

Filed on behalf of Clearlamp, LLC

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LKQ CORPORATION
Petitioner

v.

Patent of CLEARLAMP, LLC
Patent Owner

Case IPR2013-00020
Patent 7,297,364

Before SALLY C. MEDLEY, KEVIN F. TURNER and JOSIAH C. COCKS,
Administrative Patent Judges.

DECLARATION OF DIMITRIS KATSAMBERIS

Declaration of Dimitris Katsamberis
LKQ v. Clearlamp

1 of 21
Patent 7,297,364

Case IPR 2013-00020 (SCM)
7/1/2013

Declaration of Dimitris Katsamberis

I, Dimitris Katsamberis, declare as follows:

I. Overview

1. I am over 18 years of age and I am otherwise competent to make the statements in this declaration.

2. I have been retained as an expert witness to provide testimony on behalf of Clearlamp, LLC as a part of the above-captioned *inter partes* review (“IPR”). I make this Declaration based upon facts and matters within my own knowledge or on information provided to me by others. I am being compensated for my time in connection with this declaration at a rate of \$225/hr. A copy of my resume is attached as Exhibit 2008.

3. I understand that the Patent Office has instituted a review of all claims of the '364 patent, and that the review is based on three references: U.S. Patent Application Publication No. 2005/0208210 (“Kuta”); U.S. Patent No. 6,106,648 (“Butt”); and a series of internet forum posts on the Eastwood ShopTalk Web site (“Eastwood”). More particularly, I understand that the Patent Office has granted review based on two grounds:

- a. Claims 1–24 would have been obvious to a person of ordinary skill in the art based on the disclosures of Kuta and Butt; and

b. Claims 1–24 would have been obvious to a person of ordinary skill in the art based on the disclosures of Kuta and Eastwood.

4. In preparing this Declaration, I have reviewed the '364 patent and considered each document cited herein, in light of the general knowledge in the field of vehicle parts manufacturing, as it stood prior to December 2005.

5. As explained in more detail below, there are significant differences between the disclosures of Kuta, Butt, and Eastwood on one hand relating to the lamp's clear coating, and the teaching of the '364 patent on the other. Those differences include:

- a. Kuta fails to teach or suggest the removal of all prior clear coating material from the lamp as a part of its refinishing process;
- b. Kuta fails to teach or suggest spray application of clear coating material;
- c. Kuta fails to teach or suggest statically neutralizing a lens surface before application of a clear coating;
- d. Eastwood fails to teach or suggest a replacement clear coating that can come close to approximating the qualities of an original equipment clear coating; and
- e. Butt fails to teach or suggest the application of any clear coating as a part of a vehicle lamp repair.

6. Further, these differences result from the different goals of the Kuta, Eastwood, and Butt processes on one hand, and that of the '364 patent on the other hand. The processes taught in Kuta, Eastwood, and Butt result in an inferior clear coating relative to the clear coating quality that results from the '364 patent's process. As a result, the coatings that result from the Kuta, Eastwood, and Butt references do not restore a lamp to original equipment condition, while the coating that results from the '364 patent's process does restore a lamp to original equipment condition.

7. Based on these differences, and as described further below, I believe that the clear coating limitations of the '364 patent are substantially different from the teachings of the Kuta, Eastwood, and Butt references, such that Kuta, Eastwood, and Butt do not teach or suggest the clear coating that results from the '364 patent's process.

II. My Background and Qualifications

8. I am currently the Technology Manager for Five Star Coatings Group in Twin Lakes, WI. Five Star Coatings Group is a privately owned manufacturer of coated polycarbonate and acrylic sheets for the transportation industry. In my role as Technology Manager, I am responsible for all technical efforts supporting new product development and quality improvements of existing products and processes. I have held this position since December 2011.

9. From 2007 through 2011 I was employed by Sun Chemical Corporation of St. Charles, Illinois. In 2010 and 2011 I was Sun's Specialty Coatings Initiatives Leader. In that role I developed and commercialized specialty energy curable coatings for the graphic arts market. From 2007 to 2010, I was Applications Leader for Energy Curable Technology at Sun's Northlake, Illinois facility. In that role I led and managed the production and application development efforts of a 12 member multi-site team for energy curable inks and coatings for the packaging and commercial markets.

10. From 2005 to 2006 I was Director of Technology for Wolverine Advanced Materials in Inkster, Michigan. In that role, I directed all product and process development activities regarding rubber coated materials for automotive brake shim and gasket applications in North America, Europe, and Asia. As a part of my efforts, I developed and launched products for Wolverine's global aftermarket brake shim business.

11. From 2002 to 2005 I was Technical Fellow at Visteon Corp. of Plymouth, Michigan. In that role I led the manufacturing engineering efforts for Visteon's instrument panel, door, trim, fascia, and lighting automotive coating applications. As a part of my duties, I assisted Visteon's North American plants with quality improvements and with maximizing coating process efficiencies for the Mexican launch of headlamps for the 2005 Corvette.

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