

Filed on behalf of: Koninklijke Philips N.V.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC.
Petitioner,

v.

KONINKLIJKE PHILIPS N.V.
Patent Owner.

Case IPR2017-00386
U.S. Patent No. RE44,913

DECLARATION OF DR. ADAM PORTER

Philips 2005
Google v. Philips

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I, Dr. Adam Porter of Bethesda, Maryland, declare as follows:

I. INTRODUCTION

1. I have been retained by Koninklijke Philips N.V. (“Philips”) in this *Inter Partes* Review (“IPR”) as an independent expert to provide opinions regarding the subject matter recited in the claims of U.S. Patent No. RE44,913 (Ex. 1001, the “RE’913 patent”). In particular, I have been asked to provide my opinion as to whether a person of ordinary skill in the art at the time of the invention (“POSA”) would have found claims 1 and 3-16 of the RE’913 patent obvious in view of Japanese Unexamined Patent App. No. 2000-148366 (“Sakata II,” Ex.1004), or alternatively, in view of Sakata II and U.S. Patent No. 6,094,197 (“Buxton,” Ex. 1006), based on the arguments and evidence submitted by Petitioner Google Inc. (“Google”) and its declarant, Dr. Cockburn.

2. I understand that the Patent Trial and Appeal Board of the U.S. Patent and Trademark Office (“Board”) has instituted an IPR of the patentability of Claims 1 and 3-16 of the ’006 patent following the submission of a Petition by Google. I understand that Google also submitted a supporting declaration by Dr. Andrew Cockburn.

3. I understand the Board has instituted review on the following grounds:

- a. Claims 1 and 3-16 of the RE’913 patent as obvious over Sakata II pursuant to 35 U.S.C. § 103; and

b. Claims 1 and 3-16 of the RE'913 patent as obvious over Sakata II and Buxton pursuant to 35 U.S.C. § 103.

4. My analysis and conclusions regarding the RE'913 patent and the instituted grounds are set forth below.

5. In connection with forming my opinions, I have considered the references and materials submitted by the parties in this proceeding, and in particular those cited herein, including the following:

Exhibit	Title
N/A	Google's Petition
1001	RE'913 Patent
1002	Declaration of Dr. Cockburn
1003	JP 2000-56912 (Sakata I)
1004	JP 2000-148366 (Sakata II)
1006	U.S. Patent No. 6,094,197 to Buxton
1018	U.S. Patent No. 5,689,253 to Hargreaves
1020	Shneiderman, B., Designing the User Interface: Strategies for Effective Human-Computer Interaction Ch. 2, 60-62, Addison-Wesley, Reading, Mass. (1987)
N/A	Philips' Preliminary Response
N/A	Institution Decision
2002	U.S. Patent No. 5,128,672 to Kaehler
2003	U.S. Patent No. 464,892 to Prentice
2006	Transcript of the Deposition of Dr. Andrew Cockburn, taken on Aug. 28, 2017
2007	U.S. Patent No. X5581 to Burt
2008	Richard N. Current, The Original Typewriter Enterprise 1867-1873 at 391-407, in Wisconsin Magazine of History (June 1949)

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