

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Hair	§	Attorney Docket No.:
United States Patent No.: 5,191,573	§	104677-5005-801
Formerly Application No.: 586,391	§	Customer No. 28120
Issue Date: March 2, 1993	§	
Filing Date: September 18, 1990	§	Petitioner: Apple Inc.
Former Group Art Unit: 369	§	
Former Examiner: Hoa Nguyen	§	

For: Method for Transmitting a Desired Digital Video or Audio Signal

MAIL STOP PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
Post Office Box 1450
Alexandria, Virginia 22313-1450

**DECLARATION OF MEGAN F. RAYMOND IN SUPPORT OF
PETITION FOR COVERED BUSINESS METHOD PATENT REVIEW OF
UNITED STATES PATENT NO. 5,191,573
PURSUANT TO 35 U.S.C. § 321, 37 C.F.R. § 42.304**

I, Megan F. Raymond, make the following Declaration pursuant to 28 U.S.C. §

1746:

1. I am an attorney at the law firm of Ropes & Gray LLP.
2. I provide this Declaration in connection with the above-identified

Covered Business Method Patent Review proceeding that is being requested at the United States Patent and Trademark Office by Apple Inc. under 35 U.S.C. § 321, 37 C.F.R. § 42.304. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

3. Exhibit 1007 hereto is a true and correct copy of an article entitled “Audio/digital interface for the IBM PC?” from the From the News Desk section of the June 4, 1984 issue of InfoWorld published by the InfoWorld Media Group, which was downloaded from LexisNexis at my request. Page numbers have been added to the bottom of this document and an exhibit label has been added to the top of this document but no other alterations have been made.

4. Exhibit 1019 hereto is a true and correct copy of an article entitled “The Battle Over Online Music” authored by Jennifer Sullivan and published on January 29, 1999 by WIRED, which was retrieved from <http://www.wired.com/techbiz/media/news/1999/01/17609> at my request. Page numbers have been added to the bottom of this document and an exhibit label has been added to the top of this document but no other alterations have been made.

5. Exhibit 1020 hereto is a true and correct copy of the Declaration of Dr. John P.J. Kelly in *SightSound Techs., LLC v. Apple Inc.*, No. 11-01292, before the District Court of the Western District of Pennsylvania, signed by John P.J. Kelly and dated September 7, 2012, which was downloaded from the Public Access to Court Electronic Records (“PACER”) website at my direction and is a record of the aforementioned District Court (Dkt. No. 93) to which all parties have access. The Declaration contains markings at the top of each page indicating the PACER filing information. Page numbers have been added to the bottom of this document and an

exhibit label has been added to the top of this document but no other alterations have been made.

6. Exhibit 1021 hereto is a true and correct copy of the Declaration of J.D. Tygar, Ph.D. in *SightSound Techs., LLC v. Apple Inc.*, No. 11-01292, before the District Court of the Western District of Pennsylvania, signed by Justin Douglas Tygar, Ph.D. and dated September 7, 2012, which was downloaded from the PACER website at my direction and is a record of the aforementioned District Court (Dkt. No. 90-1) to which all parties have access. The Declaration contains markings at the top of each page indicating the PACER filing information. Page numbers have been added to the bottom of this document and an exhibit label has been added to the top of this document but no other alterations have been made.

7. Exhibit 1022 hereto is a true and correct copy of the Responsive Declaration of J.D. Tygar, Ph.D. in *SightSound Techs., LLC v. Apple Inc.*, No. 11-01292, before the District Court of the Western District of Pennsylvania, signed by Justin Douglas Tygar, Ph.D. and dated September 28, 2012, which was downloaded from the PACER website at my direction and is a record of the aforementioned District Court (Dkt. No. 104-3) to which all parties have access. The Declaration contains markings at the top of each page indicating the PACER filing information. Page numbers have been added to the bottom of this document and an exhibit label has been added to the top of this document but no other alterations have been made.

8. Exhibit 1023 hereto is a true and correct copy of an excerpt from a book bearing the title “Start Me Up!: the music biz meets the personal computer,” published by Mediac Press, which was retrieved at my instruction from the United States Library of Congress, 101 Independence Avenue SE, Washington, DC 20540 and which I inspected. The book bears a Library of Congress stamp dated June 2, 1986, and was in a condition that creates no suspicion about its authenticity; was in a place where it would likely be found if authentic; and is at least twenty years old. Page numbers have been added to the bottom of this document and an exhibit label has been added to the top of this document but no other alterations have been made.

9. Exhibit 1024 hereto is a true and correct copy of an excerpt of Plaintiff SightSound Technologies, LLC’s Expert Report of Dr. J. Douglas Tygar Regarding Infringement received with redactions on April 24, 2013 from Marc Schiess of Arnold & Porter LLP, Plaintiff’s SightSound Technologies, LLC’s counsel in *SightSound Techs., LLC v. Apple Inc.*, No. 11-01292, before the District Court of the Western District of Pennsylvania, signed by Justin Douglas Tygar, Ph.D. and dated April 22, 2012 [sic]. I additionally redacted this document to protect confidential information. Page numbers have been added to the bottom of this document and an exhibit label has been added to the top of this document but no other alterations, other than the redactions, have been made.

10. Exhibit 1025 hereto is a true and correct copy of an excerpt of the Expert Report of Mark M. Gleason, CPA/ABV/CFF, CVA, CLP received with

redactions on April 28, 2013 from Plaintiff's SightSound Technologies, LLC's counsel, Preetam Shingavi from Arnold & Porter LLP, in *SightSound Techs., LLC v. Apple Inc.*, No. 11-01292, before the District Court of the Western District of Pennsylvania, signed by Mark M. Gleason, CPA/ABV/CFF, CVA, CLP and dated April 22, 2013. I additionally redacted this document to protect confidential information. Page numbers have been added to the bottom of this document and an exhibit label has been added to the top of this document but no other alterations, other than the redactions, have been made.

11. Exhibit 1045 hereto is a true and correct copy of an excerpt of Plaintiff SightSound Technologies, LLC's Expert Report of John Snell received on April 22, 2013 from Marc Schiess of Arnold & Porter LLC, Plaintiff's SightSound Technologies, LLC's counsel in *SightSound Techs., LLC v. Apple Inc.*, No. 11-01292, before the District Court of the Western District of Pennsylvania, signed by John Snell and dated April 22, 2012 [sic]. This document was redacted at my direction to protect confidential information. Page numbers have been added to the bottom of this document and an exhibit label has been added to the top of this document but no other alterations, other than the redactions, have been made.

12. I make this declaration of my own personal knowledge. If called to testify as to the truth of the matters stated herein, I could and would testify competently.

13. I declare under penalty of perjury that the foregoing is true and correct.

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