Filed on behalf of: Toyota Motor Corp.

By: P. Andrew Riley
Thomas Winland
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP
901 New York Avenue, NW
Washington, DC 20001-4413
Telephone: 202-408-4000
Facsimile: 202-408-4400
E-mail: andrew.riley@finnegan.com
tom.winland@finnegan.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Toyota Motor Corp.,
Petitioner

v.

Innovative Display Technologies LLC,
Patent Owner

IPR2015-00831
Patent No. 7,434,974

DECLARATION OF DR. ZANE COLEMAN

TABLE OF CONTENTS

I, Dr. Zane Coleman, declare as follows:

I. INTRODUCTION

1. I have been retained by Toyota Motor Corp. ("Toyota" or "Petitioner") as an independent expert consultant in this proceeding before the United States Patent and Trademark Office. Although I am being compensated at my usual rate of $400.00 per hour for the time I spend on this matter, no part of my compensation depends 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. 7,434,974 ("the '974 patent") (attached as Ex. 1001 to the petition). The '974 patent was filed on March 17, 2006. I also understand that the '974 patent is part of a large family and one of several continuations, continuation-in-part, and/or divisions stemming from U.S. Patent No. 5,613,751, which was filed on June 27, 1995.

3. I have been asked to render certain opinions regarding the '974 patent and whether certain references disclose or suggest certain features in the claims of the '974 patent.

II. GUIDING LEGAL PRINCIPLES

A. Person of Ordinary Skill in the Art

4. I am informed that a "person of ordinary skill in the art" ("POSITA") refers to a hypothetical person who is presumed to have known the relevant art at the time of the invention. Many factors may determine the level of ordinary skill in the art,

including: (1) the type of problems encountered in the art, (2) prior art solutions to those problems, (3) the rapidity with which innovations are made, (4) the sophistication of the technology, and (5) the educational level of active workers in the field. I understand that a POSITA is a person of ordinary creativity, not an automaton, meaning that a POSITA may employ inferences and creative steps in their work. I am informed that the relevant timeframe is prior to June 27, 1995, which is the earliest priority filing date for the '974 patent, and the opinions below pertain to that timeframe.

5. A POSITA in the art for this patent would have at least an undergraduate degree in a science or engineering discipline and a few years of work experience in a field related to optical technology, a graduate degree in a field related to optical technology, or a few years of continuing education toward a graduate degree in a field related to optical technology. Accordingly, I have used this definition in my analysis below.

B. Anticipation Invalidity

6. I understand that a patent claim is "anticipated," and, therefore, invalid, if a single prior art reference discloses (expressly or inherently) each and every element of the claimed invention in a manner sufficient to enable a POSITA to practice the invention, thus placing the invention in possession of the public.

7. I also understand that under certain circumstances, multiple references may be used to prove anticipation, specifically to: (a) prove that the primary reference

DOCKET ALARM

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts

Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research

With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips

Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS
Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS
Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS
Sync your system to PACER to automate legal marketing.