

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

GOOGLE INC.
Petitioner

v.

KONINKLIJKE PHILIPS ELECTRONICS N.V.
Patent Owner

U.S. PATENT NO. RE44,913
Case Unassigned

DECLARATION OF ANTHONY DALE

Pursuant to 28 U.S.C. § 1746, I, Anthony Dale, hereby declare as follows:

1. My name is Anthony Dale. I am over eighteen years of age, of sound mind, and in all ways qualified and competent to make this declaration. I have personal knowledge of the facts contained in this declaration and they are true and correct.

2. I am currently retired. Prior to retirement, my primary employment was with the University of Canterbury (the “University”). I began working at the University in 1987 in its computer science department and held several positions with the University until my retirement in 2015.

3. During the 1990s, I was in charge of the computer science department programming team as its head programmer. In this capacity, I frequently used and tested mobile devices as they were released. I frequently executed purchase orders for and then received various such devices, including various versions of Apple’s MessagePad devices that ran the Newton operating system (“Apple Newton Devices”). When I received such devices in the ordinary course of my duties, I typically received the instruction booklets or manuals corresponding to each device.


4. I personally provided copies of the original instruction manuals I received in connection with my use of Apple Newton Devices to Christopher Suarez, one of the attorneys for the Petitioner Google Inc. in this proceeding. I

understand that Google has scanned the original copies of the documents and intends to furnish them as exhibits in the above-captioned proceedings. I reviewed the scans of the manuals, referenced below, that are being used as exhibits and have confirmed that the scanned documents correspond precisely to the documents that were in my original possession.

5. Exhibit 1012 is a true and correct copy of the Apple Newton MessagePad Handbook, copyright 1995, from Apple Computer Inc. I received this manual, which described the general functionality of the Apple MessagePad, in 1995. I received this manual as part of a package of documents that were provided in the original packaging of an Apple Newton Device that I personally ordered and received in 1995.

6. 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 are 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 and that such willful false statements may jeopardize the results of these proceedings.

Date: December 2, 2016

By: 
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