

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

|              |                                       |                                  |
|--------------|---------------------------------------|----------------------------------|
| Applicant:   | Darbee                                | Universal Remote Control, Inc.   |
| Case No.:    | IPR2014-01106                         | v.                               |
| Filing Date: | April 8, 1993                         | Universal Electronics, Inc.      |
| Patent No.:  | 5,255,313                             | Trial Paralegal: Cathy Underwood |
| Title:       | UNIVERSAL<br>REMOTE CONTROL<br>SYSTEM | Attorney Doc.: 059489.144100     |

**DECLARATION OF ALEX COOK**

**Mail Stop PATENT BOARD**  
Patent Trial and Appeal Board  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Alex Cook, hereby declare as follows:

**I. Background And Qualifications**

1. My name is Alex Cook. I began work with home entertainment devices in the employ of a major equipment supplier to the cable TV industry in 1983 as an engineer designing set-top boxes. I have been directly involved in the design and development of remote control devices, including multi-device remote, two-way remotes and remotes with displays. In my work with cable TV and set-top boxes, I have dealt directly with the issues involved in the configuration and use of home entertainment systems. I am a member of the Society of Cable Telecommunications Engineers (SCTE) and have participated in the setting of technical standards for use by the cable TV industry and in the IrDA setting standards for infrared data communication. I currently consult with Comcast Cable in the development of new electronic devices for the home.
2. In 1977, I earned a Bachelor of Electrical Engineering degree from the Georgia Institute of Technology in Atlanta, GA.
3. In 1978, I attended additional non-degree graduate level classes at Georgia Tech.
4. Between the years of 1975 and 1977, I worked for the Georgia Tech Research Institute, where my responsibilities included computer programming and millimeter-wave and submillimeter-wave spectroscopy.

5. Between the years of 1978 and 1979 I worked for the Georgia Tech Research Institute as a Research Engineer, where my job responsibilities included the design of a distributed process energy management and control system, the design and programming of microcomputer circuits, and the design of power line data transmission circuits.

6. Between the years of 1979 and 1980, I worked for Datec Systems, Inc., as an Engineer. At Datec, I helped develop a distributed process control system for the Strategic Petroleum Reserve. In this role, I developed real-time programming of supervisory control and data acquisition systems.

7. Between the years of 1981 and 1983, I worked as an engineer for Loral Information and Display Systems in Atlanta, GA, as a Principal Engineer. My responsibilities there included the design of high speed display generator hardware for tactical displays in military aircraft.

8. Between the years of 1983 and 1996, I worked in various engineering and engineering management positions at Scientific-Atlanta, Inc., in Norcross, GA, a major supplier of products to the cable TV industry. As an engineer, I designed set-top boxes for cable television including various remote control devices for use in cable TV. My work included hardware design of both digital and analog circuits, software design for microprocessors, product features and user interface design, and the design of all aspects of remote controls for use in cable TV. My

responsibilities also included the drafting of patent disclosures and the extensive review of patents in the field of cable TV technology (including remote controls). During this time I worked daily with entertainment system technology; basic, multi-device, and universal remote controls; and all aspects of user experience in home entertainment.

9. Since 1996, I have worked as a consultant in product development including consulting work for UEI in 1996.

10. I have also previously served as an expert witness for UEI in several patent infringement actions. Those litigations include *Phillips Electronics North America Corp. v. Universal Electronics Inc.*, No. 94-392-RRM (D. Del. 1994) and *Universal Electronics Inc. v. Remote Technologies, Inc.*, No. 8-06-cv-00566 (C.D. Cal. 2006).

11. From 2010 to the present, I have been a consultant to Comcast Cable. In that role, I have assisted in the development of the next generation of cable TV devices for the cable consumer, including set-top boxes, video gateways, video client devices, remote controls, and wireless devices for the home.

12. I am a named inventor on four granted and pending U.S. patents and patent applications, the majority of which relate to cable TV devices and technology including the use of infrared signaling to program set-top boxes and a two-way remote control with an LCD display.

13. I have been retained in this matter by UEI to provide an analysis of U.S. Patent No. 5,255,313 (the “‘313 patent”) pursuant to the Board’s decision instituting an *inter partes* review of Claims 1, 2, and 20 of the ‘313 patent. I have also been retained to analyze what a person of ordinary skill in the art in the relevant field would have understood as of the priority date for the ‘313 patent. I understand that there was a dispute between the parties as to whether the priority date of the ‘313 patent is in 1987 or 1990. My opinions contained herein would not change regardless of whether the priority date of the ‘313 patent is 1987 or 1990.

14. I am being compensated at the rate of \$350 per hour for my work. My fee is not contingent on the outcome of this matter, or on the positions I have taken in this declaration. I have no financial interest in Petitioner Universal Remote Control, Inc.

15. It is my understanding that UEI owns the ‘313 patent. I have no financial interest in UEI.

## **II. Materials Considered**

16. In preparing this declaration, I reviewed the Petition, the ‘313 patent and its prosecution history, the Declaration of Stephen D. Bristow, the Ciarcia and Hastreiter references, the Preliminary Response, the Board’s Institution Decision,

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