

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

RAYMARINE, INC.

Petitioner

v.

NAVICO HOLDING AS

Patent Owner

---

Case IPR2013-00497

Patent 8,305,840

---

<p>Navico Holding AS EXHIBIT: NAV-2001 Raymarine v. Navico Holding AS IPR2013-00497</p>
---

**DECLARATION BY ALAN PROCTOR TO ESTABLISH CONCEPTION  
AND REDUCTION TO PRACTICE PRIOR TO AUGUST 28, 2008**

I, Alan Proctor, hereby declare and state that:

1. I am an employee of Navico, Inc., which is an affiliate of Navico Holding AS. Navico Holding AS is the owner of U.S. Patent No. 8,305,840 (“the ‘840 patent”) and Navico, Inc. has a license to the ‘840 patent. I understand that this declaration is to be submitted in an *Inter Partes* Review proceeding on behalf of Navico Holding AS.

2. The ‘840 patent relates to a sonar assembly for imaging an underwater environment beneath a watercraft traveling on the surface of a body of water. At the time of the events and evidence presented herein it is my understanding that Brian T. Maguire (hereinafter, “Mr. Maguire”), who is the inventor of the claimed subject matter of the ‘840 patent, was under an obligation to assign the underlying invention to Navico, Inc. Mr. Maguire assigned his rights in the invention to

Navico, Inc. on August 20, 2009, as recorded in the Patent Office at Reel 023181, Frame 0828. Navico, Inc. remained the assignee of record for the '840 patent until June 24, 2013, when Navico, Inc. assigned the '840 patent to Navico Holding AS, as recorded in the Patent Office at Reel 030706, Frame 0152.

3. I worked with and supervised Mr. Maguire at the time of the events and evidence presented herein. In addition to having reviewed all of the evidence presented herein and discussed the invention with Mr. Maguire many times during our work together, I also took part in some of the events described herein.

4. I have over 12 years of experience as an Engineer working in the field of sonar technology, and have been employed continuously by Navico in the sonar technology field since 2008. I was the Project Manager for the Imaging Sonar Project that became Navico's downscan sonar. I am currently the Manager of R&D Technology, which includes having lead responsibility for Navico's Sonar Technology Program. I received a Masters of Science in Electrical Engineering and a Bachelor of Science in Electrical Engineering from Kansas State University.

5. U.S. Patent No. 7,961,552 to Boucher et al. ("Boucher '552") issued on June 14, 2011, from U.S. Patent Application No. 12/231,054 ("the '054

application”) filed on August 28, 2008. Petitioner in the *Inter Partes* Review proceeding of the ‘840 patent relies on Boucher ‘552 for purposes of an argument under 35 U.S.C. § 103(a). In particular, the Petitioner alleges that Claims 1-2, 23, 30, and 73 of the ‘840 patent are obvious under 35 U.S.C. § 103(a) over Jong, C.D. et al., *Hydrography*, (1<sup>st</sup> ed. 2002) (“Hydrography”), an introductory-level textbook published in 2002 (See, RAY-1003), in view of Boucher ‘552.

6. Independent Claim 1 of the ‘840 patent recites:
  1. A sonar assembly for imaging an underwater environment beneath a watercraft traveling on a surface of a body of water, the sonar assembly comprising:
    - a housing mountable to the watercraft;
    - a single linear downscan transducer element positioned within the housing, the linear downscan transducer element having a substantially rectangular shape configured to produce a fan-shaped sonar beam having a relatively narrow beamwidth in a direction parallel to a longitudinal length of the linear downscan transducer element and a relatively wide beamwidth in a direction perpendicular to the longitudinal length of the transducer element, the linear

downscan transducer element being positioned with the longitudinal length thereof extending in a fore-to-aft direction of the housing;

wherein the linear downscan transducer element is positioned within the housing to project fan-shaped sonar beams in a direction substantially perpendicular to a plane corresponding to the surface of the body of water, said sonar beams being repeatedly emitted so as to sequentially insonify different fan-shaped regions of the underwater environment as the watercraft travels; and

a sonar signal processor receiving signals representative of sonar returns resulting from each of the fan-shaped sonar beams and processing the signals to produce sonar image data for each fan-shaped region and to create an image of the underwater environment as a composite of images of the fan-shaped regions arranged in a progressive order corresponding to the travel of the watercraft.

7. Dependent Claim 2 of the '840 patent recites:
  2. The sonar assembly of claim 1, wherein the linear downscan transducer element is configured to operate at a selected one of at least two selectable operating frequencies.

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.