

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION, SONY MOBILE COMMUNICATIONS (USA) INC.,
SONY MOBILE COMMUNICATIONS AB & SONY MOBILE
COMMUNICATIONS INC.

Petitioners

v.

CREATIVE TECHNOLOGY LIMITED

Patent Owner

U.S. Patent No. 6,928,433

Case No. IPR2016-01407

DECLARATION OF TAN SHAO MIENG

I, Tan Shao Mieng, hereby declare as follows based on my own personal knowledge:

1. I am an employee of Creative Technology Ltd (hereinafter referred to as “Creative”) and have been employed by Creative since 1995. My current job title is Corporate Controller, Corporate Finance, and I have held this position since 2000. In this role, I have become familiar with Creative’s procedures for creating and maintaining corporate announcements. Among other responsibilities, I am one of the custodians of the Corporate Announcement Archive maintained by Creative.

2. The Corporate Announcement Archive contains a copy of the corporate announcements issued by Creative. The records in the Corporate Announcement Archive are kept by Creative in the ordinary course of its regularly conducted business and have been so kept since as least as early as 2005.

3. Exhibit 2016 is a true and correct copy of a corporate announcement entitled “Apple & Creative Announce Broad Settlement Ending Legal Disputes Between the Companies” (hereinafter referred to as the “Apple Announcement”) from Creative’s Corporate Announcement Archive.

4. Creative is and has been a publicly listed company on the Singapore Exchange since 1994. In line with its obligations as a publicly listed company, since at least 2005, Creative is and has been required to provide material information on financial and/or corporate matters to the public through

announcements posted on SGXNET. SGXNET is an internet-portal hosted by the Singapore Exchange which allows publicly listed companies to submit their corporate announcements from anywhere in the world. I am one of the key personnel at Creative authorized to post announcements on SGXNET.

5. Since at least 2005 and continuing to the present time, it has been the regular practice of Creative to issue such corporate announcements by posting them on SGXNET. The Apple Announcement is an example of a corporate announcement that was made and posted by Creative on SGXNET in 2006 in the regular practice of Creative's business.

6. Beginning at least as early as 2005 and continuing to the present time, it has been the regular practice of Creative to have corporate announcements, such as the Apple Announcement, drafted at or near the time of the event described in the announcement by personnel that have knowledge of the facts described in the announcement. In 2006, the Apple Announcement was prepared by members of Creative's legal team who were directly involved in the Apple settlement negotiations.

I declare under penalty of perjury under the laws of the United States of America and under the laws of the Republic of Singapore that the foregoing is true and correct.

Executed on February 28, 2017, in the Republic of Singapore.



Tan Shao Mieng