

Case No.: To Be Assigned
Declaration of Shuichi Matsuda

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KAWASAKI RAIL CAR, INC.
Petitioner,

v.

SCOTT BLAIR,
Patent Owner.

CASE: To Be Assigned

Patent No. 6,700,602

**DECLARATION OF SHUICHI MATSUDA
IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW OF
U.S. PATENT NO. 6,700,602**

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Declaration of Shuichi Matsuda

I, Shuichi Matsuda, make the following declaration based on my personal knowledge:

1. I am General Manager for Japan Train Operation Association (“JTOA”), located at Higashi-Ueno 1-12-2, Taitou-ku, Tokyo. I have held the position of General Manager for one year. I began working for JTOA in 2015 and have worked for JTOA continuously since that time.

2. My responsibilities include management of the overall operation of the JTOA, including direct or indirect supervision of JTOA employees.

3. JTOA publishes the Japan Train Operation Association Magazine (“JTOA Magazine”), a monthly periodical which is published on the first day of each month.

4. As the general manager, my responsibilities include overseeing the publication and distribution of the JTOA Magazine.

5. I am familiar with JTOA’s normal business practices in 1995, which are similar to the practices that have been in place during my tenure at JTOA. I have gained this familiarity through the normal course of business, including discussions with my

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predecessors at JTOA and review of JTOA's business records.

6. Exhibit KAWASAKI-1002 is a true and correct copy of JTOA Magazine, Volume 37, issue no. 3, published on March 1, 1995.

7. In 1995, it was JTOA's normal business practice to publish an issue of the JTOA Magazine on the publication date indicated in the issue.

8. In 1995, it was JTOA's normal business practice to use a printing company to mail copies of an issue of the JTOA Magazine to members of the JTOA within one week after the issue was published.

9. In 1995, the JTOA had more than 25,500 members who would have received copies of the JTOA Magazine from the printing company. In 1995, anyone could have become a member of the JTOA. There were no restrictions on who could become a member of the JTOA.

10. In 1995, a person who was not a member of JTOA could have obtained Exhibit KAWASAKI-1002 by placing an order directly with JTOA.

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I hereby declare that all statements made herein of my own knowledge are true 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 July 6, 2016 in Japan

[signature of]

Shuichi Matsuda

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Certification of Translation

Translator's Declaration: July 11, 2016

I, Martin Cross, hereby declare:

That I possess advanced knowledge of the Japanese and English languages. My qualifications are as follows:

- over 25 years as a Japanese-English translator focusing primarily on patents, and technical and scientific documents;
- co-author of the *Japanese Patent Translator's Handbook*, published by American Translators Association;
- United States district court recognition as an expert in Japanese technical translation for patent litigation; and
- work experience including design and testing of electronic circuits for Research and Development Laboratories Waterloo Ltd.

The attached translation is, to the best of my knowledge and belief, a true and accurate translation from Japanese to English of Exhibit 1016 - Declaration of Shuichi Matsuda. I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001), and may jeopardize the validity of the application or any patent issuing thereon. I declare under penalty of perjury that all statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true.

Martin Cross

