examiner—Crescille N. dela Torre
(74) *Attorney, Agent, or Firm*—David P. Gordon; David S.
Jacobson; Thomas A. Gallagher

(57) ABSTRACT

A pictorial user interface for accessing information in an
electronic file system provides a pictorial image which is
linked to a file directory and which identifies the file
directory. Objects in the pictorial image are icons linked to
file objects and an animated character is overlaid on the
pictorial image. User input causes movement of the ani-
mated character relative to the pictorial image. Input from
the user is preferably through a limited input device such as
a gamepad controller, a mouse, or by using a limited number
of keys on a normal keyboard. Input signals are mapped
according to keycode identical command sets, context argu-
ments and selection arguments. Commands that can be
invoked by the user include operating system commands,
pictorial object commands, and interface utility commands.
Using the pictorial object commands, the user can configure
the interface so that different pictures and icons are associ-
ated with different directories and files. Commands are
executed with a prologue animation and an epilogue anima-
tion. The prologue animation provides feedback as to the
nature of the command being executed. The epilogue ani-
mation provides feedback as to the results of the command.
Animations may include actions of the animated character or
the behaviour of a selected icon, or both. The interface may
be applied as an overlay to virtually any operating system.

11 Claims, 18 Drawing Sheets

Microfiche Appendix Included
(1 Microfiche, 81 Pages)



Who is Picture Patents, LLC?

- Picture Patents, LLC, from the best I can tell, is a one hit wonder that is simply attempting to exploit its patent holdings in licensing and litigation.

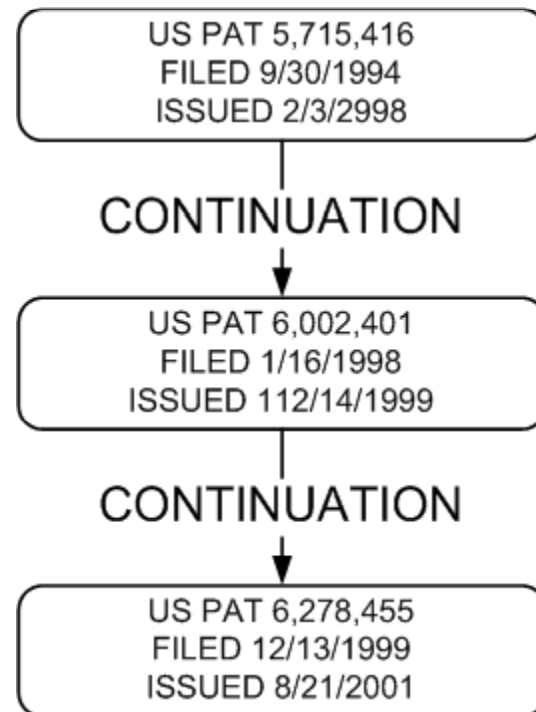
Who is Picture Patents, LLC?

- Picture Patents, LLC, from the best I can tell, is a one hit wonder that is simply attempting to exploit its patent holdings in licensing and litigation.
- Picture Patents is thus a non-practicing entity, also known as a PATENT TROLL



Who is Picture Patents, LLC?

- Picture Patents has three patents in a family with an initial filing date of September 30, 1994.



Plus patents in Australia,
Canada, Denmark, Europe,
Germany, and Japan.

- Remember the September 30, 1994 initial filing date.

Who is Picture Patents, LLC?

- Michelle Baker is the sole inventor of the patents and a principal of Picture Patents.
- According to facts argued by IBM in a cross DJ action associated with the large Picture Patents LLC v. Aeropostale Inc. et al. matter currently pending in the Southern District of New York:
 - Baker was hired as an employee of IBM in the fall of 1990.
 - Prior to taking her position with IBM, Baker executed an agreement which created a duty to assign “any idea, invention, design of a useful article, computer program, and related documentation, and other work of authorship ... [that] (a) relates relate[s] to the actual or anticipated business or research or development of IBM or its subsidiaries, or (b) [is] suggested by or result[s] from any task assigned to me or work performed by me for or on behalf of IBM or its subsidiaries.”

