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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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VIZIO, Inc.  
Petitioner

v.

Personalized Media Communications, LLC  
Patent Owner

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*Inter Partes* Review No.: Unassigned

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**DECLARATION OF STUART LIPOFF UNDER 37 C.F.R. § 1.68  
IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW OF  
U.S. PATENT NO. 7,752,649**

Declaration of Stuart Lipoff Under 37 C.F.R. § 1.68 in Support of  
Petition for *Inter Partes* Review of U.S. Patent No. 7,752,649

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I, Stuart Lipoff, do hereby declare as follows:

**I. INTRODUCTION**

1. I have been retained as an expert witness on behalf of VIZIO, Inc. (“VIZIO”) for the above-captioned Petition for *Inter Partes* Review (“IPR”) of U.S. Patent No. 7,752,649 (“the ’649 Patent”). I am being compensated for my time in connection with this IPR at my standard consulting rate of \$375 per hour. My compensation is not affected by the outcome of this matter.
2. I have been asked to provide my opinions regarding whether or not Claims 1, 2, 3, 7, 8, 11, 13, 26, 27, 28, 29, 39, 41, 42, 45, 48, 49, 50, 51, 62, 63, 64, 67, 78, 82, 83, 84, 88, 90, 91, 92, 93, 94, and 97 of the ’649 Patent (“the Challenged Claims”) are invalid as obvious to a person of ordinary skill in the art at the time of the alleged invention (a “POSITA”).
3. The ’649 Patent issued on July 6, 2010, from U.S. Patent Appl. No. 08/449,097 (“the ’097 application”), filed on May 24, 1995. (Ex. 1002 at cover). The ’649 Patent alleges to be a continuation of a series of applications dating back to U.S. Patent Appl. No. 07/096,096 filed on September 11, 1987, now U.S. Patent No. 4,965,825 (“the ’096 Application”). The ’096 Application alleges to be a continuation-in-part of a

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