

Filed: March 6, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TD AMERITRADE HOLDING CORPORATION, TD AMERITRADE,
INC., and TD AMERITRADE ONLINE HOLDINGS CORP.,

Petitioner

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.

Patent Owner

Cases CBM2014-00131 and CBM2014-00137

Patent Nos. 7,533,056 and 7,685,055

DECLARATION OF HAROLD ABILOCK

1. BACKGROUND AND EXPERIENCE

1. My name is Harold Abilock.
2. I am a native speaker of English.
3. I am fluent in Japanese.
4. I have a B.S. degree in Computer Science from the State University of New York at Stony Brook (aka Stony Brook University). I have over 25 years of Japanese-English technical and legal translation experience and a background in science, technology, and intellectual property.
5. I lived in Japan for a total of 13 years. I was a student at Doshisha University (Kyoto) for one year (1973–1974) as a foreign exchange student, during which time I studied Japanese philosophy, literature, and history. I concurrently attended an intensive Japanese-language program (beginner and intermediate levels) at the Kyoto Institute for Japanese Language (Kyoto).
6. I subsequently resided in Japan for 12 years (1979–1990), during which time I studied the Japanese language at the Kyoto Institute for Japanese Language for two additional years (1979–1981) to attain the advanced level of proficiency.

Subsequently, I studied Japanese-English translation for one year (1982) at Nakamura Gakko (Kyoto) under the tutelage of the school headmaster—a professional translator with 35 years of translation experience at that time.

7. I am a co-founder of JapanLink Translations ("JapanLink"), a Japanese-English translation firm located in Charlotte, Vermont. A copy of my resume is attached as Appendix F. Established in 1994, JapanLink specializes in high-quality translation for patent prosecution and cross-border IP litigation cases. I am the principal translator.

8. JapanLink employs in-house technical editors with professional editing experience. Using a unique and comprehensive quality assurance (QA) process, our editors check every translation for accuracy and completeness and edit them for style, grammar, spelling, and readability. All translation text is carefully checked for internal coherency and consistency of nomenclature.

9. In addition to translating IP-related documents, such as patent applications and office actions, I also translate technical documents, such as manuals, specifications, standards, academic papers, and press releases. I work principally in the fields of semiconductor manufacturing equipment, semiconductor devices,

information technology (IT), electronics, optics, telecommunications, mechanical and electrical engineering, and automotive engineering.

10. In the course of my career as a translator, I have translated numerous documents in the field of computer software, many of them directed to graphical user interfaces (GUIs). Furthermore, in the course of my career as a computer engineer, I have personally designed and implemented a variety of GUIs and am knowledgeable about the constituent elements and operation of typical GUIs.

11. Although I am principally a technical and legal translator, I also translate in the field of finance. For example, I worked full-time for seven months (1995–1996) as a Japanese-English translator on the *United States of America v. The Daiwa Bank, Ltd.* case, in which the principal subject matter of translation was the trading of bonds and their derivatives.

2. NOMENCLATURE

12. In translation, text in the source language is generally referred to as *source text* and translation text is referred to as *target text*. For the sake of clarity in the present declaration, these two texts are referred to as the *source Japanese text* and the *English translation text*, respectively. Further, the language of the source text may be referred to

as the *source language*, and the language of the target text may be referred to as the *target language*.

13. As needed for the explanation, the Romanized pronunciation of source Japanese text in this declaration may be appended to the text, enclosed by braces (e.g., 値段 {ne-dan}).

3. SCOPE OF WORK

14. I have been retained in connection with two proceedings, both entitled *TD Ameritrade Holding Corp., et al. v. Trading Technologies International, Inc.*, CBM2014-00131 and CBM2014-00137.

15. Exhibit 1007 of CBM2014-00137 is a Japanese-language document, which I have been informed is the source Japanese text. I have been informed that Exhibit 1008 of CBM2014-00137 contains the corresponding English translation text. I may refer to these documents generally as "TSE" or the "TSE document."

16. I have been asked to examine the source Japanese texts in bullet 2 on page 0115 (also marked as TSE0000000761) of Exhibit 1007 in CBM2014-00137 and the illustration caption on page 0115 and to opine on the corresponding English translation texts on page 0115 of Exhibit 1008 in CBM2014-00137. I have been

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