Who is Picture Patents, LLC?

- More from the facts asserted by IBM
 - While at IBM, Baker invented a user interface which she discussed with other IBM employees and attempted to convince IBM to submit a National Science Foundation proposal.
 - Baker even sought assistance in developing the user interface and filling out and submitting an invention disclosure.
 - **Picture Patents conceded these facts.**

Who is Picture Patents, LLC?

- More from the facts asserted by IBM:
 - Baker's employment with IBM ended in June 1993.
 - As noted previously, the parent patent application was filed on September 30, 1994.
- Thus, there is an issue with regard to ownership of the invention(s) covered by the three patents assigned to Picture Patents.

Who is Picture Patents, LLC?

- The DJ Action brought by IBM is an attempt to take title to the inventions that are the subject of the patents held by Picture Patents, LLC including the 6,279,455 patent which is currently being asserted against many organizations.
- The Southern District of New York has issued a stay in the litigation until the ownership issue raised by IBM in the cross DJ action is resolved.
- Stays have also been issued in other jurisdictions awaiting resolution of this same issue.

Who has been targeted by Picture Patents, LLC?

Aeropostale, Inc.

Bath & Body Works, LLC

The Charlotte Russe, Inc.

GSI Commerce Solutions, Inc.

National Basketball Association

Major League Baseball

Linens 'N Things, Inc.

Drytac Corporation

Monument Realty

Terra Holdings LLC

Tweeter Home Entertainment Group, Inc.

Dick's Sporting Goods, Inc.

Buy.com

IBM

FogDog, Inc.

Sanitech Corp.

Diamond Springs Water, Inc

Anderson & Strudwick, Inc.

Colonial Parking, Inc.

Atlas Air Worldwide Holdings

What do the patents cover?

Good question...

What do the Papst patents cover?

- US Patent 6,470,399 (Papst)
 - Three independent claims
 - Fifteen claims total
- US Patent 6,895,449 (Papst)
 - Three independent claims
 - Eighteen claims total
- Asserted against digital camera manufacturers.

What do the Papst patents cover?

- From Papst Amended Complaint in litigation with Nikon:

11. Upon information and belief the Nikon Defendants have made, used, sold or offered to sell to numerous customers in the United States or have imported into the United States digital cameras which infringe the Patents in Suit.

12. A reasonable opportunity for further investigation or discovery is likely to provide evidentiary support that the Nikon Defendants have actively induced others and/or contributed to the infringement of the Patents in Suit.

13. A reasonable opportunity for further investigation or discovery is likely to provide evidentiary support that the Nikon Defendants committed the acts of infringement described herein willfully.

14. Papst Licensing has given written notice of infringement to the Nikon Defendants.

15. Upon information and belief, the Nikon Defendants have been and still are committing the acts of infringement described herein and will continue to do so unless enjoined by this Court.

What do the Papst patents cover?

- **Claim 1 from US Patent 6,470,399:**

1. An interface device for communication between a host device, which comprises drivers for input/output devices customary in a host device and a multi-purpose interface, and a data transmit/receive device, the data transmit/receive device being arranged for providing analog data, comprising:
 - a processor;
 - a memory;
 - a first connecting device for interfacing the host device with the interface device via the multi-purpose interface of the host device; and
 - a second connecting device for interfacing the interface device with the data transmit/receive device, the second connecting device including a sampling circuit for sampling the analog data provided by the data transmit/receive device and an analog-to-digital converter for converting data sampled by the sampling circuit into digital data,wherein the interface device is configured by the processor and the memory to include a first command interpreter and a second command interpreter,wherein the first command interpreter is configured in such a way that the command interpreter, when receiving an inquiry from the host device as to a type of a device attached to the multi-purpose interface of the host device, sends a signal, regardless of the type of the data transmit/receive device attached to the second connecting device of the interface device, to the host device which signals to the host device that it is an input/output device customary in a host device, whereupon the host device communicates with the interface device by means of the driver for the input/output device customary in a host device, andwherein the second command interpreter is configured to interpret a data request command from the host device to the type of input/output device signaled by the first command interpreter as a data transfer command for initiating a transfer of the digital data to the host device.

