

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO, LTD.,
Petitioner

v.

JAMES B. GOODMAN,
Patent Owner.

U.S. Patent No. 6,243,315

**DECLARATION OF JOHN J. KELLY REGARDING RECORDS OF
JEDEC SOLID STATE TECHNOLOGY ASSOCIATION (JEDEC)**

I, John J. Kelly, under penalty of perjury, declare and state as follows:

1. I am an employee of the JEDEC Solid State Technology Association (hereinafter "JEDEC"). I have worked with JEDEC in various capacities since late 1990.
2. My current position is President of JEDEC. I am in charge of, among other things, the management and legal affairs of the association.
3. JEDEC is the global leader in the development of standards for the microelectronics industry. Currently, JEDEC standards are publicly available for free download from the JEDEC website (<https://www.jedec.org>), or, in the case of larger volumes, for purchase through the same website and authorized resellers. In 1997, JEDEC standards were generally available for purchase from JEDEC or from approved re-seller IHS.
4. This declaration particularly concerns JEDEC specification JESD21-C, Configurations for Solid State Memories, Release 7 (January 1997) ("the Standard"), a standard published by JEDEC. I have reviewed the Standard. The photocopy of the Standard, attached to this declaration as Exhibit 1, is identical to the copy of the Standard in JEDEC's files.
5. The following statements on the public availability of the Standard as of January 1997 are based on personal knowledge, information and belief. In 1997, I was Vice President, Secretary and General Counsel the Electronic Industries Association ("EIA"), of which JEDEC was part. The development of all JEDEC documents follows the process set forth in JM21: JEDEC Manual of Organization and Procedure. The date on the cover of a JEDEC document is the month the document was finalized, approved, and published to its membership. The date on the cover of this Standard, in particular, also indicates the date that it was sent to those with a subscription to the annual updating service for JESD21-C, in which subscribers would receive

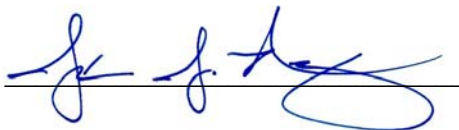
the new and/or updated replacement pages of the various modules of the Standard as they were released.

6. I am familiar with the circulation and publication procedures used by JEDEC in 1997. Upon approval of the JEDEC Council, the JEDEC publications department prepared documents for publication and sought final review and approval to publish from the EIA Legal Department. Once legal approval was received, the JEDEC publications department made the approved document available to the JEDEC membership, and in the case of JESD21-C, the pages comprising the specifically updated modules would have been sent to those who subscribed to the annual updating service for JESD21-C. Copies of the entire JESD21-C volume, as well as any other finalized standard, would also have been available for purchase by anyone in the public, through either JEDEC or approved reseller IHS.

7. Based on my personal knowledge of JEDEC's, the Standard was made publicly available in January 1997, consistent with the date notation at the first page of the Standard, through promulgation to JEDEC membership and availability for purchase by any member of the public. My knowledge of the procedures surrounding the creation of the date notation and publication is based on JEDEC's policies and practices as I understood them through my work at JEDEC and EIA. I relied on these policies and practices in the course of my work. I have no reason to believe that JEDEC's typical practice was not followed. I have no reason to believe that the Standard was not made publicly available in January 1997.

I declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and 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.

Date: August 8, 2017

Signed: 

Printed: John J. Kelly