

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TARGET CORPORATION
Petitioner

v.

DESTINATION MATERNITY CORPORATION
Patent Owner

Case No. IPR2013-00530
Case No. IPR2013-00531
Case No. IPR2013-00532
Case No. IPR2013-00533

Dated: June 4, 2014

Before JENNIFER S. BISK, MICHAEL J. FITZPATRICK, and
MITCHELL G. WEATHERLY *Administrative Patent Judges*.

AFFIDAVIT OF TRUDI HAAF

DMC Exhibit 2096 001

DECLARATION OF TRUDI HAAF

1. I am a paralegal with the law firm of DLA Piper LLP (US). I have worked at DLA Piper LLP (US) since 2014.
2. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.
3. Exhibit 2021 is a true and correct copy of 7-17-2007 Press Release available at <http://destinationmaternitycorp.mediaroom.com/index.php?s=43&item=55>. I viewed and printed the webpage from Internet Explorer on April 30, 2014. No alterations have been made to the document.
4. Exhibit 2023 is a true and correct copy of Merriam-Webster's Collegiate Dictionary, 11th Ed., 2007, page 1245. No alterations have been made to the document.
5. Exhibit 2024 is a true and correct copy of Merriam-Webster's Collegiate Dictionary, 11th Ed., 2007, page 679. No alterations have been made to the document.
6. Exhibit 2025 is a true and correct copy of Merriam-Webster's Collegiate Dictionary, 11th Ed., 2007, page 417. No alterations have been made to the document.

7. Exhibit 2030 is a true and correct copy of U.S. Patent No. 6,669,064. I viewed and obtained the patent from the U.S. Patent and Trademark Office website available at <http://www.uspto.gov>. No alterations have been made to the patent.
8. Exhibit 2031 is a true and correct copy of U.S. Patent No. 5,034,999. I viewed and obtained the patent from the U.S. Patent and Trademark Office website available at <http://www.uspto.gov>. No alterations have been made to the patent.
9. Exhibit 2032 is a true and correct copy of U.S. Patent No. 7,089,597. I viewed and obtained the patent from the U.S. Patent and Trademark Office website available at <http://www.uspto.gov>. No alterations have been made to the patent.
10. Exhibit 2033 is a true and correct copy of U.S. Patent No. 8,016,640. I viewed and downloaded the patent from the U.S. Patent and Trademark Office website available at <http://www.uspto.gov>. No alterations have been made to the patent.
11. Exhibit 2034 is a true and correct copy of U.S. Patent No. 4,590,624. I viewed and downloaded the patent from the U.S. Patent and Trademark Office website available at <http://www.uspto.gov>. No alterations have been made to the patent.

12. Exhibit 2035 is a true and correct copy of U.S. Patent Application No. 2004/0210987. I viewed and downloaded the patent from the U.S. Patent and Trademark Office website available at <http://www.uspto.gov>. No alterations have been made to the patent application.
13. Exhibit 2036 is a true and correct copy of Japanese Utility Model Patent No. 3,086,624 which I obtained from IPR2014-00508, Petitioner's Exhibit 1034, publicly filed with the Board. No alterations have been made to the document.
14. Exhibit 2037 is a true and correct copy of the English Translation of Japanese Utility Model Patent No. 3,086,624 which I obtained from IPR2014-00508, Petitioner's Exhibit 1035, publicly filed with the Board. No alterations have been made to the document.
15. Exhibits 2038, 2039, 2040, 2041 and 2042 are true and correct copies of the following documents, respectively: Destination Maternity Corporation (DMC) 2006 10K, DMC 2008 10K, DMC 2009 10K, DMC 2012 10K and DMC 2013 10K. The documents were obtained through Intelligize. No alterations have been made to the documents.
16. Exhibits 2043, 2044, 2045, 2046, 2047, 2048 and 2049 are true and correct copies of the following Production Documents, respectively, served on opposing counsel by Destination Maternity Corporation in the

co-pending district court case Destination Maternity Corporation v. Target Corporation, Cherokee Inc. and Elizabeth Lange, LLC in the Eastern District of Pennsylvania, Docket No. 2:12-cv-05680: Secret Fit Belly Marketing Update (DMC0002838), Sears Secret Fit Belly Advertisement (DMC0003635), Fall Trans Denim Memorandum dated July 16, 2007 (DMC0031917), Secret Fit Belly Jeans, Pants, Shorts, and Skirts webpage (DMC0037084), Oh Baby by Motherhood Pants Size Charts (DMC0066466), The Family Groove Get It webpage, available at http://www.thefamilygroove.com/apr08_BellyFiles.htm (DMC0119452) and Secret Fit Belly Customer Reviews & Testimonials webpage available at http://www.motherhood.com/Shop_MotherhoodMaternity/SecretFitBelly-Testimonials.asp (DMC0031997). No alterations have been made to the documents.

17. Exhibit 2050 is a true and correct copy of Motherhood Maternity “The Secret Is out! The Secret Fit Belly” webpage, available at <http://www.motherhood.com/maternity/secret-fit-belly.asp>. I viewed and printed the webpage from Internet Explorer on May 19, 2014. No alterations have been made to the document.

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