What do the Papst patents cover?

- Analyzing claims to determine the context, what the claims and the terms therein may mean, and what the claims may cover is a lengthy process.
- The result of that process is often a claim chart, but claim charts are usually captured in a spreadsheet or a document and the data is not reusable, easily modified, or tailorable for other purposes.
- Claim charts are also usually only in the terms used in the claims which presents difficulties in assessment of your own activities in view of the claims.

What do the Papst patents cover?

- Back to the Papst claims
 - We know the claims are asserted to have something to do with digital cameras as the claims are being asserted against digital camera manufacturers.
 - But a text-based search of both patents on the terms camera, image, and picture fail to yield any results.
 - I expected to find such terms, or equivalents thereof, in a patent being directed at essentially the entire digital camera manufacturing industry.

What do the Papst patents cover?

- Back to the Papst claims
 - Instead, the patents are directed at interfaces that facilitate communication between devices to simplify device driver concerns.
 - Thus, the implications of Papst activities with regard to both the '399 and '449 patents has broader implications.
 - Other industries have potential exposure.

What do the Picture Patents, LLC patents cover?

- US Patent 6,278,455 (Picture Patents, LLC)
 - Four independent claims
 - Eleven claims total
- Asserted against a wide variety of entities operating in a broad array of industries
 - Particularly Internet retailers and content providers

What do the Picture Patents, LLC patents cover?

From the third amended complaint of Picture Patents, LLC in the Aeropostale litigation:

32. Upon information and belief, NBA manufactures, makes, has made, uses, sells and/or offers for sale devices and/or services that infringe claims in the '455 patent. NBA is infringing directly, by inducement, and/or by contributing to the infringement of the '455 patent by offering, providing, using and operating services through one or more websites, including but not limited to the "www.nba.com," website, including but not limited to providing a pictorial interface on said websites that permits access of electronic files. NBA has committed these acts of infringement throughout the United States, including in this judicial district.

33. Plaintiff has been damaged as a result of NBA's infringing conduct.

34. Upon information and belief, MLB manufactures, makes, has made, uses, sells and/or offers for sale devices and/or services that infringe claims in the '455 patent. MLB is infringing directly, by inducement, and/or by contributing to the infringement of the '455 patent by offering, providing, using and operating services through one or more websites, including but not limited to the "http://mlb.mlb.com," website, including but not limited to providing a

What do the Picture Patents, LLC patents cover?

- Claim 1 from US Patent 6,278,455:
 1. A pictorial interface for accessing information in an electronic file system having a display screen and an input device, said interface comprising:
 - a) at least one pictorial image displayable on the display screen;
 - b) means for associating said at least one pictorial image with a first group of files;
 - c) means for defining a plurality of sub-images as portions of said at least one pictorial image, wherein said means for defining enables selection of substantially any non-predefined portion of said at least one pictorial image and designation of it as a sub-image; and
 - d) means for associating each of a plurality of the files in the first group of files with individual sub-images of said plurality of sub-images.

