

Filed on behalf of: DIGITAL EMPIRE LIMITED

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UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE

PATENT TRIAL AND APPEAL BOARD

Digital Empire Limited

Petitioner

v.

Hilltop Technology LLC

Patent Owner

Patent 7,864,503

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)¹, 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.

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

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