EXHIBIT 3
FILED UNDER SEAL

Exhibit 3 In Support of the Declaration of Stephen Gray[1]

U.S. Patent No. 7,864,163 is Anticipated by the LaunchTile System,[2] the LaunchTile Video,[3] and the LaunchTile Publication[4]

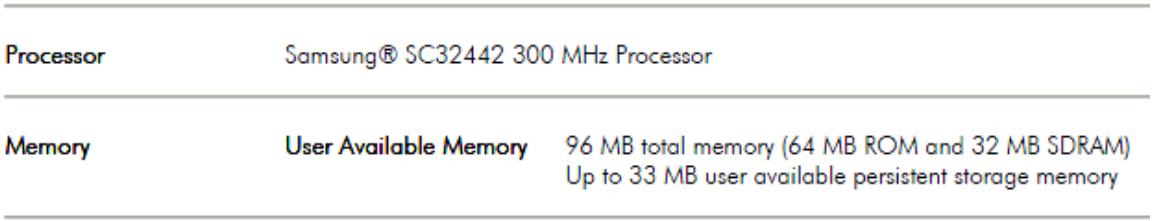
U.S. Patent No. 7,864,163	LaunchTile System and LaunchTile Publication
Claim 50	
[50a] A portable electronic device, comprising: a touch screen display; one or more processors; memory; and one or more programs, wherein the one or more programs are stored in the memory and configured to	*The LaunchTile System is comprised of a program configured to be executed on mobile computing devices, including the Compaq ipaq h1900 series Pocket PC which includes a touch screen display:* **Analysis in Support of Declaration of Stephen Gray**: ▪ A Compaq ipaq h1900 series Pocket PC running LaunchTile discloses ***a portable electronic device comprising a touch screen display***. This device includes ***processors and memory***. For example, the Compaq ipaq h1900 series PocketPC model 1950 has a Samsung SC32442

[1] Each of the LaunchTile System, the LaunchTile Video, and the LaunchTile Publication are separate invaliding references upon which Samsung has based its Motion for Summary Judgment. However, because of the similarity of these three references, this single claim chart is submitted in support thereto.

[2] The LaunchTile System is comprised of the LaunchTile executable running on a Compaq ipaq 1900 series Pocket PC. *See* Executable version of LaunchTile, Declaration of Benjamin Bederson (hereafter "Bederson Decl.") Ex. F. The LaunchTile System is described in the publication Bederson et al., *AppLens and LaunchTile: Two Designs for One-Handed Thumb Use on Small Devices*, CHI 2005, ACM, Apr. 2-7, 2005 (hereafter "LaunchTile Publication"), *see* Bederson Decl. Exs. A-C; the Video Demonstrations of LaunchTile, *see* Bederson Decl. Exs. D & J; and PowerPoint slides displayed at the April 2005 ACM Conference on Human Factors in Computing Systems, *see* Bederson Decl. Exs. E & H. Each of these documents have been previously produced in this litigation.

[3] The LaunchTile Video is a video demonstration presented by Dr. Bederson at the April 2005 ACM Conference on Human Factors in Computing Systems. *See* Bederson Decl. at ¶ 8 & Ex. D. The LaunchTile Video, attached as Exhibit D to the Bederson Declaration, specifically demonstrates one of the two invalidating behaviors described herein.

[4] The LaunchTile Publication is Bederson et al., *AppLens and LaunchTile: Two Designs for One-Handed Thumb Use on Small Devices*, CHI 2005, ACM, Apr. 2-7, 2005 (hereafter "LaunchTile Publication"). *See* Bederson Decl. at Exs. A-C.

U.S. Patent No. 7,864,163	LaunchTile System and LaunchTile Publication
be executed by the one or more processors,	processor and main memory of 32 MB SDRAM.  *See* HP ipaq 1950 Pocket PC Quick Specs (Dkt 168-13). ▪ The HP ipaq 1950 Pocket PC ("ipaq device") running LaunchTile also discloses ***one or more programs stored in memory and configured to be executed by the one or more processors***. Based on my first-hand experience with the ipaq device running the LaunchTile program, and the Bederson Declaration, it is apparent that the LaunchTile program is stored in the memory of the ipaq device and is configured to be executed by the one or more processors of the ipaq device. **Relevant Record Citations in Support**: ▪ Declaration of Stephen Gray ("Gray Decl.") at ¶ 71-74; ▪ LaunchTile Video Demonstrations: Gray Decl. Exs. 4 & 5; ▪ Bederson Decl. at ¶ 9 ("The LaunchTile program runs on a portable electronic device such as the Compaq ipaq line of handheld devices. Such a device can include a touch screen display, one or more processors, and memory. The LaunchTile program was stored in the memory and configured to be executed by the one or more processors of the portable electronic device."); ▪ LaunchTile Publication: Bederson Decl. Ex. A at 201 ("Another design approach, typically classified as a 'Personal Digital Assistant' (PDA) features a touch-sensitive display surface . . . ."; "Our goal is to create a new single-handed interaction system for both smartphone and PDA devices.");