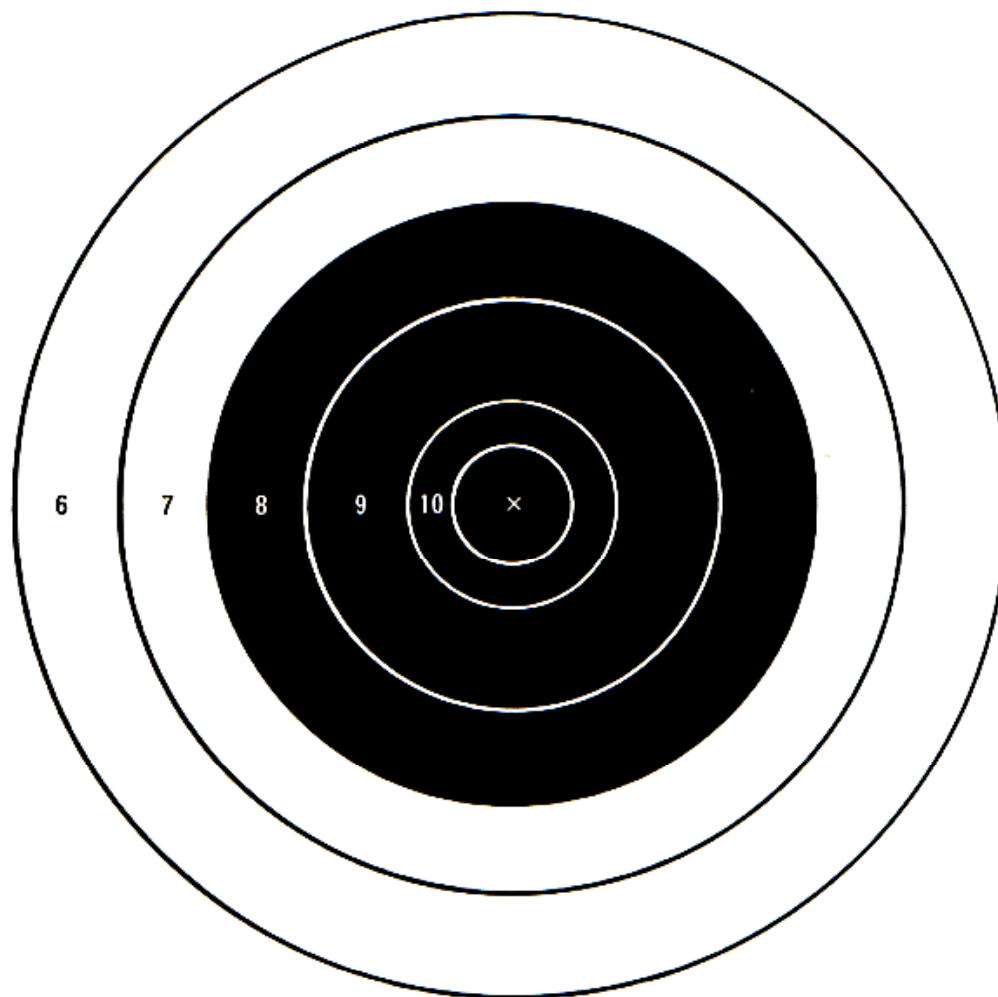
What do the Picture Patents, LLC patents cover?

- Presumably, the claims of the '455 patent have something to do with Internet retailing, or at least the Internet in general.
- However, the terms sell, sale, Internet, web, and retail are not included in the specification.
- Instead, the '455 patent is directed to a user interface that includes selectable images representative of other data items.
- Thus, other areas of computing that include user interfaces with selectable images may be implicated.

Theme of Papst and Picture Patents

- The theme of these specific patents that are being actively asserted is that the claims are:
 - Vague;
 - Confusing; and
 - Likely to be applied in a manner which may not be readily apparent.

What to do if Targeted?



What to do if Targeted?

- Your first indication that you may be a target of either Papst or Picture Patents is likely to be a letter. The letter will make you aware of at least one particular patent and invite you to initiate licensing discussions.
- There are several considerations to be made at this point. You need to decide whether to:
 - Request further information;
 - Take a license;
 - Ignore the letter;
 - Request Reexam;
 - Initiate a declaratory judgment action;
 - Etc.

What to do if Targeted?

- Before you make any decision, you need to analyze the identified patents.
- This analysis usually includes claim charting and comparing the chart to your efforts and products.
- As mentioned above, claim charting is often a time consuming process that results in non-reusable information.
- The answer...

What to do if Targeted?

