

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TWITTER, INC.
Petitioner

v.

VIDSTREAM LLC,
Patent Owner.

Case IPR2017-01131
Patent 8,464,304

SUPPLEMENTAL DECLARATION OF HENRY HOUH

TWITTER - EXHIBIT 1052
TWITTER v. YOUTOO
IPR2017-01131

I, Henry Houh, do hereby declare as follows:

1. I previously submitted a declaration on behalf of Petitioner Twitter, Inc. in connection with these proceedings. (Exhibit 1003.) Since submitting Ex. 1003, I have reviewed Patent Owner's Response ("Response"), and accompanying exhibits, including the Declaration of James Olivier ("Olivier Declaration", Ex. 2002). I have also reviewed Ex. Nos. 2003-2007, submitted with Dr. Olivier's declaration. I have also reviewed Dr. Olivier's deposition transcript, which I understand is being filed and referenced in these proceedings as Ex. 1051. I provide this supplemental declaration to address some technical inaccuracies and mischaracterizations set forth in the Response and Dr. Olivier's testimony in both IPR2017-1131 and IPR2017-1133.

2. In connection with preparing this supplemental declaration, and in addition to the materials identified in Ex. 1003 and above in ¶ 1, I have reviewed the following materials bearing Exhibit Nos. that I understand are being filed and referenced in the proceedings to which this supplemental declaration accompanies.

- Ex. 1033 is a true and correct copy of a webpage from www.fonearena.com describing characteristics of the Nokia E50 mobile phone. As shown in the footer, this webpage was archived by the Wayback Machine at web.archive.org on October 21, 2006.

- Ex. 1036 is a true and correct copy of a webpage from phys.org titled “Samsung Starts Selling World’s First 10 Megapixel Camera Phone” dated October 10, 2006.
- Ex. 1037 is a true and correct copy of a webpage from www.letsgodigital.org titled “Samsung SCH-V770 7 Megapixel digital camera phone” dated March 10, 2008.
- Ex. 1043 is a true and correct copy of a web page from www.symbian.com identifying SDKs. As shown in the footer, this webpage was archived by the Wayback Machine at web.archive.org on February 9, 2006.
- Ex. 1044 is a true and correct copy of a web page from www.symbian.com identifying Symbian phones. As shown in the footer, this webpage was archived by the Wayback Machine at web.archive.org on December 20, 2006.
- Ex. 1045 is a true and correct copy of a web page from www.wired.com titled “By Open Sourcing Symbian, Nokia Kicks Off The Mobile Age” dated June 24, 2008. Wired is a reputable source for information on technology and electronic devices, and which is commonly referred to and relied upon by persons of ordinary skill in the art.

- Ex. 1047 is a webpage from www.symbian.com titled “Class CCamera”.
As shown in the footer, this webpage was archived by the Wayback Machine at web.archive.org on February 8, 2008.
- Ex. 1048 is a webpage from www.symbian.com titled “Class CCamera”.
As shown in the footer, this webpage was archived by the Wayback Machine at web.archive.org on September 17, 2006.
- Ex. 1049 is an article from www.samsung.com titled “SAMSUNG Launches the World’s First 10 Megapixel Camera Phone” and dated October 10, 2006. This webpage was published by Samsung, a well-known mobile phone manufacturer and is recognized in the art as a reputable source of publicly information regarding the products that it manufactures and sells. It is a source that is commonly referred to and relied upon by persons of ordinary skill in the art as an easily-accessible reference for characteristics of Samsung products, including mobile phones.
- Ex. 1050 is a true and correct copy of a webpage from www.photographyblog.com titled “Samsung SCH-B600 10 Megapixel Camera Phone” and dated October 10, 2006. As shown in the footer, this webpage was archived by the Wayback Machine at web.archive.org on April 5, 2009.

3. Dr. Olivier defined a person having ordinary skill in the art (“POSITA”) as having “a Bachelor of Science in Electrical Engineering, Computer Engineering, or Computer Science and about two years of experience in the area of networked video, or equivalent experience and education.” (Ex. 2002, ¶ 39). Dr. Olivier then goes on to define timeframe for the relevant knowledge of a POSITA as January 2011. (*Id.*, ¶¶ 40, 41). Below, I respond to certain aspects of Dr. Olivier’s POSITA.

4. Although Dr. Olivier and I agree about the general education level a POSITA would have, we disagree on the specific areas of knowledge of a POSITA. As I explained in my initial declaration, a POSITA would have “approximately two years of experience in network architecture and multimedia systems, including creating and distributing multimedia.” (Ex. 1003, ¶ 44). Dr. Olivier states that a POSITA “would have had a Bachelor of Science in Electrical Engineering, Computer Engineering, or Computer Science and about two years of experience in the area of networked video, or equivalent experience and education.” (Ex 2002, ¶39). While these appear to be similar, I disagree with Dr. Olivier’s opinions regarding the knowledge of a POSITA at the relevant timeframe.

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