

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HTC CORPORATION and HTC AMERICA, INC.

Petitioners

v.

E-WATCH, INC. and E-WATCH CORPORATION

Patent Owner

CASE: To Be Assigned

Patent No. 7,643,168 B2

**DECLARATION OF KENNETH PARULSKI IN SUPPORT OF PETITION
FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 7,643,168 B2**

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I. INTRODUCTION

1. My name is Kenneth Parulski. I was the former Chief Scientist in the Digital Camera and Devices Division of Eastman Kodak Company and I am currently Chief Scientist and Managing Member of aKAP Innovation, LLC, which I founded in June 2012. aKAP Innovation, LLC provides innovation and digital photography related consulting services, and participates in the development of ISO (“International Organization for Standardization”) standards for digital photography.
2. I have been engaged by HTC Corporation and HTC America, Inc. (“HTC”) to investigate and opine on certain issues relating to U.S. Patent No. 7,643,168 B2 entitled “APPARATUS FOR CAPTURING, CONVERTING AND TRANSMITTING A VISUAL IMAGE SIGNAL VIA A DIGITAL TRANSMISSION SYSTEM” (“168 Patent”) in HTC’s Petition for Inter Partes Review of the 168 Patent (“HTC IPR Petition”) which requests the Patent Trial and Appeal Board (“PTAB”) to review and cancel Claims 1-6, 8, 10-11, 13-18, 21-29 and 31 of the 168 Patent, which, based on my understanding, are all the claims that are currently being asserted in a patent litigation against HTC.

3. I understand that, according to USPTO assignment records of the 168 Patent, the 168 Patent is owned by E-Watch, Inc. It is also my understanding that E-Watch Corporation claims to be the exclusive licensee of the 168 Patent. E-Watch, Inc. and E-Watch Corporation are asserting the 168 Patent in litigation against HTC and others and are therefore referred to as the “Patent Owner” in this Declaration.
4. In this declaration, I will discuss the technology related to the 168 Patent, including an overview of that technology as it was known prior to, and up to the January 12, 1998 filing date to which the parent of the 168 Patent claims priority. This overview of the relevant technology provides some of the bases for my opinions with respect to the 168 Patent.
5. This declaration is based on the information currently available to me. To the extent that additional information becomes available, I reserve the right to continue my investigation and study, which may include a review of documents and information that may be produced, as well as testimony from depositions that may not yet be taken.
6. In forming my opinions, I have relied on information and evidence identified in this declaration, including the 168 Patent, the prosecution history of the 168 Patent, and prior art references listed as Exhibits to the Petition for *Inter Partes* Review of the 168 Patent. I have also relied on my own experience

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