- Claim mapping powered by ClaimBot®

Claim Map

- A claim map is an analytical tool for understanding one or more patents.
- ClaimBot® is a database and software application by Lucid Patent®, LLC.
- A claim map shows **scope concepts** that each represent some limitation of a set of mapped claims.

Claim Map

- **Scope Concept (SC)**
 - describes **some limitation** relevant to a patent portfolio;
 - claim is limited by **at least** the SC and is often further limited;
 - SC is often **broader** than a given claim element and may cover multiple elements.
 - fastener = {screw, rivet, bolt, nail, glue, etc.}

Claim Map

- **Remember Claim 1 from US Patent 6,470,399:**

1. An interface device for communication between a host device, which comprises drivers for input/output devices customary in a host device and a multi-purpose interface, and a data transmit/receive device, the data transmit/receive device being arranged for providing analog data, comprising:
 - a processor;
 - a memory;
 - a first connecting device for interfacing the host device with the interface device via the multi-purpose interface of the host device; and
 - a second connecting device for interfacing the interface device with the data transmit/receive device, the second connecting device including a sampling circuit for sampling the analog data provided by the data transmit/receive device and an analog-to-digital converter for converting data sampled by the sampling circuit into digital data,wherein the interface device is configured by the processor and the memory to include a first command interpreter and a second command interpreter,
wherein the first command interpreter is configured in such a way that the command interpreter, when receiving an inquiry from the host device as to a type of a device attached to the multi-purpose interface of the host device, sends a signal, regardless of the type of the data transmit/receive device attached to the second connecting device of the interface device, to the host device which signals to the host device that it is an input/output device customary in a host device, whereupon the host device communicates with the interface device by means of the driver for the input/output device customary in a host device, and
wherein the second command interpreter is configured to interpret a data request command from the host device to the type of input/output device signaled by the first command interpreter as a data transfer command for initiating a transfer of the digital data to the host device.

Claim Map

- The Papst claims US Patent 6,470,399 become:

Title		Flexible interface for Communication between a host and an analog I/O device connected to the												
File #														
Patent #		6,470,399												
Assignee Name		Labortechnik Tasler GmbH (Wuerzburg, DE)												
Filing Date		June 14, 1999												
Total Claims		15												
Claim# (Independent)		1	11	14										
Scope Concept (Frequency, Desc.)	Claims Mapped	6	6	5										
analog-to-digital converter	3													
host device	3													
multi-purpose interface	3													
sampling	3													
signal communication between a host device and a different device, regardless of the type of different device or the type of data being communicated between the host device and the different device	3													
command interpreter	2													

Claim Map

- The claims of both Papst patents 6,470,399 and 6,895,449 become:

Title				Flexible interface			Flexible interface		
File#									
Patent#				6,470,399			6,895,449		
Assignee Name				Labortechnik			Labortechnik		
Filing Date				Jun 14, 1999			Aug 15, 2002		
Total Claims				15			18		
Claim# (Independent)				1	11	14	1	17	18
Claim Status (1=don't need, 2=want, 3=need)				3	3	3	3	3	3
				Possibly Need			Possibly Need		
Scope Concept (Frequency, Desc.)	Rating (1-3)	Claims Mapped		6	6	5	4	4	4
signal communication between a host device and a different device, regardless of the type of different device or the type of data being communicated between the host device and the different device	3	6	100%						
multi-purpose interface	3	6	100%						
host device	3	6	100%						
sampling	3	3	50%						
interface device arranged for simulation of a virtual file system	3	3	50%						
analog-to-digital converter	3	3	50%						
command interpreter	3	2	34%						

Claim Map

- As a result of the claim map, which is generated very easily and quickly, you have a view of what each patent requires.

