

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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**DECLARATION OF WARREN SMITH**

Mail Stop PATENT BOARD  
Patent Trial and Appeal Board  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Warren Smith, declare, certify, and state as follows:

1. I possess advanced knowledge of the Japanese and English languages.

My qualifications are as follows.

2. I received my bachelors of science in Physics from Brigham Young University, with minors in Japanese and Mathematics. I received an MBA from Brigham University Marriott School of Business, during which time I received a Fulbright Graduate Research Fellowship to study operations management in Japan. I received a doctorate in business administration (DBA) from the Harvard University Graduate School of Business, where I studied technology strategy, during which time I took graduate level engineering courses at Massachusetts Institute of Technology through cross-registration.

3. I served as a member of the “Flying Squad” (the elite team of press and VIP interpreters) at the Los Angeles Olympics in 1984. (The “Flying Squad” was so named because its members were forbidden to be out of communication during the period of the Olympic Games, and agreed to be available to be airlifted, by helicopter, to handle emergency situations (natural disaster, terrorist incident, etc.) beyond the ability of lower-level interpreters.)

4. Following graduation from college, I worked as a semiconductor process engineer for Signetics Corp. in the United States for two years (1986 -

1988), and during my time as a Fulbright scholar (from 1988-1989), I worked in Japan as a semiconductor process engineer for Mitsubishi Electric Company.

5. For the past thirty-four years I have run my own consulting company, JETS: Japanese-English Technology Services, where I primarily translate Japanese patents and technical documents, among other translation services and linguistic and engineering consulting services. I am considered by many to be the most experienced translator in the industry today. I have given presentations in translator conferences in the United States, Japan, and Europe, and have also been a guest lecturer in universities teaching the art of translation.

6. Through my company, I work as a consultant for various translation agencies, and various attorneys, for which I translate Japanese patents and related documents into English, consult on technical issues, perform expert witness work, and the like.

7. I reviewed the original document entitled Japanese Unexamined Patent Application Publication No. H10-37812 (“Abe”) and translated it faithfully from Japanese to English. It is my understanding that Abe has been submitted as Exhibit 1008, and that my translation of Abe has been submitted as Exhibit 1009.

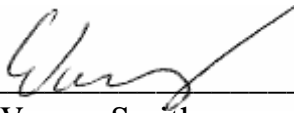
8. The translation submitted as Exhibit 1009 is, to the best of my knowledge and belief, a true and accurate translation from Japanese to English of Abe.

9. In signing this declaration, I recognize that the declaration will be filed as evidence in a contested case before the Patent Trial and Appeal Board of the United States Patent and Trademark Office. I also recognize that I may be subject to cross-examination in the case and that cross-examination will take place within the United States. If cross-examination is required of me, I will appear for cross-examination within the United States during the time allotted for cross-examination.

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 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.

Executed this 2nd day of October, 2018.

Respectfully Submitted,

  
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Warren Smith