

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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**EASTMAN KODAK COMPANY, AGFA CORPORATION, ESKO SOFTWARE  
BVBA, and HEIDELBERG, USA,  
Petitioners**

**v.**

**CTP INNOVATIONS, LLC  
Patent Owner**

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**Cases**

**IPR2014-00788 (U.S. Patent No. 6,738,155)**

**IPR2014-00789 (U.S. Patent No. 6,738,155)**

**IPR2014-00790 (U.S. Patent No. 6,611,349)**

**IPR2014-00791 (U.S. Patent No. 6,611,349)**

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**SUPPLEMENTAL DECLARATION OF JOHAN SUETENS**

I, Johan Suetens, declare as follows:

(1.) All statements herein made of my own knowledge are true, and all statements herein made based on information and belief are believed to be true. I am over 21 years of age and otherwise competent to make this declaration. I am not being compensated for my time in preparing this declaration, the opinions herein are my own, and I have no personal stake in the outcome of the petitions for *inter partes* review (“IPR”) filed against U.S. Patent Nos. 6,611,349 and 6,738,155 or any related litigation or administrative proceeding.

(2.) I previously submitted a declaration in support of the petition for IPR filed by Eastman Kodak Company (“Kodak”), Agfa Corporation (“Agfa”), Esko Software BVBA (“Esko”), and Heidelberg USA (“Heidelberg”) (collectively, the “IPR Petitioners”) (hereinafter, “First Declaration”).<sup>1</sup> As I was not able to identify some of the data fields of the screen captures of user-interfaces from the Enterprise Management System during my deposition, I have since been educated as to the meaning of those data fields by Agfa personnel who I rely on for my data. As a result of that process, I am now aware of additional records that are on point.

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<sup>1</sup> I note that ¶ 11 of my First Declaration includes a typographical error, at ¶ 11, consistent with ¶¶ 7 and 8, the date 17 March 1997 should be “17 March ~~1997~~ 1998” (corrected text emphasized).

These additional records are explained herein and are attached to this Supplemental Declaration as Exhibits E-H.

(3.) Upon an informed review, I am aware that hundreds of thousands of Apogee brochures were sent to Agfa's regional offices for further distribution during the 1998 and 1999 time frame. Attachment D to my First Declaration and Attachments E-G to this declaration are true and accurate copies of such archived records maintained on Agfa's Enterprise Management System. These records were made at the time a regional office first requested copies of a brochure, and were updated whenever activity occurred related to a given purchase record, as part of Agfa's accounting department's regularly conducted business activity. Further, these records were kept and maintained by Agfa's accounting department, as well as at Agfa's warehouse and distribution centers, in the course of the department's regularly conducted business activity.

(4.) Agfa used the Enterprise Management System to determine how many brochures were being printed for, and sent to, regional offices and promotional employees. In 1998, the Enterprise Management System had been in existence for 18 years and had been relied on by Agfa as the method of processing requests from regional offices, such as documents for promotional materials, since 1980. At that time, all orders from Agfa's regional offices for promotional materials, such as the Apogee brochure, were processed using the Enterprise

Management System. It was the regular practice of Agfa to rely on and use the archived records shown in Attachments D-G.

(5.) The person responsible for the current version of the Enterprise Management System explained to me how the system worked in 1998 and 1999 as well as the meaning of the various fields contained in Attachments D-G as discussed below.

(6.) Further to the description above, I am aware that in 1998 and 1999, the Enterprise Management System kept track of all purchase orders made by regional offices and the date on which the ordered materials were delivered to the regional offices. Agfa's Enterprise Management System logged requests from Agfa's regional offices for copies of documents for distribution, such as promotional brochures, at the time the regional office made the request.<sup>2</sup> Once the promotional brochures were printed, they were sent to a warehouse, such as Agfa (Belgium), and the Enterprise Management System updated the record to reflect that the brochures had been delivered to the warehouse.<sup>3</sup>

(7.) When a request for copies of promotional brochures was made, the purchasing group checked the Enterprise Management System. After a verification process confirmed the number of promotional brochures in the warehouse, the

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<sup>2</sup> See Attachment E ("Doc. Date").

<sup>3</sup> See Attachment F ("Pstng Date").

Enterprise Management System sent the warehouse group the go-ahead to begin preparing the delivery. Once the warehouse group received the go-ahead, it entered the requested data in the Enterprise Management System and verified the initial request, so that the accounting group could prepare an invoice for the requester.

(8.) Attachment H is a true and accurate copy of invoices sent to Agfa customers and promotional employees for requests that Agfa had processed and fulfilled. Once a request was verified, the accounting department prepared and sent an invoice. These invoices were kept and maintained by Agfa's accounting department in the course of the department's regularly conducted business activity.

(9.) I am aware that the Enterprise Management System tracks the purchase orders for specific brochures. For example, the NEFDU-Material shown in Attachment E to my Supplemental Declaration corresponds to the Apogee brochure. I know that "NEFDU" corresponds to the Apogee brochure because "NEFDU" is the code included on the Apogee brochure.

(10.) Attachment E shows four orders for printed copies of the Apogee brochure. One of the orders shown in Attachment E, Purchase Doc. 81777501, corresponds to the record shown in Attachment D to my First Declaration.

Purchase Doc. 81777501 has a Doc. Date of March 31, 1998. This means that on

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