

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

DECLARATION OF SCOTT ANDREWS

Case No. IPR2016- 00291

I, Scott Andrews, do hereby declare and state as follows:

I. BACKGROUND AND QUALIFICATIONS

1. I am currently a consultant for Cogenia Partners, LLC, focusing on systems engineering, business development and technical strategy supporting automotive and information technology. I have been in this position since 2001. In one of my active engagements, I serve as the technical lead on a project funded by the National Highway Traffic Safety Administration (NHTSA) to develop requirements for connected vehicle safety systems in preparation for NHTSA regulations governing such systems. I also serve as a technical consultant on multiple projects sponsored by the Federal Highway Administration (FHWA) related to connected vehicle technology research.

2. I have over 30 years of professional experience in the field of automotive technologies and systems, including vehicle information systems and vehicle safety and control systems. Further, I have authored numerous published technical papers and am a named inventor on 11 U.S. and foreign patents.

3. I received a Bachelor of Science degree in Electrical Engineering from University of California, Irvine in 1977 and a Master of Science degree in Electronic Engineering from Stanford University in 1982.

4. From 1977 to 1979, I worked at Ford Aerospace where I designed, tested and delivered microwave radar receiver systems.

5. From 1979 to 1983, I worked at Teledyne Microwave, where I developed high reliability microwave components and developed CAD tools.

6. From 1983 to 1996, I worked at TRW, Inc., having held various positions. From 1983 to 1985, I was a Member of the technical staff and a Department Manager in the Space Electronics sector. Between 1985 and 1990 I was a project manager working on various communications systems projects including the US DoD Advanced Research Projects Administration (ARPA) MIMIC Program. Between 1990 and 1993 I was the Manager of MMIC (monolithic-microwave-integrated-circuit) Products Organization. In this role, I developed business strategy and managed customer and R&D programs. During this time, I also developed the first single chip 94 GHz Radar, used for automotive cruise control and anti-collision systems. In 1993 I transferred to the TRW Automotive Electronics Group, and managed about 30 engineers in the Systems Engineering and Advanced Product Development organization. In this role, I managed advanced development programs such as automotive radar, adaptive cruise control, occupant sensing, automatic crash notification systems, in-vehicle information systems, and other emerging transportation products.

7. I was employed as a Project General Manager in the Electronics Division of Toyota Motor Corporation. I worked at Toyota headquarters in Toyota City, Japan from April 1996 to around April 2000. Between July 1999 and April

2000, I transitioned from working in Japan to working in a Toyota office in San Jose, CA. In this position, I was responsible for leading the development of vehicle telematics systems, infotainment systems, including on-board and off-board navigation systems, traffic information systems, vehicle communications systems, safety applications, and automated vehicle control systems.

8. In 1998, I founded the Automotive Multimedia Interface Collaboration, a consortium of car makers developing standards for in-vehicle computing and interfaces between consumer multimedia systems and consumer electronics devices. This work resulted in a variety of standards for vehicle interfaces, user interfaces and vehicle software management that were eventually transferred to other standards organizations such as ISO and the OSGi Alliance.

9. In the various positions mentioned above, I was responsible for research and development projects relating to numerous vehicle information systems, user interface systems, sensory systems, control systems and safety systems, and also had the opportunity to collaborate with numerous researchers and suppliers to the auto industry. I therefore believe that I have a detailed understanding of the state of the art during the relevant period, as well as a sound basis for opining how persons of skill in the art at that time would understand the technical issues in this case. In 2000, I founded Cogenia, Inc. to develop enterprise class data management software systems. I served as the company's Chief

Executive Officer until 2001, when I created Cogenia Partners, my current consulting firm.

10. A copy of my *curriculum vitae* is attached hereto, and it includes a listing of my prior experience in litigation matters as an expert.

II. ASSIGNMENT AND MATERIALS REVIEWED

11. I submit this declaration in support of Toyota Motor Corporation's petition for *inter partes* review of U.S. Patent No. 5,732,375 ("the '375 patent").

12. I am not an employee of Toyota or of any affiliate or subsidiary thereof.

13. My consulting firm, Cogenia Partners, LLC, is being compensated for my time at a rate of \$500 per hour.

14. My compensation is in no way dependent upon the substance of the opinions I offer below, or upon the outcome of Toyota's petition for *inter partes* review (or the outcome of the *inter partes* review, if trial is instituted).

15. I have been asked to provide certain opinions relating to the patentability of the '375 patent. Specifically, I have been asked to provide my opinion regarding (i) the level of ordinary skill in the art to which the '375 patent pertains and (ii) whether claim 11 would have been obvious in view of the prior art.

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