

Filed on behalf of TPK Touch Solutions Inc.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WINTEK CORPORATION
Petitioner,

v.

TPK TOUCH SOLUTIONS INC.
Patent Owner

Case IPR2013-00568
U.S. Patent No. 8,217,902

**DECLARATION OF JOSHUA R. SMITH IN SUPPORT OF PATENT
OWNER'S RESPONSE PURSUANT TO 37 C.F.R. § 42.120**

TPK 2002
Wintek v. TPK Solutions

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**Declaration of Joshua R. Smith
In Support of Patent Owner's Response Pursuant to 37 C.F.R. § 42.120**

I. INTRODUCTION

I, Joshua R. Smith, declare as follows:

1. I am over 18 years of age and otherwise competent to make this Declaration.
2. I have been retained as an expert witness to provide testimony on behalf of TPK Touch Solutions Inc. ("TPK") as part of the above-captioned *inter partes* review proceeding. 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 proceeding at a rate of \$400 per hour.
3. I understand that the Patent Office has instituted a review of claims 1-19, 21, 22, 24-27, 29, and 31-68 of U.S. Patent No. 8,217,902 ("the '902 patent"), and that the review is based on four references. In particular, I understand the Board granted the Petition on the following grounds:
 - A. Anticipation of claims 1-15, 24, 32, 34, 36-40, 42, 43, 46-58, and 60-67 based on Japanese Patent Application 60-75927 to Fujitsu ("Fujitsu");

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