

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION,
Petitioner

v.

RAYTHEON COMPANY,
Patent Owner

Case IPR2015-01201

Patent 5,591,678

DECLARATION OF MICHELLE C. BATES

I, Michelle C. Bates, hereby declare as follows:

1. I am over eighteen (18) years of age and in all respects fully competent to make this Declaration. I have personal knowledge of the facts, as stated herein, and all are true and correct.

2. I am Manager, Export/Import Licensing, and an Empowered Official at Raytheon Company (“Raytheon”)

3. I have been informed that in the present proceeding Sony Corporation (“Sony”) has filed a petition challenging the validity of the ‘678 patent.

4. I have also been informed that in order to defend against Sony’s challenges, Raytheon must submit documents that were previously determined to be governed by The International Traffic in Arms Regulations (“ITAR”), 22 C.F.R. Parts 120-130, including documents related to the conception and reduction to practice of the inventions claimed in the ‘678 patent and the commercial success of the inventions. I will refer to those documents herein as the “ITAR Documents.”

5. Raytheon Company is a technology and innovation leader that has developed technologies for numerous applications, including for national defense. Raytheon is a major defense contractor for the United States and much of the technology and information developed at Raytheon is subject to strict confidentiality requirements and regulations, including the ITAR.

6. I am familiar with the ITAR, and part of my responsibilities at Raytheon are to work with counsel to ensure that Raytheon complies with the ITAR. Raytheon takes its obligations and commitment to national security very

seriously. Raytheon has developed internal protocols, with the assistance of counsel specializing in the ITAR, for determining whether documents are subject to the ITAR. Once Raytheon determines that documents are governed by the ITAR, they must be treated according to the ITAR.

7. If Raytheon ITAR restricted information is compromised, Raytheon has both an interest and a duty in making sure a proper disclosure is filed with DDTC. Raytheon's practice, before providing ITAR restricted information to third parties such as vendors, is to require the third party to notify Raytheon in the event of any potential ITAR violation. Such notification allows Raytheon to assist in any corrective measures necessitated by the infraction.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: February 19, 2016

Michelle C Bates

Digitally signed by Michelle C Bates
DN: c=US, o=IdenTrust ACES Business Representative,
ou=RAYTHEON COMPANY, cn=Michelle C Bates,
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