

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Inventor: Hair | § | Attorney Docket No.: |
| United States Patent No.: 5,966,440 | § | 104677-5005-803 |
| Formerly Application No.: 08/471,964 | § | Customer No. 28120 |
| Issue Date: October 12, 1999 | § | |
| Filing Date: June 6, 1995 | § | Petitioner: Apple Inc. |
| Former Group Art Unit: 380 | § | |
| Former Examiner: Hoa T. Nguyen | § | |

For: System and Method for Transmitting a Desired Digital Video or Digital Audio Signals

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 CHING-LEE FUKUDA IN SUPPORT OF PETITION
FOR COVERED BUSINESS METHOD PATENT REVIEW OF
UNITED STATES PATENT NO. 5,966,440
PURSUANT TO 35 U.S.C. § 321, 37 C.F.R. § 42.304**

I, Ching-Lee Fukuda, make the following Declaration pursuant to 28 U.S.C. § 1746:

1. I am a Partner 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 1226 hereto is a true and correct copy of an excerpt from Chambers Science and Technology Dictionary, published in 1988 by W & R Chambers Ltd and Cambridge University Press, which was retrieved by InfoNOW, a commercial and document delivery service of the University of Minnesota, at my request. The excerpt contains markings at the top of each page because it was filed as part of Apple Inc.'s Identification and Appendix of Extrinsic Evidence in Support of Its Proposed Claim Constructions in *SightSound Techs., LLC v. Apple Inc.*, No. 11-01292, before the District Court of the Western District of Pennsylvania, on September 7, 2013 (Dkt. No. 94-11). The document is available from the Public Access to Court Electronic Records ("PACER") website and is a record of the aforementioned District Court to which all parties have access. 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 alterations, other than the noted markings, have been made.

4. Exhibit 1227 hereto is a true and correct copy of an excerpt from Webster's II New Riverside University Dictionary, published in 1984 by the Riverside Publishing Company, which was retrieved by InfoNOW, a commercial and document delivery service of the University of Minnesota, at my request. The excerpt contains markings at the top of each page because it was filed as part of Apple Inc.'s Identification and Appendix of Extrinsic Evidence in Support of Its Proposed Claim

Constructions in *SightSound Techs., LLC v. Apple Inc.*, No. 11-01292, before the District Court of the Western District of Pennsylvania, on September 7, 2013 (Dkt. No. 94-7). The document is available from the Public Access to Court Electronic Records (“PACER”) website and is a record of the aforementioned District Court to which all parties have access. 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 alterations, other than the noted markings, have been made.

5. 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.

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

Executed this 5th day of May, 2013 in New York, NY.



Ching-Lee Fukuda