

Filed on behalf of: Robert Bosch LLC and Daimler AG

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Robert Bosch LLC and Daimler AG,
Petitioner

v.

Orbital Engine Company Pty Limited,
Patent Owner

Patent No. 5,655,365

DECLARATION OF CATHERINE ALEXANDROVNA VASSILKOVA

I, Catherine Alexandrovna Vassilkova, declare as follows:

1. I am currently a co-owner of Independence Legal Support (“Independence”), P.O. Box 1807 Greenbelt, MD 20768. Although I am being compensated as part of my employment with Independence, no part of my compensation depends on the outcome of this proceeding, and I have no other interest in this proceeding.
2. In 2007, I received a Bachelor of Arts in Economics from the University of Maryland, College Park. Since 2011, I have been employed by Independence. As part of my standard work duties, I am regularly asked to search for and collect documents, including research papers, from libraries, including the Library of Congress and other university and college libraries.
3. On October 13, 2015, I received two requests to retrieve specific publications from Alana Bevan, an Information Resource Librarian, at the law firm of Finnegan, Henderson, Farabow, Garrett & Dunner LLP, who I understand is counsel to Robert Bosch LLC in this proceeding before the United States Patent and Trademark Office.
4. I was asked to outline my efforts to find these publications.

5. First, Ms. Bevan asked Independence to provide copies of the relevant portion of a publication titled “IIEC: Inter-Industry Emission Control, Progress Report, May 1972” (“IIEC”). According to the WorldCat database, Ms. Bevan told Independence that the IIEC publication was available at many university libraries including Penn State, Indiana University, Michigan State University, Texas A&M, University of Arizona, Cleveland State University, West Virginia University, Case Western Reserve University, University of Kentucky, and UC Berkeley.

6. Specifically, Ms. Bevan asked us to scan the following from the IIEC publication: cover page, copyright page, Table of Contents (in its entirety), all pages within the publication that contained the following paper: “Methods for Fast Catalytic System Warm Up During Vehicle Cold Starts” by Bernhardt and Hoffman (SAE technical paper 720481)(“Bernhardt”), and a date received/processed stamp from the library, if possible.

7. On October 15th, 2015, I retrieved a copy of the IIEC publication from the University of Kentucky. Specifically, on October 14th, 2015 I submitted a request by email for Title/copyright/table of contents/date-stamp (showing the

date of receipt by the library) pages + "Methods for fast catalytic system warm-up during vehicle cold starts", by W.E. Bernhardt [and] E. Hoffmann from IIEC : inter-industry emission control: progress report, May 1972 to the University of Kentucky W.T. Young Library Interlibrary Loan Department. The librarian with the University of Kentucky W.T. Young Library Interlibrary Loan Department instructed that we complete and return a copy of the American Library Association Interlibrary Loan Request Form to process our request. The completed ALA form was submitted by email on October 14th, 2015 and the requested copy was received from the University of Kentucky W.T. Young Library Interlibrary Loan Department librarian in PDF format by email on October 15th, 2015.

8. On October 15, 2015, I sent a copy of the relevant portions of the IIEC Report containing *Bernhardt* to Ms. Bevan at Finnegan. A copy of what I received from the University of Kentucky, which I sent to Ms. Bevan, is attached as Ex. 1012.

9. Second, on October 13, 2015, Ms. Bevan asked Independence to provide copies of the relevant portion of a publication titled SAE 1972

Transactions - V81-A (“SAE 1972 Transactions”) that included the Bernhardt reference from the Library of Congress.

10. On October 14th, 2015, Sara Elspeth Callahan, a co-owner of Independence, retrieved a copy of the SAE 1972 Transactions publication from the Library of Congress. Specifically, Sara Elspeth Callahan requested the print volume from the stack collection at the Library of Congress, received the volume from a staff member, and scanned the copy.

1. On October 14, 2015, Sara Elspeth Callahan sent a copy of the relevant portions of the SAE 1972 Transactions journal containing *Bernhardt* to Ms. Bevan at Finnegan. A copy of what Sara Elspeth Callahan received from the Library of Congress, which she sent to Ms. Bevan, is attached as Ex. 1013.

2. The copy of the SAE 1972 Transactions journal received from Library of Congress includes on the second page Library of Congress Catalog Card Number: 12-14987, as well as a stamp dated May 24, 1974 stating “Copyright Office - Copy - Library of Congress.” In addition, at the top of the second page, the following handwriting is provided: “TL₁, .S₆, v. 81, sect. 3, 1972.” In addition, the Bernhardt paper is listed in the Table of Contents on the third page as

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