

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner,

v.

FIRSTFACE CO., LTD.,

Patent Owner.

Case IPR2019-00614¹

U.S. Patent No. 9,779,419

**DECLARATION OF BENJAMIN B. BEDERSON IN SUPPORT OF
PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE**

¹ Case IPR2019-01012 has been consolidated with this proceeding.

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I, Benjamin B. Bederson, have previously been asked to testify as an expert witness in this action. As part of my work in this action, I have been asked by Apple, Inc. (“Petitioner”) to respond to certain assertions offered by Firstface Co., Ltd. (“Patent Owner”) in connection with U.S. Patent No. 9,779,419 (“’419 patent”) in IPR2019-00614 and IPR2019-01012. I hereby declare:

I. PRIOR TESTIMONY

1. I am the same Benjamin B. Bederson who provided Declarations in this consolidated proceeding, executed on January 23, 2019, as Exhibit 1003 in IPR2019-00614 (“First Declaration”) and executed on April 24, 2019, as Exhibit 1003 in IPR2019-01012 (“Second Declaration”), which, including their appendices, are incorporated by reference herein in their entirety.² My qualifications and the circumstances of my engagement were detailed in ¶¶2-15 and Appendix A of my First Declaration.

2. I offer statements and opinions on behalf of Petitioner, generally regarding the validity, prior art, and obviousness considerations, and understanding of a person of ordinary skill in the art (“POSITA”) as it relates to the ’419 patent.

² IPR2019-01012 specifically addressed the invalidity of the limitations of dependent claim 9 of the ’419 patent. Since those arguments and analyses do not appear to be in dispute at this stage of this consolidated proceeding, except by virtue of being dependent on the disputed independent claim, references to my prior statements will reference my IPR2019-00614 First Declaration unless stated otherwise.

3. I offer this declaration in rebuttal to the arguments raised by the Declaration of Dr. Alfred C. Weaver (Ex. 2001).

II. MATERIALS REVIEWED

4. In connection with my study of the POR and supporting declarations and reaching the conclusions stated herein, I have reviewed a number of additional documents. In addition to those mentioned in my previous declaration, I have reviewed the following additional documents:

- Declaration of Dr. Alfred C. Weaver and its accompanying exhibits; and
- All other documents referenced herein (see Appendix A).

5. My opinions are also based upon my education, training, research, knowledge, and personal and professional experience.

III. THE PERSON OF ORDINARY SKILL IN THE RELEVANT FIELD IN THE RELEVANT TIMEFRAME

6. My opinion regarding a person of ordinary skill in the art is discussed in my First Declaration, and my opinions are the same. Ex. 1003 ¶¶25-30.

IV. CLAIM INTERPRETATION

7. As stated in my First Declaration, I understand the claims under their ordinary and customary meaning as would be understood by a POSITA. Ex. 1003 ¶49.

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