

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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**APPLE INC.**

Petitioner,

v.

**PERSONALIZED MEDIA COMMUNICATIONS LLC**

Patent Owner

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**Case: IPR2016-00753**

Patent No. 7,752,649

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**DECLARATION OF TIMOTHY D. DORNEY, PH.D., IN SUPPORT OF  
PATENT OWNER'S CONTINGENT MOTION TO AMEND THE CLAIMS**

## **Introduction and Qualifications**

1. I, Timothy D. Dorney, submit the following sworn declaration in IPR2016-00753 in support of the validity of U.S. Patent No. 7,752,649 (“’649 patent”). I am an employee of Patent Owner, Personalized Media Communications, L.L.C. (“PMC”).

2. I am currently the Vice President - Intellectual Property of PMC. where I am responsible for both licensing and litigation support.

3. I hold a Bachelor of Science degree in Electrical Engineering from Texas A&M University, a Master of Science in Electrical Engineering and Applied Physics from Case Western Reserve University, and Ph.D. in Electrical and Computer Engineering from Rice University. My doctoral thesis was focused on a signal processing and imaging techniques in the THz spectrum.

4. I have nearly 10 years of experience working in product development, design, and advanced architecture of semiconductor memories. I’ve worked as both a product development engineer and design engineer in video RAM development, an IC design engineer in application specific DRAM design, and as a circuits center of expertise engineer in memory products design at Texas Instruments Incorporated.

5. I have over seven years of experience in circuit and product design of small wattage AC/DC converters and LED lighting systems as President of my own company.

6. I am licensed to practice before the United States Patent & Trademark Office as a patent agent and I have ample experience drafting and prosecuting patent applications in various technologies, with an emphasis in technical fields including memory, analog circuits, processors, and digital systems. I am a named inventor on at least seven U.S. patents and have authored numerous journal and conference papers.

7. A copy of my *curriculum vitae* is attached as Exhibit 2131.

### **Motion to Amend**

8. I have been informed and understand that if the Patent Trial and Appeal Board (“Board”) should accept the Petitioner’s arguments and cancel any of the issued ’649 patent claims as unpatentable, PMC has made a contingent motion to amend to substitute the canceled claim(s) with corresponding proposed substitute claims 103-106.

9. I have reviewed all relevant papers and exhibits in connection with IPR2016-00753, including PMC’s Contingent Motion to Amend filed concurrently herewith.

#### ***a. The Proposed Substitute Claims are Supported by the Written Description of the Provisional Application***

10. I have been informed and understand that to amend the claims, the Patent Owner must show, among other things, that the substitute claims are supported by the written description of the original disclosure of the patent, as well as any patent application to which the claim seeks the benefit of priority.

11. To satisfy the written description requirement, I have been informed and understand that the substitute claims must be disclosed in sufficient detail such that a POSA can clearly conclude that the inventor invented the claimed invention as of the filing date sought.

12. The proposed substitute claims of the '649 patent are included below:

103. (Substitute for claim 39, if found unpatentable) A method of processing signals in a television receiver, said television receiver having a plurality of processors, said method comprising the steps of:

receiving an information transmission including digital television signals and a message stream, said digital television signals comprising digital audio signals and digital video signals;

detecting said message stream in said information transmission;

inputting at least a first portion of said message stream to a control processor;

selecting control information in said at least a first portion of said message stream and communicating said selected control information to at least one register memory;

comparing stored function invoking data to the contents of said at least one register memory;

inputting said digital television signals to said plurality of processors on the basis of one or more matches;

processing of said digital television signals simultaneously at two or more of said plurality of processors, wherein at least one of said plurality of processors is a central processing unit that operates according to operating system instructions stored in reprogrammable nonvolatile memory at said television receiver, said operating system instructions are reprogrammable by a remote station, said reprogrammable nonvolatile memory storing digital data comprising information particular to a subscriber at said television receiver and originated at said television receiver, said television receiver stores a unique digital code that identifies said television receiver that may be transmitted from said television receiver using a digital information transmission unaccompanied by any non-digital information transmission; and

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