

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

C. Kumar N. Patel

U.S. Patent No. 6,324,463

Filing Date: May 12, 1999

Docket No:

Issued: November 27, 2001

Application No. 09/310,527

For: CRUISE CONTROL INDICATOR

**DECLARATION OF YOSHINOBU YAMAUCHI IN SUPPORT OF  
REQUEST FOR *INTER PARTES* REVIEW  
OF U.S. PATENT NO. 6,324,463 UNDER 35 U.S.C. §§311-319, 37 C.F.R. § 42**

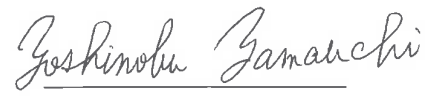
Mail Patent Board  
US Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

1. My name is Yoshinobu Yamauchi. I am employed by Mitsubishi Motors, Corp., and have been so employed for approximately 32 years as of the date of this declaration.
2. My current title is Manager and I am currently responsible for the contents of the Preview Distance Control Manual for Mitsubishi cars including the 1995 Mitsubishi Diamante.
3. The 1995 Mitsubishi Diamante was available to be purchased in Japan by any member of the public, from 1995-2005. This car was available with an adaptive cruise control system called "Preview Distance Control." The Preview Distance Control is described in the Structure and Maintenance of Preview Distance Control Manual. The Structure and Maintenance of Preview Distance Control Manual was given to car dealers and available for purchase by any member of the public.
4. I am familiar with the 1995 Diamante Structure and Maintenance of Preview Distance Control Manual, including its purpose, contents, distribution, and use, based on my normal job responsibilities at Mitsubishi.

5. Attached to this Declaration as **Exhibit 1005**, is a true and accurate copy of the 1995 Diamante Structure and Maintenance of Preview Distance Control Manual issued in May 1995.
6. The Structure and Maintenance of Preview Distance Control Manual is specific to the adaptive cruise control system included in the 1995 Mitsubishi Diamante.
7. The purpose of the 1995 Diamante Structure and Maintenance of Preview Distance Control Manual was to have a car mechanic serve to win the understanding of a car purchaser as to the structure and maintenance of the adaptive cruise control system included in the car that he or she had purchased.
8. Every car dealer who sold a 1995 Diamante equipped with Preview Distance Control received the Structure and Maintenance of Preview Distance Control Manual.
9. Also, someone other than the car dealers could have bought the Structure and Maintenance of Preview Distance Control Manual by simply ordering it during the period that the car was available for sale. Even after the car was finished selling, anyone could buy the manual by placing an order with any car dealer within 10 years of the sale termination.
10. The 1995 Mitsubishi Diamante Structure and Maintenance of Preview Distance Control Manuals were disseminated and available to any interested member of the public at least from May 1995 to 2005. Any member of the public was able to obtain access to this publication by directly purchasing the manual.
11. There were no prohibitions placed on the Structure and Maintenance of Preview Distance Control Manual that restricted a customer's use, copying, or distribution of this manual. There was no requirement that this manual be kept confidential.
12. The 1995 Diamante was advertised at least on television commercials.

I swear under the penalty of perjury that the foregoing is true and accurate to the best of my knowledge.

Signed this 16th day of December 2013

  
Yoshinobu Yamauchi