

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEALS BOARD

APPLE INC.
Petitioner

v.

PERSONALIZED MEDIA COMMUNICATIONS, LLC
Patent Owner

Case No.: IPR2016-00754
Patent No.: 8,559,635

**DECLARATION OF ANTHONY J. WECHSELBERGER
IN SUPPORT OF
PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE &
PETITIONER'S OPPOSITION TO PATENT OWNER'S CONTINGENT
MOTION TO AMEND**

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I, Anthony J. Wechselberger, do hereby declare as follows:

1. I previously prepared and executed a declaration (Ex. 1001) in IPR2016-00754. I submit this declaration in support of Petitioner Apple's opposition to Patent Owner PMC's Contingent Motion to Amend. This declaration also responds to arguments raised in PMC's Patent Owner Response (Paper 15) and Dr. Weaver's declaration (Ex. 2019).
2. In preparing this declaration, I reviewed and considered the following:
 - The Board's Decisions Instituting *Inter Partes* Review (Paper 8)
 - PMC's Patent Owner Response (Paper 15)
 - Declaration of Dr. Weaver (Ex. 2019)
 - Deposition Testimony of Dr. Weaver (Ex. 1054)
 - Declaration of Dr. Dorney (Ex. 2130)
 - Deposition Testimony of Dr. Dorney (Ex. 1052)
 - Additional prior art and materials discussed in Sections II-V

This material is in addition to the material I reviewed and considered while preparing my original declaration.

I. OPINIONS IN SUPPORT OF PETITIONER'S REPLY

A. Guillou Discloses Executable Instructions As Recited In Claim 13

3. I understand that PMC and Dr. Weaver argue that the decrypted individual data octets d_j are not executable instructions because allegedly character generator does not carry out operations according to the data octets. This is incorrect. Guillou explains that the octets d_j are instructions to the character generator. (Ex. 1006 at 19:18-21.) The character generator stimulates the inputs R_2 , V_2 , and B_2 of the display means according to each individual octet d_j . (Ex. 1006 at 19:18-21.) Contrary to PMC and Dr. Weaver's characterization, the character generator's operation is instructed by each individual data octet d_j .
4. Additionally, as I explained in my prior declaration, it would have been obvious to a person of ordinary skill in the art to apply Guillou's encryption scheme to also transmit signals embedded with executable instructions. (Ex. 1001 ¶¶ 158-160.) I understand PMC and Dr. Weaver argue that a person of ordinary skill in the art would have been unable to modify Guillou to transmit encrypted signals embedded with executable instructions. This is incorrect. No significant modifications to Guillou are required to transmit encrypted signals with executable instructions. A person of ordinary of ordinary skill in the art would have understood that encrypting a sequence of

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