

**UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

SONY CORPORATION, SONY MOBILE COMMUNICATIONS (USA) INC.,
SONY MOBILE COMMUNICATIONS AB & SONY MOBILE
COMMUNICATIONS INC.,
Petitioners

v.

CREATIVE TECHNOLOGY LIMITED,
Patent Owner

Case No. TBD
Patent No. 6,928,433

SONY EXHIBIT 1017
SONY vs. Creative

I, Benjamin B. Bederson, declare:

1. I have been retained by Wolf, Greenfield & Sacks, P.C., counsel for Sony Corporation, Sony Mobile Communications (USA) Inc. (SoMC-USA), Sony Mobile Communications AB, and Sony Mobile Communications Inc. (collectively, “Petitioners”), to submit this supplemental declaration in connection with the Petition for *Inter Partes* Review of claims 2, 3, 5, 7, and 17-28 of U.S. Patent No. 6,928,433 (“the ’433 patent”) (Ex. 1001), as amended by Inter Partes Reexamination Certificate (469th) (Ex. 1002). I am being compensated for my time at a rate of \$600.00 per hour, plus actual expenses. My compensation is not dependent in any way upon the outcome of the Petition.

2. I previously submitted a declaration (“First Declaration”) in connection with Case No. IPR2016-01407 (“First IPR”). This declaration supplements my First Declaration to account for the Board’s construction of the terms “portable media player” and “display screen” set forth in the Institution Decision in the First IPR. IPR2016-01407, Paper 13, 5-9. The information concerning my background and experience and materials reviewed that was presented in my First Declaration remains accurate. The only additional items I considered in preparing this supplemental declaration were the Patent Owner

Preliminary Response in the First IPR, IPR2016-01407, Paper 10, and the Board's Institution Decision in the First IPR, IPR2016-01407, Paper 13.

Portable Media Player

3. I understand that in the Institution Decision in the First IPR, the Board construed “portable media player” to mean “a device capable of being easily and conveniently transported that can play media content, such as audio or video content.” *Id.* at 7. The Board, moreover, specifically rejected Patent Owner's assertion that a portable media player must be a “hand-held device.” *Id.* at 6-7.

4. Looney describes “a music organizer,” which may be “laptop” device that is “designed for portability,” with a user interface for “playing back music according to a variety of predetermined categories.” Ex. 1009 (“Looney”), Abstract, Fig. 2, 3:21-23, 5:6-25.

5. Looney's “laptop” embodiment is depicted in Fig. 2 (reproduced below):

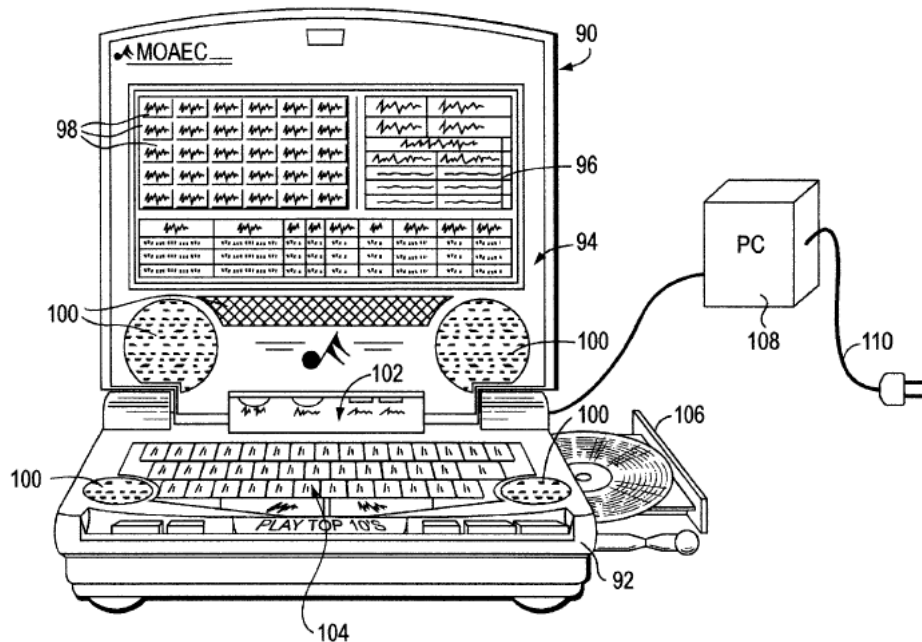


FIG. 2

Looney, Fig. 2.

6. Looney explains how this “laptop” embodiment incorporates all components needed to play back digitally stored music in a battery-operated, stand-alone device that can be readily transported because of its “laptop” design:

With reference to FIG. 2, an alternate embodiment of a center 90 is detailed. This center comprises a laptop arrangement having a base 92 and a foldable display section 94. This center can comprise, in essence, a modified laptop computer with all the basic components of a modern multimedia computer system. Certain personal computer components not specifically required for the purposes of this embodiment can be omitted. For example, a display 96 having buttons 98 as described above can be provided. A plurality of speakers 100 can also be provided representing base, midrange, tweeters, etc. Volume and screen display controls 102 can also be provided as well

as a basic alphanumeric keyboard 104 of conventional design. A retracting compact disc tray and reader 106 can also be provided. An onboard battery (not shown) provides power while an AC/DC converter 108 recharges the unit based upon household current provided by a power cord 110. Note that automotive DC current can also be used.

Id. at 5:6-25.

7. Looney further explains that this particular embodiment is “an exemplary music organizer and entertainment center **designed for portability.**” *Id.* at 3:21-23 (emphasis added).

8. The laptop embodiment of Looney is a device capable of being easily and conveniently transported. The laptop embodiment of Looney is also a device “that can play media content, such as audio or video content” while being easily and conveniently transported, including due to the speakers and on-board battery of the device.

9. In my opinion, the “laptop” embodiment depicted in Fig. 2 and described at column 5, lines 6-25 of Looney is a “portable media player,” as that term has been construed by the Board. IPR2016-01407, Paper 13 at 9.

Display Screen

10. I understand that in the Institution Decision, the Board construed “display screen” to mean “a particular set of user interface elements presented on the display of a device.” IPR2016-01407, Paper 13 at 9.

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