

Filed on behalf of Petitioners

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Corning Optical Communications RF LLC,
Corning Incorporated, and Corning Optical Communications LLC
Petitioners

v.

PPC Broadband, Inc.
Patent Owner

Case No.: To be assigned
Patent 8,075,338

**DECLARATION OF RONALD P. LOCATI
FOR *INTER PARTES* REVIEW OF
U.S. PATENT NO. 8,075,338 (CLAIMS 5, 6, AND 8)
UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.100**

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I, Ronald P. Locati, hereby state as follows:

I. INTRODUCTION

1. I have been retained by Buchanan Ingersoll & Rooney PC to provide technical assistance related to the filing of a Petition for *Inter Partes* Review of U.S. Patent No. 8,075,338 (“Petition”). I am working as a private consultant on this matter and the opinions presented here are my own.

2. I have been asked to prepare a written report including comments related to the Petition regarding whether Claims 5, 6, and 8 of U.S. Patent No. 8,075,338 (“the ‘338 Patent”) (Ex. 1001) would have been anticipated by or obvious to the ordinarily skilled artisan over the prior art. I have reviewed the documents set forth in Table 1 below to come to this conclusion. This Declaration presents the basis and reasons for my opinion, including the materials and information I relied upon in forming those opinions and conclusions.

| EXHIBIT | DESCRIPTION |
|---------|--|
| 1001 | U.S. Patent No. 8,075,338, issued on December 13, 2011 to Noah Montena (“the ‘338 Patent”) |
| 1002 | U.S. Patent No. 7,114,990, issued on October 3, 2006 to Bruce D. Bence <i>et al.</i> (“Bence”) |
| 1004 | <i>Curriculum Vitae</i> of Ronald P. Locati |

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| EXHIBIT | DESCRIPTION |
|---------|--|
| 1006 | Complaint filed in <i>PPC Broadband, Inc. v. Corning Optical Communications RF, LLC.</i> , 5:16-00162 (N.D.N.Y.) dated February 11, 2016 |
| 1007 | Certified English Translation of Japanese Publication No. JP2000-40564 (“JP ‘564”) |
| 1008 | Japanese Publication No. JP2000-40564 |
| 1009 | U.S. Patent No. 7,892,024, issued on February 22, 2011 to Han-Jung Chen (“the ‘024 Patent”) |
| 1010 | U.S. Patent No. 7,674,132, issued on March 9, 2010 to Yi-Hsiang Chen (“the ‘132 Patent”) |
| 1011 | U.S. Patent Application No. 12/906,503, filed on October 18, 2010 to Noah Montena (“the ‘503 Application”) |
| 1012 | Office Action in U.S. Patent Application No. 12/906,503, dated May 31, 2011 |
| 1013 | U.S. Patent No. 4,979,911, issued on December 25, 1990 to Mark Spencer (“Spencer”) |
| 1014 | Office Action Response filed in U.S. Patent Application No. 12/906,503 on August 31, 2011 |

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