

JMBM | Jeffer Mangels
Butler & Mitchell LLP

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JEFFER MANGELS BUTLER & MITCHELL LLP
STANLEY M. GIBSON (Bar No. 162329)
sgibson@jmbm.com
GREGORY S. CORDREY (Bar No. 190144)
gcordrey@jmbm.com
3 Park Plaza, Suite 1100
Irvine, California 92614-2592
Telephone: (949) 623-7200
Facsimile: (949) 623-7202

Attorneys for Defendants
CHIMEI INNOLUX CORPORATION,
CHIMEI OPTOELECTRONICS USA, INC.,
ACER AMERICA CORPORATION,
VIEWSONIC CORPORATION,
VIZIO, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SEMICONDUCTOR ENERGY
LABORATORY CO., LTD.,

Plaintiff,

v.

CHIMEI INNOLUX CORPORATION,
CHI MEI OPTOELECTRONICS USA,
INC., ACER AMERICA
CORPORATION, VIEWSONIC
CORPORATION, VIZIO, INC., and
WESTINGHOUSE DIGITAL, LLC,

Defendants.

CASE NO. SACV12-0021-JST (JPRx)

**SUPPLEMENTAL DECLARATION
OF GREGORY S. CORDREY IN
SUPPORT OF DEFENDANTS'
MOTION FOR STAY PENDING
OUTCOME OF INTER PARTES
REVIEW**

Date: December 21, 2012
Time: 2:30 p.m.
Place: Hon. Josephine Staton Tucker
Courtroom 10A
411 W. 4th St. # 1-053
Santa Ana, California

DECLARATION OF GREGORY S. CORDREY

I, Gregory S. Cordrey, declare and state:

1. I am an attorney with Jeffer Mangels Butler & Mitchell LLP, counsel for Chimei Innolux Corporation, Chi Mei Optoelectronics USA, Inc., Acer America Corporation, ViewSonic Corporation, and VIZIO, Inc. (collectively, "Defendants"). I submit this supplemental declaration in support of Defendants' Motion to Stay Pending Outcome of Inter Partes Review ("Motion to Stay"). The matters stated below are of my personal knowledge. If called as a witness, I could and would testify competently thereto:

2. This declaration supplements my earlier declaration to provide details regarding the filing of the petitions for *inter partes* review ("IPR") of the patents-in-suit that have occurred subsequent to the filing of CMI's motion on October 22, 2012 (Dkt. No. 100).

3. As stated in Defendants' Motion to Stay, Defendants filed with the U.S. Patent and Trademark Office ("PTO") on October 19, 2012, the first of its petitions for *inter partes* review for U.S. Patent No. 6,404,480 ("480 Patent"). Attached hereto as **Exhibits 1 and 2** are true and correct copies of Defendants' petition for IPR, and supporting expert declaration, respectively. On October 25, 2012 the PTO issued a Notice of Filing Date Accorded to Petition and Notice For Setting the Time Period for Filing Patent Owner Preliminary Response ("Notice"). The Notice accorded the petition a filing date of October 19, 2012 as Case IPR2013-00028 and designated Administrative Patent Judge Sally C. Medley to manage the proceeding. Attached hereto as **Exhibit 3** is a true and correct copy of the Notice issued by the PTO on October 25, 2012.

4. On November 7, 2012, Defendants filed with the U.S. Patent and Trademark Office ("PTO") its petition for IPR for U.S. Patent No. 7,956,978 ("978 Patent"). Attached hereto as **Exhibits 4 and 5** are true and correct copies of

JMBM
Jeffer Mangels
Butler & Mitchell LLP

1 Defendants' petition for IPR, and supporting expert declaration, respectively. On
2 November 9, 2012 the PTO issued a Notice of Filing Date Accorded to Petition and
3 Notice For Setting the Time Period for Filing Patent Owner Preliminary Response
4 (“Notice”). The Notice accorded the petition a filing date of November 7, 2012 as
5 Case IPR2013-00038 and designated Administrative Patent Judge Sally C. Medley to
6 manage the proceeding. Attached hereto as **Exhibit 6** is a true and correct copy of
7 the Notice issued by the PTO on November 9, 2012.

8 5. On November 19, 2012, Defendants filed with the U.S. Patent and
9 Trademark Office (“PTO”) its petition for IPR for U.S. Patent No. 7,697,102 (“102
10 Patent”). Attached hereto as **Exhibits 7 and 8** are true and correct copies of
11 Defendants' petition for IPR, and supporting expert declaration, respectively. On
12 November 23, 2012 the PTO issued a Notice of Filing Date Accorded to Petition and
13 Notice For Setting the Time Period for Filing Patent Owner Preliminary Response
14 (“Notice”). The Notice accorded the petition a filing date of November 19, 2012 as
15 Case IPR2013-00060 and designated Administrative Patent Judge Sally C. Medley to
16 manage the proceeding. Attached hereto as **Exhibit 9** is a true and correct copy of
17 the Notice issued by the PTO on November 23, 2012.

18 6. On November 26, 2012, Defendants filed with the U.S. Patent and
19 Trademark Office (“PTO”) two petitions for IPR for U.S. Patent No. 7,923,311
20 (“311 Patent”). Attached hereto as **Exhibits 10 and 11** are true and correct copies of
21 Defendants' first petition for IPR for the ‘311 Patent and supporting expert
22 declaration, respectively. Attached hereto as **Exhibits 12 and 13** are true and correct
23 copies of Defendants' second petition for IPR for the ‘311 Patent and supporting
24 expert declaration, respectively. On November 29, 2012 the PTO issued a Notice of
25 Filing Date Accorded to Petition and Notice For Setting the Time Period for Filing
26 Patent Owner Preliminary Response (“Notice”) for both of the ‘311 Patent petitions.
27 The Notices accorded both of the petitions a filing date of November 26, 2012 as
28

JMBM
Jeffrey Mangels
Butler & Mitchell LLP

1 Cases IPR2013-00064 and IPR2013-00065, and designated Administrative Patent
2 Judge Sally C. Medley to manage the proceedings. Attached hereto as **Exhibits 14**
3 **and 15** are a true and correct copy of the Notices issued by the PTO on November 29,
4 2012.

5 7. On November 28, 2012, Defendants filed with the U.S. Patent and
6 Trademark Office (“PTO”) its petition for IPR for U.S. Patent No. 7,876,413 (“413
7 Patent”). Attached hereto as **Exhibits 16 and 17** are true and correct copies of
8 Defendants' petition for IPR, and supporting expert declaration, respectively. As of
9 today (November 29, 2012), the PTO has not issued a Notice of Filing Date Accorded
10 to Petition and Notice For Setting the Time Period for Filing Patent Owner
11 Preliminary Response (“Notice”). At the time the petition was filed, it was given a
12 provisional a filing date of November 28, 2012 as Case IPR2013-00066.

13 8. On November 30, 2012, Defendants filed with the U.S. Patent and
14 Trademark Office (“PTO”) its petition for IPR for U.S. Patent No. 8,068,204 (“204
15 Patent”). Attached hereto as **Exhibits 18 and 19** are true and correct copies of
16 Defendants' petition for IPR, and supporting expert declaration, respectively. At the
17 time the petition was filed, it was given a provisional a filing date of November 30,
18 2012 as Case IPR2013-00068.

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

21 Executed this 29th day of November, 2012, in Irvine, California.

22
23
24 /s/ Gregory S. Cordrey
25 Gregory S. Cordrey
26
27
28