

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RUBICON COMMUNICATIONS, LP

Petitioner,

v.

LEGO A/S

Patent Owner.

Case IPR2016-01187

Patent 8,894,066

**DECLARATION OF CHRIS D. THOMPSON
REGARDING PETITIONER'S EXHIBITS**

Rubicon Communications, LP – Exh. 1029

Rubicon Communications, LP – Exh. 1029

Declaration of Chris D. Thompson

I, Chris D. Thompson, declare as follows:

1. I am over the age of 18, and am competent to make this declaration. I have personal knowledge of the facts set forth herein, which are true and correct. I drafted the petition that was filed on June 10, 2016 in the above-captioned proceeding.
2. Exhibit B1 of the original Petition consists of true and correct photocopies of pages from the book, *Building Robots with Lego*® *Mindstorms™: The ULTIMATE Tool for Mindstorms Maniacs!*, by Mario Ferrari, Giulio Ferrari, and Ralph Hempel (the “Book”). The photocopies of the pages of the Book in Exhibit B1 were made under my direction. The copy of the Book from which the photocopies were made was obtained from the Austin Public Library (“APL”). The APL identifies the Book by Call Number 629.892 FE. The copyright page indicates that the Book was published by Syngress Publishing, Inc., and bears the copyright notice “Copyright © 2002”.
3. Exhibit 1025 is a true and correct copy of pages at the following URL,
<https://web.archive.org/web/20040908132652/http://www.amazon.com/exec/obidos/tg/detail/-/1928994679?v=glance>

which was obtained from the Internet Archive, along with an affidavit of Christopher Butler, Office Manager with the Internet Archive, regarding the content and date of the pages from the Internet Archive. The pages show a listing of the Book as available for purchase on Amazon.com, along with book reviews from the 2002-2004 time frame.

4. Exhibit 1026 is a true and correct copy of an email message from Katrin Abel, Reference Librarian with the APL. The foregoing email message includes a database entry indicating that a record for the Book was created by the APL on November 20, 2003.

5. Exhibit 1027 is true and correct copy of a paper entitled *Using Legos to Interest High School Students and Improve K12 STEM Education*, by Lawrence E. Whitman and Tonya L. Witherspoon, for the 33rd ASEE/IEEE Frontiers in Education Conference, which was held from November 5-8, 2003, in Boulder, Colorado. The paper includes a citation to the Book. The paper was found at the following URL:

<http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.120.1643&rep=rep1&type=pdf>

6. Exhibit B2, filed with the original petition, is a true and correct copy of pages found at the following URLs:

<https://web.archive.org/web/20041204044616/http://www.philohome.com/mindstorms.htm>

<https://web.archive.org/web/20041206160318/http://www.philohome.com/steercar/steeringcar.htm>

<https://web.archive.org/web/20041208200048/http://philohome.com/simon/bricksimon.htm>

<https://web.archive.org/web/20041204051150/http://www.philohome.com/sensors.htm>

<https://web.archive.org/web/20041204162945/http://www.philohome.com/sensors/rotsensor.htm>

The pages at these URLs are referred to in the original petition as “Philo’s Home Page.”

7. Exhibit B3, filed with the original petition, is a true and correct copy of pages found at the following link:

<https://web.archive.org/web/20041204111548/http://www.plazaearth.com/usr/gasperi/lego.htm>

The page at this URL is referred to in the original petition as “Gasperi.”

8. Exhibit 1028 is a true and correct copy of pages obtained from the Internet Archive for the URLs listed under Paragraphs 6 and 7, along with

an affidavit of Christopher Butler, Office Manager with the Internet Archive,
regarding the content and date of the pages from the Internet Archive.

I hereby declare that all statements made herein of my own knowledge are true and correct, and that any statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Date: January 6, 2017

/Chris D. Thompson/
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