

Filed on behalf of Valencell, Inc.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

VALENCELL, INC.,
Patent Owner.

Case IPR2017-00317
U.S. Patent No. 8,989,830

**DECLARATION OF ALBERT H. TITUS IN SUPPORT OF PATENT
OWNER RESPONSE TO PETITION**

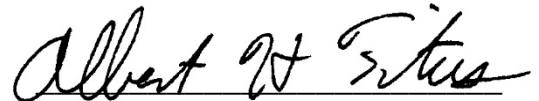
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**Patent Owner Response to Petition for *Inter Partes* Review of U.S. Patent
No. 8,989,830**

Declaration of Dr. Albert H. Titus

I, Albert H. Titus, do hereby declare and state, under penalty of perjury under the laws of the United States of America, that all statements made herein of my own knowledge are true and correct and that all statements made on information and belief are believed to be true; and further that these statements were 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.

Executed on September 22, 2017, from Buffalo, NY

A handwritten signature in black ink that reads "Albert H. Titus". The signature is written in a cursive style and is positioned above a horizontal line.

Albert H. Titus

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I. INTRODUCTION

A. Engagement

1. My name is Dr. Albert H. Titus, and Valencell, Inc. (“Valencell” or “Patent Owner”) asked me to submit a declaration in this matter.

2. I understand that Valencell intends to use my declaration in support of its Patent Owner’s response (the “Response”) to the petition of Apple Inc. (“Apple” or “Petitioner”) for *inter partes* review of U.S. Patent No. 8,989,830 (“the ’830 patent”).

3. I understand that this matter has a case number of IPR2017-00317 and is pending before the Patent Trial and Appeal Board (“PTAB” or the “Board”) of the United States Patent and Trademark Office (“PTO” or “USPTO”).

4. Valencell retained me as a technical expert to provide my opinions on the disclosures of the prior art cited in IPR2017-00317, the understandings of one of ordinary skill in the art, and how those things relate to the patentability of claims 1-6, 8-16, and 18-20 of the ’830 patent.

B. Background and Qualifications

5. I am a tenured, Full Professor of Biomedical Engineering at the University at Buffalo, The State University of New York. I am also the current Department Chair. My curriculum vitae (CV), has the complete outline of my

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