UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DECLARATION OF EREZ ZADOK, PH.D.
IN SUPPORT OF PETITION FOR INTER PARTES REVIEW OF
U.S. PATENT 6,470,399

Apple 1003
IPR2016-01843

TABLE OF CONTENTS

I. Introduction

I, Dr. Erez Zadok, declare as follows:

1. I have been retained on behalf of Apple Inc. for the above-captioned *inter partes* review proceeding. I understand that this proceeding involves U.S. Patent No. 6,470,399 ("the '399 patent") titled "Flexible Interface for Communication Between a Host and an Analog I/O Device Connected to the Interface Regardless the Type of the I/O Device" by Michael Tasler, and that the '399 patent is currently assigned to Papst Licensing GmbH & Co. KG.

2. In preparing this declaration, I have reviewed and am familiar with the following references:

- **U.S. Patent No. 5,915,106** to Ard ("Ard"), titled "Method and System for Operating a Scanner Which Emulates a Disk Drive," provided as Ex. 1046 is prior art under at least 35 U.S.C. §§102(e) because it was filed on March 20, 1997, before the March 3, 1998 priority date of the '399 patent.

- **The SCSI Bus and IDE Interface—Protocols, Applications and Programming** by Friedhelm Schmidt ("Schmidt"), and published in 1995. I understand that Schmidt is prior art to the '399 patent and has been provided as Ex. 1007. (*See* Ex. 1024.)

- **U.S. Patent No. 5,489,772** to Webb *et al.* ("Webb"), titled "Variable Optical Sampling Rate Dependent on Requested Scan Resolution" (Ex. 1048), is

prior art under at least 35 U.S.C. §§ 102(a), 102(b), and 102(e) because it was filed on November 14, 1994, and issued February 6, 1996, more than one year before the March 3, 1998 priority date of the '399 patent.

- **U.S. Patent No. 5,303,064** to Johnson *et al*. ("Johnson"), titled "Image Scanner with Calibration Mechanism to Obtain Full Dynamic Range and Compensated Linear Output," provided as Ex. 1047, is prior art under at least 35 U.S.C. §§102(a), 102(b), and 102(e) because it was filed on February 20, 1991, and issued April 12, 1994, more than one year before the March 3, 1998 priority date of the '399 patent.

3. I have also considered all other materials cited herein.

4. The '399 patent describes an interface device that "simulates, both in terms of hardware and software, the way in which a conventional input/output device functions, preferably that of a hard disk drive." (Ex. 1001, '399 patent, 5:6–9.) I am familiar with the technology described in the '399 patent as of its March 3, 1998 filing date and its claimed March 4, 1997 priority date.

5. I have been asked to provide my independent technical review, analysis, insights, and opinions regarding the '399 patent and the references that form the basis for the two grounds of rejection set forth in the Petition for *Inter Partes* Review of the '399 patent.

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