

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BMW OF NORTH AMERICA, LLC,

Petitioner,

v.

BLITZSAFE TEXAS, LLC,

Patent Owner.

Patent No. 8,155,342

Filing Date: June 27, 2006

Issue Date: April 10, 2012

Title: MULTIMEDIA DEVICE INTEGRATION SYSTEM

DECLARATION OF IRA MARLOWE

Case No. IPR2018-00926

Patent Owner Blitzsafe Texas, LLC – Exhibit 2004
BMW of North America v. Blitzsafe IPR2018-00926

Case IPR2018-00926

Patent No. 8,155,342

I, Ira Marlowe, declare as follows:

1. I am the named inventor of U.S. Patent No. 8,155,342 (“the ’342 Patent”) and U.S. Patent Application No. 11/475,847 (“the ’847 Application”), which the ’342 Patent issued from.

2. I am also the named inventor of the three applications to which the ’342 Patent claims priority:

- (1) U.S. Patent Application No. 11/071,667 (“the ’677 Application,” filed March 3, 2005);
- (2) U.S. Patent Application No. 10/732,909 (“the ’909 Application,” filed Dec. 10, 2003); and
- (3) U.S. Patent Application No. 10/316,961 (“the ’961 Application,” filed Dec. 11, 2002).

3. From the early 1980s to the present, I have been working as the Chief Executive Officer and President of Blitzsafe, a company that designs, engineers, manufactures, and sells aftermarket car audio/video equipment.

4. I have been working in the field of car audio/video interfaces since the mid-1990s and I have invented many types of interfaces that connect aftermarket devices to car audio/video systems, several of which are described and claimed in the ’342 Patent and the applications set forth above.

5. I conceived of the inventions set forth in the ’847 Application prior to April 4, 2006, and at least as early as March 21, 2006.

Marlowe Declaration

6. At least as early as March 21, 2006, I retained my patent attorneys, including Mr. Michael R. Friscia and Mr. Mark E. Nikolsky of McCarter & English, LLP (“McCarter & English”), to draft the ’847 Application. I had several teleconferences with Mr. Friscia and Mr. Nikolsky during which I conveyed to them my conception of the invention described and claimed in the ’847 Application and directed them to prepare the ’847 Application on behalf of Blitzsafe.

7. I thereafter continued to work with Mr. Friscia and Mr. Nikolsky to diligently prepare and file the ’847 Application. This included exchanges of drafts of the specification and drawings via email and fax and teleconferences to discuss those drafts and my feedback on them. As a result of this work, the ’847 Application was filed on June 27, 2006.

8. Exhibit 2012 is a true and correct copy of an October 13, 2006 email from Kenneth R. Dell, a Senior Accounts Receivable & Collections Assistant at McCarter & English, to me attaching a spreadsheet with McCarter & English’s time and billing records for various matters that they worked on for me, including the drafting and prosecution of the ’847 Application. The McCarter & English matter number corresponding to their work on the ’847 Application is “099879-00026.”

9. Exhibit 2013 is a true and correct copy of an April 24, 2006 invoice from McCarter & English to Blitzsafe reflecting time and billing records for work performed by McCarter & English on various Blitzsafe matters, including on the '847 Application, through March 31, 2006. *See id.* at 62–63. These entries correspond to entries in the spreadsheet of Exhibit 2012.

10. I have reviewed the time entries in Exhibits 2012 and 2013. They are consistent with and collaborate my recollection of my interactions with Mr. Friscia and Mr. Nikolsky and the work that they performed for Blitzsafe in connection with the '847 Application.

11. As indicated in Exhibit 2012, on March 21, 2006, I had teleconferences with Mr. Nikolsky and Mr. Michael R. Friscia regarding the drafting of '847 Application. The time entries corresponding to these teleconferences are reproduced below. *See also* Ex. 2013 at 62.

Date	Name / Invoice Number	Amount	Description	Matter Number
3/21/2006	MICHAEL R. FRISCIA	93.75	ATTORNEY CONFERENCE REGARDING PROTECTING NEW	099879-00026
4/24/2006	Invoice=7416106		ASPECT OF INVENTION WITH INTEGRATION DEVICE BUILT INTO MOBILE UNIT.	
3/21/2006	MARK E. NIKOLSKY	206.25	TELECONFERENCES WITH I. MARLOWE RE: POTENTIAL	099879-00026
4/24/2006	Invoice=7416106		NEW CIP APPLICATION	

12. During the March 21, 2006 teleconferences, I conveyed to Mr. Nikolsky and Mr. Friscia my conception of the inventions that were disclosed and claimed in the '847 Application. Exhibit 2005 is a copy of handwritten notes that appear in the McCarter & English file for the “099879-00026” matter. These notes

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are consistent with my conception of the inventions that were disclosed and claimed in the '847 application as I conveyed to Mr. Nikolsky and Mr. Friscia on our March 21, 2006 teleconferences. The notes are reproduced below.

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