Title				Flexible interface			Flexible interface		
File#									
Patent#				6,470,399			6,895,449		
Assignee Name				Labortechnik			Labortechnik		
Filing Date				Jun 14, 1999			Aug 15, 2002		
Total Claims				15			18		
Claim# (Independent)				1	11	14	1	17	18
Claim Status (1=don't need, 2=want, 3=need)				3	3	3	3	3	3
				Possibly Need			Possibly Need		
Scope Concept (Frequency, Desc.)	Rating (1-3)	Claims Mapped		6	6	5	4	4	4
signal communication between a host device and a different device, regardless of the type of different device or the type of data being communicated between the host device and the different device	3	6	100%						
multi-purpose interface	3	6	100%						
host device	3	6	100%						
sampling	3	3	50%						
interface device arranged for simulation of a virtual file system	3	3	50%						
analog-to-digital converter	3	3	50%						
command interpreter	3	2	34%						

Claim Map

- And a claim map for the 6,278,455 patent of Picture Patents, LLC.

Title		Pictorial interface for accessing information in an electronic file system													
File #															
Patent #		6,278,455													
Assignee Name															
Filing Date		December 13, 1999													
Total Claims		11													
Claim# (Independent)		1	6	8	11										
Scope Concept (Frequency, Desc.)	Claims Mapped	3	3	4	4										
associating a file with a pictorial image or a sub-image of a pictorial image	4														
pictorial image	4														
defining a sub-image of a pictorial image	3														
animated character image	1														
animated image	1														
automatic compilation of program code containing a subimage definition and association between the subimage and a file	1														

Claim Map

- With a patent map in hand, you are then able to assess your own activities and perform the relevant considerations:
 - Request further information;
 - Take a license;
 - Ignore the letter;
 - Request Reexam;
 - Initiate a declaratory judgment action;
 - Etc.
- Of these activities, you will subsequently need a claim chart for at least a reexam request and a DJ action.
- The claim chart is essentially complete from the claim mapping.
- Any changes or additions to the map are easy and quick through interaction with data of the claim map which is stored in a database.

Claim Map


- The Scope Concepts also provide a roadmap for prior art searching.
- Find all of the Scope Concepts of an independent claim in a single document and you have a pretty good position for invalidity.

Additional Opportunities and Uses for Claim Mapping

- There are numerous other beneficial uses to leverage the capabilities of claim mapping.
 - Tracking your own issued patents, pending applications, and trade secrets;
 - Monitoring patents and published applications of competitors;
 - Whitespace analysis; and
 - Prior art identification.

Example Portfolio Map

- Such a map provides a visualization of an entire portfolio

 SUNLIGHT RESEARCH™ The Source for Patent Analysis			Mouse and method for concurrent cursor position and scrolling control				Computer keyboard with dial for entering repetitive data and commands		Mouse and method for concurrent cursor position and scrolling control				Mouse driver arrangement for providing advanced scrolling capabilities to a conventional mouse		Commands functions invoked from movement of a control input device		
Title																	
File#																	
Patent#			5,313,229				5,438,331		5,374,942				5,633,657		5,745,719		
Assignee Name																	
Filing Date			Feb 05, 1993				Jun 11, 1993		Aug 12, 1993				Oct 11, 1994		Jan 19, 1995		
Total Claims			17				9		18				19		23		
Claim# (Independent)			1	9	12	17	1	9	1	6	11	16	1	11	1	8	16
Claim Status (1=don't need, 2=want, 3=need)			Possibly Need				Possibly Need		Possibly Need				Possibly Need		Possibly Need		
Scope Concept (Appearance, Asc.)	Ranking (1-3)	Total	6	6	8	8	3	3	7	10	10	11	8	8	4	4	3
controlling a scrolling movement of information on a display	3	10	67%														
controlling movement of a cursor or position indicator on a display	3	13	87%														
generating x-y position signals or incremental movement information	3	10	67%														
providing a displaceable or moveable body and spring for generating control signals	3	3	20%														
providing a supplementary control signal for scrolling information on a display	3	8	53%														
varying control signals based on a displacement amount and direction from equilibrium	3	3	20%														
analyzing a trail or movement of a cursor at periodic time intervals	3	7	47%														
detecting a dominant cursor direction	3	5	33%														
generating commands for scrolling information on a display in a scrolling direction along a scrolling axis	3	5	33%														
setting a scrolling axis	3	4	27%														
generating an output signal according to an angular rotation speed of a dial	3	2	13%														
modifying a sequence of repeated commands by activation of a key when a dial is rotated	3	2	13%														
producing a sequence of repeated commands with a rotatable dial	3	2	13%														
providing tactile feedback about position of a displaceable body	3	1	7%														
generating scrolling commands according to a scrolling scale and scrolling axis	3	3	20%														
setting or interpreting a scrolling scale	3	3	20%														
determining similarity of a cursor trail or movement pattern to a pre-defined cursor trail or movement pattern	3	2	13%														
providing synchronizing signals with a real-time clock	3	4	27%														
storing a cursor's x-y incremental movement information	3	4	27%														
producing a time-varying output signal for scrolling-rate control	3	2	13%														
calculating a cursor-heading, time variation-profile	3	3	20%														
executing a predetermined command when detected cursor movement substantially matches a pre-defined profile	3	3	20%														