U.S. Patent No. 7,864,163	LaunchTile System and LaunchTile Publication
	▪ LaunchTile Video Demonstrations: Bederson Decl. Exs. D & J; ▪ Executable Version of LaunchTile: Bederson Decl. Ex. F.
[50b] the one or more programs including: instructions for displaying at least a portion of a structured electronic document on the touch screen display, wherein the structured electronic document comprises a plurality of boxes of content;	*The LaunchTile System is comprised of a program including instructions for displaying at least a portion of a structured electronic document on the touch screen display:* **Analysis in Support of Declaration of Stephen Gray**: ▪ An executable file, such as the one attached as Exhibit F to the Bederson Declaration discloses one or more ***programs including instructions***. ▪ Based on my first-hand experience with LaunchTile and the Bederson Declaration, the LaunchTile program includes ***instructions for displaying at least a portion of a structured electronic document*** – *i.e.* a 6x6 interactive zoomspace – on the touch screen display of the ipaq device. The zoomspace is a structured electronic document based on the following: my understanding of how a person ordinarily skilled in the art would interpret that term, the testimony of Apple's expert witness as well as the inventors of the '163 Patent, and the manner in which the Bederson Declaration describes the design of LaunchTile. **Relevant Record Citations in Support**: ▪ Gray Decl. at ¶ 76-80, 82; ▪ LaunchTile Video Demonstrations: Gray Decl. at Exs. 4 & 5; ▪ Bederson Decl. at ¶ 13 ("When running on a portable electronic device, LaunchTile consists of a single object oriented data structure. The data structure is hierarchical in nature, allowing the embedded elements within the zoomspace to be rendered in further detail as the zoomspace itself is displayed at increasing levels of zoom."); at ¶ 14 ("[W]hile the zoomspace did consist of a collection of embedded tiles that were distinct areas of interest . . . those embedded tiles were always part of one unified zoomspace that was dependent on a single object-oriented data structure for its content during the rendering process."); ▪ LaunchTile Publication: Bederson Decl. Ex. A at 204 ("[T]he LaunchTile design is an interactive zoomspace consisting of 36 application tiles, divided into 9 zones of 4 tiles

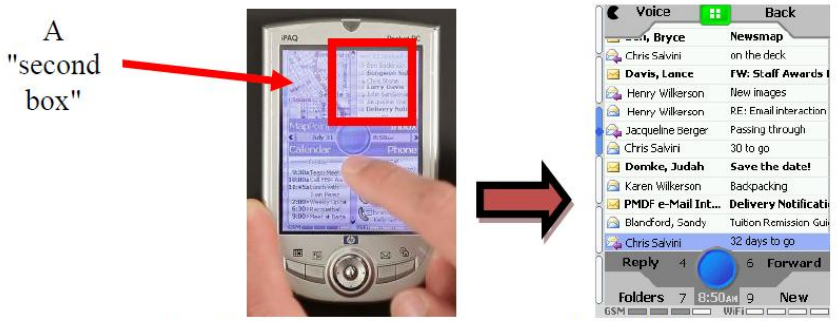
U.S. Patent No. 7,864,163	LaunchTile System and LaunchTile Publication
	each . . . ."); ▪ Executable Version of LaunchTile: Bederson Decl. Ex. F; ▪ Rebuttal Report of Apple Expert Karan Singh at ¶ 33 n.1: Gray Decl. Ex. 15 ("I express no opinion as to whether the portions of the World View, Zone View, and Application View displayed by LaunchTile and XNav individually constitute "structured electronic documents" within the meaning of the '163 patent."); ▪ Deposition Transcript of Karan Singh Vol. I at 80:6-13: Gray Decl. Ex. 6 (Q: "So does the structured electronic document have to have structure that is visible to the human on the screen as well as structure that's understandable by the machine but not visible to the human on the screen?" A: "It could be either."); Vol. I at 80:25-81:1 ("[I]f I disagreed with [Mr. Gray's definition of structured electronic document], it would probably be in my validity report."); Vol. I at 75:4-13 (Q: "Can you give me any examples of electronic documents that are not structured electronic documents in the context of the '163 patent?" A: "A music file." Q: "Any other examples?" A: "Well, that's one. A file containing three-dimensional graphical objects, strictly three-dimensional graphical data." Q: "Any others?" A: "Well, at least those."); Vol. I at 171:9-11 (Q: "So is it your position that Launch Tile does not disclose structured electronic documents?: A: "No. That's not my position."); ▪ Deposition Transcript of Inventor Richard Williamson at 67:4-6: Gray Decl. Ex. 11 ("A structured document is something that has a visual structure with structurally interesting components."); at 67:10-11 ("So a structured document is something that, you know, a normal human can look at and identify areas of interest."); ▪ Deposition Transcript of Inventor Scott Forstall at 14:10-12: Gray Decl. Ex. 10 ("I would take it to mean a -- a document which has some form of structure in it, and that structure could come in many different forms."). *The structured electronic document displayed by the LaunchTile System comprises a plurality of boxes of content:* **<u>Analysis in Support of Declaration of Stephen Gray</u>**:

