

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

**EXOCAD GMBH AND EXOCAD AMERICA, INC.**  
Petitioner,

v.

**3SHAPE A/S,**  
Patent Owner.

---

Patent No. 9.336,336  
Issue Date: May 10, 2016  
Title: 2D IMAGE ARRANGEMENT

---

*Inter Partes* Review No. IPR2018-00788

---

**DECLARATION OF MANFRED WIEDMANN**

Exocad Ex. 1017  
exocad v. 3Shape, IPR2018-00788  
Page 1 of 16

1. I, Manfred Wiedmann, resident of Steinheim, Germany, hereby declare as follows:

2. I am the founder of Zahn Rekonstruktions System (“ZRS”) (which we translate from German to English on our webpage as “Teeth Reconstruction System”) and of Zahntechnik Wiedmann GmbH. I have been at ZRS since 10 Nov 2006 .

3. I am the developer of the ZRS system. I continue to work at ZRS and also work on further developing the ZRS system.

4. My son, Oliver Wiedmann, is the author of an article titled “Den Harmoniegesetzen entsprechend ... .. computerunterstützt die richtige Zahnform finden,” dated April 2008, from the journal DIGITAL\_DENTAL.NEWS, 2<sup>ND</sup> Volume (the “Article”). I believe that the English translation of this Article is “According to the laws of harmony ... .. to find the right tooth shape with the assistance of the computer”.

5. Oliver wrote that Article in 2008 and submitted it to the DIGITAL\_DENTAL.NEWS journal in 2008. He was later informed by the publisher of DIGITAL\_DENTAL.NEWS that the Article would be published in the April 2008 volume of this journal.

6. I am familiar with and subscribed to the DIGITAL\_DENTAL.NEWS journal, which I received by hardcopy and, like all subscribers, received the April 2008 volume (2<sup>nd</sup> volume) in April, 2008, in which this Article was published. Each volume of the DIGITAL\_DENTAL.NEWS journal was published on or around the date indicated on the pages of the journal – i.e., the lower right and left corner of each page, as shown on the Article. I can thus confirm that this Article and this volume of the DIGITAL\_DENTAL.NEWS was published and publicly available on or about the date shown on the Article – April 2008. Anyone, particularly anyone with an interest in digital dentistry, could have easily located any volume of the DIGITAL\_DENTAL.NEWS at that time, which was well known and disseminated largely in the industry.

7. ZRS has also been continually posting a copy of this Article on the company's website, for anyone to view, since some time not long after the April 2008 publication date and certainly before the end of 2008. I am knowledgeable about the ZRS website and what is posted on it as part of ZRS's general business practices, and it has been ZRS's practice to publish a number of articles on the website, including this Article, for years. The article can still be found by clicking on "Digital Dental Ausgabe April 2008" on the webpage [http://www.zrs-wiedmann.com/web/zrs/front\\_content.php?idcat=53&lang=4](http://www.zrs-wiedmann.com/web/zrs/front_content.php?idcat=53&lang=4) (English webpage) (attached as Exhibit A) or the webpage [3](http://www.zrs-</a></p></div><div data-bbox=)

[www.zrs-wiedmann.com/web/zrs/front\\_content.php?idcat=44&lang=3](http://www.zrs-wiedmann.com/web/zrs/front_content.php?idcat=44&lang=3) (German webpage)

(attached as Exhibit B), which brings you to the Article on this page:

[http://www.zrs-wiedmann.com/web/zrs/ext/press/Digital\\_Dental\\_April\\_2008.pdf](http://www.zrs-wiedmann.com/web/zrs/ext/press/Digital_Dental_April_2008.pdf)

(attached as Exhibit C).

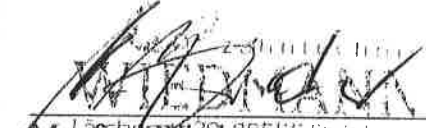
8. Also, I have looked at the “wayback machine” to confirm my memory that the Article was posted on the ZRS website (which was [www.zrs-wiedmann.de](http://www.zrs-wiedmann.de) in 2008 and later became [www.zrs-wiedmann.com](http://www.zrs-wiedmann.com)) by at least October 16, 2008, at the latest. See <https://web.archive.org/web/20081016201027/http://www.zrs-wiedmann.de:80/?action=press&parent=6&CFID=217841&CFTOKEN=18866371> # (attached here as Exhibit C). I understand that the “wayback machine” website, [web.archive.org](http://web.archive.org), historically saves captures of websites at various points in time, and this link shows that the ZRS website was captured by the “wayback machine” on October 16, 2008. It further shows that the ZRS website at that time already had posted “Digital Dental Ausgabe April 2008,” which was this Article. This confirms my memory that we at ZRS had posted this Article by October 16, 2008, along with other articles from that year.<sup>1</sup> The Article was thus also publicly on the [www.zrs-wiedmann.de](http://www.zrs-wiedmann.de) website for anyone to view by at least October 16, 2008.

---

<sup>1</sup> If a person clicks on the “Digital Dental Ausgabe April 2008” link on the “wayback machine” capture of the [www.zrs-wiedmann.de](http://www.zrs-wiedmann.de) website from October 16, 2008 (Exhibit C), the Article does not appear because it was not included in the capture, but the capture of the ZRS website by the “wayback machine” nonetheless clearly confirms my memory that the Article was in fact posted there at that time.

9. I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true. I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. § 1001).

Executed on November 05, 2018

  
Manfred Wiedmann Steinheim  
TEL 07329770110 - FAX 941122

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.