Example Portfolio Map

- A more complex portfolio – Ronald A. Katz Technology Licensing

Claim Map View for Ronald A. Katz' Pesky Patents

Attorney Work Product/Attorney-Client Privileged and Confidential

				Multiple format telephonic interface control system										Telephonic-interface statistical analysis system						Telephone interface call processing system with call selectivity																							
Title																																											
File#																																											
Patent#				5,351,285										5,815,551						5,828,734																							
Assignee Name				First Data Resources Inc. (Omaha, NE)										Ronald A. Katz Technology						Ronald A. Katz Technology Licensing, LP (Los Angeles, CA)																							
Filing Date				Apr 13, 1993										Jun 06, 1995						Oct 03, 1993																							
Total Claims				67										35						254																							
Claim# (Independent)				1	16	17	18	19	20	30	34	46	48	49	51	54	62	65	67	1	14	21	22	24	26	1	11	27	39	50	60	64	81	132	135	151	178	199	230	244	249		
Claim Status (1=don't need, 2=want, 3=need)				2	2	2	2	2	2	3	2	2	2	2	2	3	2	3	2	3	2	1	2	1	2	1	1	2	2	2	1	2	2	2	1	1	2	1	2	2			
				Possibly Need										Want						Want																							
Scope Concept (Frequency, Desc.)	Rating (1-3)	Claims Mapped		7	7	8	7	7	7	6	8	8	8	6	6	6	6	5	7	10	7	10	5	9	4	7	5	8	6	7	4	8	7	5	7	7	10	4	7	6	6		
receiving a call	3	30	79%																																								
selecting a call format	3	23	68%																																								
receiving a call signal	3	17	45%																																								
interfacing to a terminal for communication	3	17	45%																																								
selecting a processing or operating format based on dialed number identification signals (DNIS)	2	16	43%																																								
accepting a call based on a condition	3	14	37%																																								
qualifying a call	3	13	36%																																								
receiving a call in a toll free call mode	2	12	32%																																								
connecting a call to a terminal based on a condition	3	12	32%																																								
processing a toll free call	3	11	29%																																								
testing a call format	3	9	24%																																								
providing a voice or audio instruction to a caller	3	9	24%																																								
processing a caller charge call	3	9	24%																																								
storing caller data	3	8	22%																																								
connecting a caller to an operator	2	8	22%																																								
restricting a caller's access	2	6	16%																																								
receiving caller data	3	6	16%																																								
qualifying a caller data signal	2	5	14%																																								
accessing caller data	3	5	14%																																								
updating caller data	3	3	8%																																								
prompting a caller to enter caller data	3	3	8%																																								
checking an answer from a caller	1	3	8%																																								
qualifying a caller	2	2	6%																																								
providing an automated greeting	3	2	6%														</																										

Claim Mapping

- Thus, through claim mapping, you are able to:
 - Quickly and cost effectively analyze patents asserted against you;
 - Make quick, yet informed decisions, when confronted with a potential claim of patent infringement;
 - Effectively manage your patent and trade secret portfolio;
 - Leverage work performed and data generated for many purposes;
 - Monitor the inventive activities of your competitors;
 - Make informed decisions of where your own patent filings fit within your own portfolio and relevant technology spaces.

