

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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**APPLE INC.**  
Petitioner

v.

**SIGHTSOUND TECHNOLOGIES, LLC**  
Patent Owner

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Case CBM2013-00023  
Patent 5,966,440

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

**DECLARATION OF CHING-LEE FUKUDA**

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

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

Covered Business Method Patent Review proceeding and Petitioner's Reply to Patent  
Owner SightSound Technologies LLC's Response. Unless otherwise stated, the facts  
stated in this Declaration are based on my personal knowledge.

3. Exhibit 4367 hereto is a true and correct copy of the redacted version of SightSound Technologies, LLC's Expert Report of John Snell, titled "Plaintiff SightSound Technologies, LLC's, [sic] Expert Report of John Snell on Validity," signed and dated June 5, 2013, which was downloaded at my direction from a hyperlink provided to me, counsel for Apple Inc., by Arnold & Porter LLP, counsel for SightSound Technologies, LLC, in *SightSound Techs., LLC v. Apple Inc.*, No. 11-01292, before the District Court of the Western District of Pennsylvania. The first page of the document has an exhibit label, "Exhibit 4 – Snell 3.6.14," at the bottom, as it was used in the March 6, 2014 Deposition of John Snell in the above-identified Covered Business Method Patent Review proceeding. An exhibit label on the first page and pages numbers on all pages have been added to the bottom of this document but no other alterations have been made.

4. Exhibit 4374 hereto is a true and correct copy of SightSound Technologies, LLC's Technology Tutorial, titled "Technology Tutorial SightSound Technologies, LLC v. Apple, Inc. No. 2:11-cv-1192-DWA Special Master Gregory Bradley October 11, 2012," which was provided to me, counsel for Apple Inc., by Arnold & Porter LLP, counsel for SightSound Technologies, LLC, at the October 11, 2012 technology tutorial presentation in *SightSound Techs., LLC v. Apple Inc.*, No. 11-01292, before the District Court of the Western District of Pennsylvania. The first page of the document has an exhibit label, "Exhibit 15 – Snell 3.6.14," to the right, as it was used in the March 6, 2014 Deposition of John Snell in the above-identified

Covered Business Method Patent Review proceeding. An exhibit label on the first page and pages numbers on all pages have been added to the bottom of this document but no other alterations 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 21st day of March, 2014, at New York, New York.



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Ching-Lee Fukuda