

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner

v.

SIGHTSOUND TECHNOLOGIES, LLC
Patent Owner

Case CBM2013-00023
U.S. Patent No. 5,966,440

Before the Honorable MICHAEL P. TIERNEY, JUSTIN T. ARBES, and
GEORGIANNA W. BRADEN,
Administrative Patent Judges

DECLARATION OF TOM WEYER

I, Tom Weyer, declare:

1. I was employed by Apple Inc. ("Apple") from 1996 through 2002 as a Technology Manager/Evangelist in Developer Relations and from 2002-2009 as a Senior Consulting Engineer in U.S. Education. I left Apple in 2009. I am over the age of 18, I have personal knowledge of the facts set forth herein, and I am competent to testify regarding these facts.

2. During my employment at Apple, my responsibilities included evaluating technology that may relate to networking communications and security issues for the Mac operating system. I was not involved with the development of iTunes or the iTunes Music Store, now known as the iTunes Store.

3. In early 1999, I remember attending a lunch meeting with some company, during the time I was in Santa Monica, California to attend the Secure Digital Music Initiative ("SDMI") conference. The SDMI conference was a public conference that related to security issues relevant to music distribution over networks.

4. I do not recall the name of that company although I understand now that that company was a SightSound entity. I remember meeting with more than one person from that company, but cannot recall their names or how many people were present.

5. At the meeting, we generally discussed music distribution. I recall that the company had some documents, but I do not recall any specific content from

those documents. I also do not recall discussing any specific patents. I did not take any of the company's documents with me when we left the meeting.

6. I do not remember if I took any notes during that meeting. But if I did, I no longer have those notes.

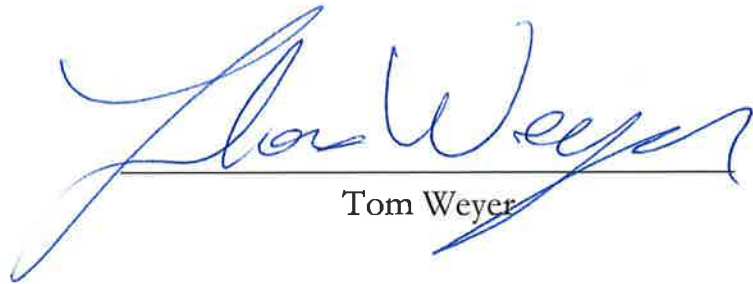
7. I was asked by Mark Gavini, another Evangelist in Developer Relations at Apple, to attend the early 1999 meeting with him to assess any technology that may have been worth considering for Apple. If we had been impressed with the technology offered by the company, Apple would have followed up with additional meetings.

8. My basic impression of the early 1999 meeting was that the company was peddling intellectual property that they wanted to apply to Apple's operating systems, but not any prototype or specific implementation of any technology. I do recall that the company did not show us any screen shots or demonstrate any functional product. Overall, I was underwhelmed by their presentation, and I do not recall any positive impression from Mark. I do not recall having any further interactions with that company or discussing any details about it with others at Apple. The only discussion I had at Apple subsequent to the SDMI conference was related to the conference itself regarding music security.

9. I was not involved with the development of iTunes or the iTunes Music Store. As far as I know, nothing from the early 1999 meeting was communicated to anyone who was involved with the development of iTunes or the iTunes Music Store.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: March 19, 2014



Tom Weyer