U.S. Patent No. 7,864,163	LaunchTile System and LaunchTile Publication
	▪ It is apparent that the structured electronic document disclosed by LaunchTile comprises a ***plurality of boxes of content*** – *i.e.*, 36 embedded structured electronic documents clustered in nine 2x2 Zones within the larger zoomspace structured electronic document. ▪ This opinion is consistent with the way in which the Bederson Declaration describes the design of the LaunchTile program. It is also consistent with Inventor Scott Forstall's testimony that structured electronic documents can be embedded into other structured electronic documents. **Relevant Record Citations in Support**: ▪ Gray Decl. at ¶ 76, 81-82 ; ▪ LaunchTile Video Demonstrations: Gray Decl. Exs. 4 & 5; ▪ Bederson Decl. at ¶ 14 ("[T]he individual tiles in LaunchTile were typically represented by one or more image files (.png files). To render a tile, the LaunchTile program executed instructions for selecting the appropriate image depending on the level of zoom."); ▪ LaunchTile Publication: Bederson Decl. Ex. A at 204 ("[T]he LaunchTile design is an interactive zoomspace consisting of 36 application tiles, divided into 9 zones of 4 tiles each . . . ."); ▪ Deposition Transcript of Karan Singh Vol. I at 96:9-14: Gray Decl. Ex. 6 ("In the claims of the '163 patent, the word "box" in -- in -- in the context of the '163 patent refers to an element of structure that is -- that is visually meaningful to -- to the -- to the viewer of the visual manifestation of that structured electronic document."); ▪ Deposition Transcript of Inventor Scott Forstall at 15:8-13: Gray Decl. Ex. 10 ("You could imagine that you could embed a whole other document within a document as well. So you could have maybe, you know, an Excel spreadsheet in a piece of this or a whole other web page inside of a frame, and then that itself could be considered a structured electronic document inside of another one."); ▪ Deposition Transcript of Inventor Greg Christie at 75:22-24: Gray Decl. Ex. 12 ("What is a box... A box of content... Well, that[s] interesting. I'm guessing that a box is an area with

U.S. Patent No. 7,864,163	LaunchTile System and LaunchTile Publication
	four sides.");
[50c] instructions for detecting a first gesture at a location on the displayed portion of the structured electronic document; instructions for determining a first box in the plurality of boxes at the location of the first gesture; instructions for enlarging and translating the structured electronic document so that the first box is substantially centered on the touch screen display;	*The LaunchTile System includes instructions for detecting a first gesture at a location on the displayed portion of the structured electronic document, instructions for determining a first box in the plurality of boxes at the location of the first gesture, and instructions for enlarging and translating the structured electronic document so that the first box is substantially centered on the touch screen display.* **Analysis in Support of Declaration of Stephen Gray**: ▪ While running on the ipaq device, a single tap (***first gesture***) is detected at the location of a 2x2 "Zone" (***a first box***) within the zoomspace at World view. ▪ In response, an animated zooming operation occurs wherein the zoomspace is ***enlarged*** and ***translated*** such that the 2x2 Zone occupies the entire touch-screen display. At this "Zone" view, the 2x2 Zone is at least ***substantially centered*** [5] on the touch-screen display. ▪ On the display, consistent visual cues such as a large "Blue" onscreen button and "rails" reinforce to the user that the "Zone" view is merely an enlarged version of the "World" view. ▪ Further, at the code-level, the single hierarchical object-oriented data structure described by the Bederson Declaration confirm that the instructions in LaunchTile are, in fact, "enlarging" and "translating" a single structured electronic document during the transition from "World" view to "Zone" view.

[5] The term substantially centered is likely indefinite. However, for purposes of this claim chart, it is assumed that LaunchTile's enlarging and translating of the World such that a Zone or Application fills the touch-screen display is at least an example of "substantially centering" a "box of content."

