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11 Attorneys for Defendant
APPLE INC.

12
13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**

16 FIRSTFACE CO., LTD.,
17 Plaintiff,
18 v.
19 APPLE INC.,
20 Defendant.

Case No. 3:18-cv-02245-JD

**DECLARATION OF PETR
KOSTKA IN SUPPORT OF JOINT
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL**

1 I, Petr Kostka, declare as follows:

2 1. I am a Software Engineering Manager at Apple Inc. (“Apple”). I submit this
3 declaration based upon matters within my own personal knowledge. If called to testify, I could and
4 would competently testify to the matters as set forth below.

5 2. I was employed at a company called UPEK from April 2003 to August 2010. In
6 September 2010, UPEK was acquired by a company called AuthenTec, Inc. After AuthenTec’s
7 acquisition of UPEK, I continued working as an employee of AuthenTec, first as a Team Lead,
8 then as a Software Engineering Manager, until Apple acquired AuthenTec in July 2012.

9 3. After Apple’s acquisition of AuthenTec, I continued working as an AuthenTec
10 employee and eventually became an Apple employee after a transition period following the
11 acquisition.

12 4. In my current role as a Software Engineering Manager at Apple, I am responsible
13 for managing a team of engineers that are involved in Touch ID, Face ID, and Apple Pay features
14 across all of Apple’s platforms.

15 5. I have been involved in the development of Touch ID since 2012. Touch ID is a
16 fingerprint identity sensor that can be used to verify the identity of a user on an Apple device based
17 on the user’s fingerprint. As part of my role as a Software Engineering Manager, I am familiar
18 with Apple’s product development processes and Apple’s treatment of its proprietary and
19 confidential designs and technical information for the features used in its products.

20 6. I understand that Touch ID was initially developed as part of a joint development
21 effort between Apple and AuthenTec. I understand that, as part of Apple’s acquisition of
22 AuthenTec, AuthenTec’s know-how and confidential technical information relating to its work on
23 Touch ID now belong to Apple.

24 7. I submit this declaration in support of sealing the information in the below
25 documents as follows:

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27

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Document	Portion(s) Sought to Be Filed Under Seal	Content ¹
Ex. 4 to Firstface's Motion to Strike Invalidation Contentions: Exhibit A-17 – Apple Fingerprint Prototype claim chart ('373 patent)	Highlighted text and figure on pages 3, 16, 33, 103, 175, 190.	Excerpt from a Touch ID development document showing the software architecture used to demonstrate the proposed fingerprint sensor.
Ex. 5 to Firstface's Motion to Strike Invalidation Contentions: Exhibit B-17 – Apple Fingerprint Prototype claim chart ('419 patent)	Highlighted text and figure on pages 3, 16, 33, 97, 161.	
Ex. 9 to Firstface's Motion to Strike Invalidation Contentions: Exhibit A-14 – iPhone 3G Device claim chart ('373 patent)	Highlighted text and figure on pages 55, 119.	
Ex. 10 to Firstface's Motion to Strike Invalidation Contentions: Exhibit A-15 – iPhone 3GS Device claim chart ('373 patent)	Highlighted text and figure on pages 53, 116.	
Ex. 11 to Firstface's Motion to Strike Invalidation Contentions: Exhibit A-16 – iPhone 4 Device claim chart ('373 patent)	Highlighted text and figure on pages 54, 116.	
Ex. 12 to Firstface's Motion to Strike Invalidation Contentions: Exhibit B-14 – iPhone 3G Device claim chart ('419 patent)	Highlighted text and figure on pages 50, 125.	
Ex. 13 to Firstface's Motion to Strike Invalidation Contentions: Exhibit B-15 – iPhone 3GS Device claim chart ('419 patent)	Highlighted text and figure on pages 50, 122.	
Ex. 14 to Firstface's Motion to Strike Invalidation Contentions: Exhibit B-16 – iPhone 4 Device claim chart ('419 patent)	Highlighted text and figure on pages 50, 119.	

¹ The content applies to all merged rows since it is referring to the same text excerpt/figure/schematic present in the different documents.

