

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOYOTA MOTOR CORPORATION

Petitioner

Patent No. 5,732,375

Issue Date: March 24, 1998

Title: METHOD OF INHIBITING OR ALLOWING AIRBAG DEPLOYMENT

Case No. IPR 2016-00291

DECLARATION OF MARK A. CHAPMAN

I, Mark A. Chapman, declare as follows:

1. I am a partner at the firm Kenyon & Kenyon LLP, where my practice focuses on patent-related matters, and in particular, patent litigation in a variety of technical fields.

2. I am a member in good standing of the State Bar of New York and am also admitted to practice in the U.S. District Courts for the Eastern and Southern Districts of New York, the U.S. Court of Appeals for the Federal Circuit, and the U.S. Supreme Court.

3. I have over 15 years' experience in the field of patent law as an associate and a partner at Kenyon & Kenyon LLP. My practice focuses on patent litigation in district courts around the country, appeals at the Federal Circuit, and assisting with related Patent Office proceedings, such as reexaminations. For example, in the past several years, I have been involved in, *inter alia*, the following district court patent litigations, Federal Circuit patent appeals, and Patent Office reexaminations:

- a. *American Vehicular Science, LLC v. Toyota Motor Corporation*, No. 15-cv-1391 (C.D. Cal.).
- b. *Signal IP, Inc. v. Toyota Motor N. Am., Inc.*, No. 15-cv-5162 (C.D. Cal.).
- c. Reexamination Control No. 95/002,256, and related Appeal No. 2015-006,133 (P.T.A.B.).

- d. Reexamination Control No. 95/001,504.
- e. Reexamination Control No. 95/001,630.
- f. *Medinol Ltd. v. Cordis Corp.*, No. 13-CV-1408 (S.D.N.Y.), and related Appeal No. 2015-1027 (Fed. Cir.).
- g. *Yissum Research Dev. Co. v. Sony Corp.*, Appeal Nos. 15-1342, 15-1343 (Fed. Cir.) (from P.T.A.B. decisions in IPR2013-00219, IPR2013-00218, IPR2013-00327, and IPR2013-00328).
- h. *UUSI Inc. v. Robert Bosch LLC*, No. 13-CV-10444 (E.D. Mich.).
- i. *Sorias v. National Cellular USA, Inc.*, No. 14-CV-2897 (E.D.N.Y.).
- j. *Monkeymedia Inc. v. Buena Vista Home Entertainment Inc.*, No. 10-CA-533 (W.D. Tex.).

4. I have not been suspended or disbarred from practice before any court or administrative body.

5. I have not been denied admission to practice before any court or administrative body.

6. I have never been sanctioned or cited for contempt by any court or administrative body.

7. I have previously applied to appear *pro hac vice* for the following proceeding before the Office in the last three (3) years: IPR No. 2015-01838.

8. I am familiar with the subject matter of this proceeding. I have reviewed

the subject U.S. Patent No. 5,732,375, as well as the petition for *inter partes* review and the supporting expert declaration filed by Petitioner in this proceeding. I have discussed the subject matter of this proceeding with representatives of Petitioner and lead counsel, John Flock.

9. Given my familiarity with the subject matter of this proceeding and my experience, I have experience and expertise important to representing Petitioner Toyota Motor Corporation in this matter.

10. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R.

11. I have read and will comply with and be subject to the United States Patent and Trademark Office Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

I declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code.

Executed: May 3, 2016


Mark A. Chapman