UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMERICAN NATIONAL MANUFACTURING INC.,
Petitioner,

v.

SELECT COMFORT CORPORATION,
Patent Owner.

_____

Case No. IPR2019-00500
Patent No. 9.737,154

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**DECLARATION OF DR. WILLIAM C. MESSNER
IN SUPPORT OF PATENT OWNER'S PRELIMINARY RESPONSE**

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I.   BACKGROUND

I, William C. Messner, make the present Declaration in support of the Patent Owner's Preliminary Response rebutting the Petition for *Inter Partes* Review (IPR) of U.S. Patent 9,737,154 (the '154 Patent) (Ex. 1001). To that end, I hereby declare as follows:

1.   I am over the age of 21 years and am fully competent to make this Declaration. I make the following statements based on personal knowledge and, if called to testify to them, could and would do so. I have been retained on behalf of Sleep Number Corporation to prepare a declaration that will be used in its Patent Owner's Preliminary Response to the *inter partes* review proceedings related to Patent Number 9,737,154 (referred to as the "'154 Patent"), and to opine regarding the applicability of prior art references and arguments presented by petitioner. My fee is not contingent on the outcome of any matter or on any of the technical positions that I explain in this declaration. I have no financial interest in Sleep Number Corporation or the '154 Patent.

2.   This declaration briefly sets forth my background and qualifications to provide my opinion, describes the technology at issue and background of the art, identifies the materials I reviewed to prepare this declaration, and sets forth my understanding of the patent claims at issue and my analysis regarding the application to the patent claims of the prior art provided to me. I reserve the right to supplement

my opinions in the future, to clarify responses where appropriate, and to take into account new information as it becomes available to me.

II. QUALIFICATIONS

3.   My qualifications as an expert in the general field of mechanical and electrical engineering are set forth in the paragraphs below and in my *curriculum vitae*, attached as Appendix A.

4.   I received a B.S. in mathematics from Massachusetts Institute of Technology ("MIT") in Cambridge, MA in 1985. I received an M.S. and Ph.D. in mechanical engineering at the University of California, Berkeley in Berkeley, CA in 1989 and 1992, respectively.

5.   Following my graduation from MIT, I worked as an engineer at BBN Laboratories in Newport, RI where I developed software for analyzing data from tests of a new torpedo under development for the US Navy. After receiving my Ph.D., I joined the Department of Mechanical Engineering at Carnegie Mellon University (CMU) in 1993. At CMU I held courtesy appointments with the Department of Electrical and Computer Engineering and with the Robotics Institute. There I specialized in control and design for data storage systems, robotics, and microfluidics. I was the leader the of the Servo Control effort at CMU's Data Storage Systems Center. I had extensive work in robotics including developing flight controls for unmanned air vehicles (UAVs), developing autonomous vehicles for

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