U.S. Patent No. 7,864,163	LaunchTile System and LaunchTile Publication
	 **Relevant Record Citations in Support**: ▪ Gray Decl. at ¶ 84-90; ▪ LaunchTile Video Demonstrations: Gray Decl. Exs. 4 & 5; ▪ Bederson Decl. at ¶ 16 ("From the World view in LaunchTile, the user can select a particular Zone for viewing. LaunchTile contains instructions for detecting the user input, instructions for determining the zone corresponding to the location of the user input, and instructions for displaying an animated panning and zooming operation, wherein the zoomspace is enlarged and scrolled so that the four tiles associated with the selected Zone fill the touch-screen display."); at ¶ 17 ("As the user is 'zoomed' into the selected Zone, LaunchTile does execute instructions for rendering each of the tiles in the selected Zone in further detail, but at the conclusion of the zooming step, it is still fundamentally the same hierarchical object oriented data structure that is visually displayed to the user. The four tiles that happen to be displayed in Zone view are the same embedded Application tiles (albeit rendered in further detail) that were present at World view."); at ¶ 18 & Ex. G. ▪ LaunchTile Publication, Bederson Decl. Ex. A at 205 ("Single-tapping a zone animates to Zone view, displaying the zone's 4 notification tiles."); ▪ *Cf.* Expert Infringement Report of Apple Expert Karan Singh at ¶ 63: Gray Decl. Ex. 13 ("It

U.S. Patent No. 7,864,163	LaunchTile System and LaunchTile Publication
	is apparent that each Samsung Accused Product detects a user's gesture because it responds to it.").
[50d] instruction for, while the first box is enlarged, detecting a second gesture on a second box other than the first box; and instructions for, in response to detecting the second gesture, translating the structured electronic document so that the second box is substantially centered on the touch screen display.	*The LaunchTile System includes instructions for, while the first box is enlarged, detecting a second gesture on a second box other than the first box, and in response to detecting the second gesture, translating the structured electronic document so that the second box is substantially centered on the touch screen display.* **Analysis in Support of Declaration of Stephen Gray**: ▪ From the "Zone" view, a second single tap (***second gesture***) is detected at the location of one of the four Application tiles (***a second box***). ▪ In response, an animated zooming operation occurs wherein the Application is ***enlarged*** and ***translated*** such that the Application Zone occupies the entire touch-screen display. At this "Application" view, the entire Application tile is at least ***substantially centered*** on the touch-screen display.  *LauchTile Zone View* *LaunchTile Application View* ▪ In an alternative invaliding mode of operation, from "Zone" view, a user can "drag" his or her thumb across the touch-screen display to transition from one "Zone" to an adjacent "Zone." At this point, four *additional* Application tiles (which do not overlap with the "first box") are presented to the user. A single tap (***second gesture***) on any one of this four additional Application tiles (***second box, other than the first box***) can then be detected on

U.S. Patent No. 7,864,163	LaunchTile System and LaunchTile Publication
	the touch-screen display ▪ In response, an animated zooming operation occurs wherein the Application is ***enlarged*** and ***translated*** such that the Application Zone occupies the entire touch-screen display. At this "Application" view, the entire Application tile is at least ***substantially centered*** on the touch-screen display.  Enlarged and substantially centered "Drag" to a adjacent zone Gesture on second box other than the first box ▪ While this process is sometimes referred to as "launching" an Application (such as the email application depicted above), it is clear that the email Application program was intended to be running and supplying information to the email tile at each of the other levels of zoom. At the World view, the email tile clearly displays the number of messages that are unread in the email application. At the Zone view, the email tile displays actual message information, albeit in less detail than in Application view. As described in the Bederson Declaration, although additional rendering occurs at each level of zoom, the user is always presented with a visual manifestation of the *same* hierarchical object-oriented data structure. ▪ Again, on the display, consistent visual cues such as the large "Blue" onscreen button reinforce to the user that the Application view is merely an enlarged and translated version of the interactive zoomspace ▪ Further, at the code-level, the single hierarchical object-oriented data structure described by the Bederson Declaration confirm that the instructions in LaunchTile are, in fact, "enlarging" and "translating" a single structured electronic document during the transition from "Zone" view to "Application" view.

U.S. Patent No. 7,864,163	LaunchTile System and LaunchTile Publication
	Relevant Record Citations in Support: ▪ Gray Decl. at ¶ 92-97; ▪ LaunchTile Video Demonstrations, Gray Decl. at Exs. 4 & 5; ▪ Bederson Decl. at ¶ 19 ("From the Zone view in LaunchTile, the user can select a particular Application tile. Upon this user input, LaunchTile executes instructions for causing an animation to occur where the zoomspace is once again enlarged and translated such that the embedded Application tile fills the display of the touch-screen device. Again, while the LaunchTile program contains instructions for rendering the embedded tile in further detail, the user is ultimately presented with a visual representation of the same underlying data structure that is used throughout the entire navigation process."); ▪ LaunchTile Publication: Bederson Decl. Ex. A at 205 (in response to a second gesture (user tap) at the location of a second box (notification tile), "[a]n animated zoom draws the zoomspace toward the user until the target application fills the entire display . . . .").