Document	Portion(s) Sought to Be Filed Under Seal	Content ¹	
Ex. 4 to Firstface's Motion to Strike Invalidity Contentions: Exhibit A-17 – Apple Fingerprint Prototype claim chart ('373 patent)	Highlighted text and figure on pages 17, 42, 112, 176, 199.	Excerpt from a Touch ID development document showing the software architecture used to demonstrate the proposed fingerprint sensor.	
Ex. 5 to Firstface's Motion to Strike Invalidity Contentions: Exhibit B-17 – Apple Fingerprint Prototype claim chart ('419 patent)	Highlighted text and figure on pages 17, 42, 106, 170.		
Ex. 9 to Firstface's Motion to Strike Invalidity Contentions: Exhibit A-14 – iPhone 3G Device claim chart ('373 patent)	Highlighted text and figure on pages 64, 128.		
Ex. 10 to Firstface's Motion to Strike Invalidity Contentions: Exhibit A-15 – iPhone 3GS Device claim chart ('373 patent)	Highlighted text and figure on pages 62, 125.		
Ex. 11 to Firstface's Motion to Strike Invalidity Contentions: Exhibit A-16 – iPhone 4 Device claim chart ('373 patent)	Highlighted text and figure on pages 63, 125.		
Ex. 12 to Firstface's Motion to Strike Invalidity Contentions: Exhibit B-14 – iPhone 3G Device claim chart ('419 patent)	Highlighted text and figure on pages 59, 134.		
Ex. 13 to Firstface's Motion to Strike Invalidity Contentions: Exhibit B-15 – iPhone 3GS Device claim chart ('419 patent)	Highlighted text and figure on pages 59, 131.		
Ex. 14 to Firstface's Motion to Strike Invalidity Contentions: Exhibit B-16 – iPhone 4 Device claim chart ('419 patent)	Highlighted text and figure on pages 59, 128.		
Ex. 4 to Firstface's Motion to Strike Invalidity Contentions: Exhibit A-17 – Apple Fingerprint Prototype claim chart ('373 patent)	Highlighted text on pages 30, 100, 187.		Excerpt from a schematic of an AuthenTec circuit used for its fingerprint sensors showing the guidelines for the schematic layout of the sensor.

Document	Portion(s) Sought to Be Filed Under Seal	Content ¹
Ex. 5 to Firstface's Motion to Strike Invalidity Contentions: Exhibit B-17 – Apple Fingerprint Prototype claim chart ('419 patent)	Highlighted text on pages 30, 94, 158.	
Ex. 9 to Firstface's Motion to Strike Invalidity Contentions: Exhibit A-14 – iPhone 3G Device claim chart ('373 patent)	Highlighted text on pages 51, 115.	
Ex. 10 to Firstface's Motion to Strike Invalidity Contentions: Exhibit A-15 – iPhone 3GS Device claim chart ('373 patent)	Highlighted text on pages 50, 113.	
Ex. 11 to Firstface's Motion to Strike Invalidity Contentions: Exhibit A-16 – iPhone 4 Device claim chart ('373 patent)	Highlighted text on pages 51, 113.	
Ex. 12 to Firstface's Motion to Strike Invalidity Contentions: Exhibit B-14 – iPhone 3G Device claim chart ('419 patent)	Highlighted text on pages 47, 122.	
Ex. 13 to Firstface's Motion to Strike Invalidity Contentions: Exhibit B-15 – iPhone 3GS Device claim chart ('419 patent)	Highlighted text on pages 47, 119.	
Ex. 14 to Firstface's Motion to Strike Invalidity Contentions: Exhibit B-16 – iPhone 4 Device claim chart ('419 patent)	Highlighted text on pages 47, 116.	
Ex. 4 to Firstface's Motion to Strike Invalidity Contentions: Exhibit A-17 – Apple Fingerprint Prototype claim chart ('373 patent)	Highlighted schematic on pages 31, 101, 188.	Excerpt from a schematic of an AuthenTec circuit used for its fingerprint sensors showing the schematic design of the circuit.
Ex. 5 to Firstface's Motion to Strike Invalidity Contentions: Exhibit B-17 – Apple Fingerprint Prototype claim chart ('419 patent)	Highlighted schematic on pages 31, 95, 159.	

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