

Filed on behalf of: DIGITAL EMPIRE LIMITED

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UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE

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PATENT TRIAL AND APPEAL BOARD

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Digital Empire Limited

Petitioner

v.

Hilltop Technology LLC

Patent Owner

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Patent 7,864,503

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**DECLARATION OF DR. GEORGE E. GERPHEIDE**

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I, George E. Gerpheide, declare as follows:

## **I. Introduction**

1. I have been retained by Digital Empire (“Petitioner”) as an independent expert consultant in this proceeding before the United States Patent and Trademark Office. Although I am being compensated at my rate of \$400 per hour for the time I spend on this matter, no part of my compensation is dependent on the outcome of this proceeding, and I have no other interest in this proceeding.

2. I understand that this proceeding involves U.S. Patent No. 7,864,503 (“the ‘503 patent”) (Ex. 1001)<sup>1</sup>, the application for which was filed on April 23, 2008, as U.S. Patent Application No. 12/148,998, and issued on January 4, 2011. I also understand that the ‘503 patent is based on Taiwanese Patent Application No.96116883, which was filed on May 11, 2007. I further understand that the ‘503 patent is assigned on its face to Hilltop Technology LLC. (“Patent Owner”).

3. I have been asked to consider whether certain references disclose or suggest the features recited in the claims of the ‘503 patent. My opinions are set forth below.

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<sup>1</sup> Where appropriate, I refer to exhibits attached to the petition for *Inter Partes Review* of the ‘503 patent.

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