Claim Mapping

- Claim mapping on a proactive basis provides:

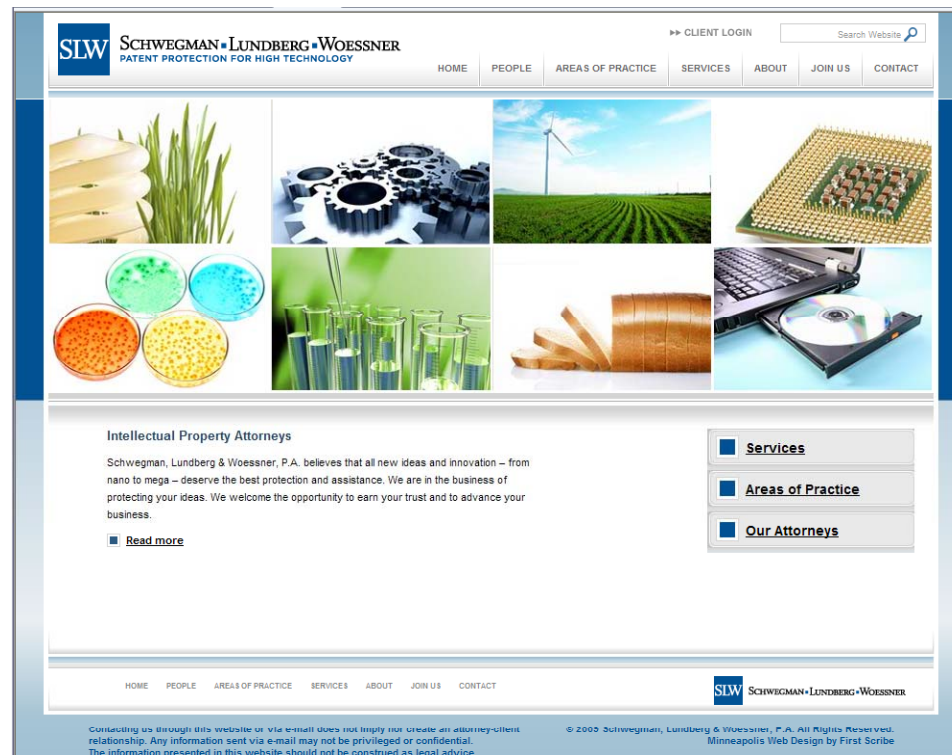
Business Agility

Claim Mapping

- Thus, when confronted with potential exposure to a vague and potentially broad patent or patent family, such as the Papst or Picture Patents patents, claim mapping allows you to rapidly:
 - Identify what the patents cover;
 - Quantify potential exposure; and
 - React in a timely, well informed manner.

How do I get access to claim mapping?

- By contacting Schwegman, Lundberg, & Woessner, PA
 - 612.373.6900
 - www.slwip.com



How do I get access to claim mapping?

- Schwegman, Lundberg, & Woessner, PA is a law firm that is available to assist with your patent prosecution, mapping, analysis, freedom to operate, risk mitigation, and business decision making needs.

How do I get access to claim mapping?

- By contacting Sunlight Research, LLC
 - 612.977.1713
 - www.sunlightresearch.com



Sunlight Research, LLC

- Sunlight Research is not a law firm, but an analytic service and information provider.
- Sunlight Research has many free reports including claim maps available on its website www.sunlightresearch.com across many technology areas.
- There are also reports with claim maps available for purchase and download including reports on currently active trolls.
- Sunlight Research can also prepare reports on demand.
- Thus, Sunlight Research is a good place to start when you first identify a potential exposure to patent infringement or when you want to assess your competitive position in a technology landscape.

612.977.1713 www.sunlightresearch.com



How do I get access to claim mapping?

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 - 612.501.2959
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