

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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LKQ Corporation and Keystone Automotive Industries, Inc.,

*Petitioners,*

v.

GM Global Technology Operations LLC,

*Patent Owner.*

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U.S. Design Patent No. D813,120

Filed: September 19, 2016

Issued: March 20, 2018

Title: Hood Panel of Car

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*Inter Partes* Review No.: To Be Assigned

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**DECLARATION OF JASON C. HILL, IN SUPPORT OF  
LKQ CORPORATION'S AND  
KEYSTONE AUTOMOTIVE INDUSTRIES, INC.'S PETITION FOR  
*INTER PARTES* REVIEW OF U.S. DESIGN PATENT NO. D813,120**

I, Jason C. Hill, submit this declaration in support of a Petition for *Inter Partes* Review of U.S. Design Patent No. D813,120 (“the ’120 Patent”). In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the statements herein are true and correct to the best of my knowledge, belief, recollection, and understanding. All statements made on information and belief are believed to be true. I am over the age of eighteen, and, if asked to do so, I could competently testify to the matters set forth herein.

## **I. INTRODUCTION**

1. I have been retained by LKQ Corporation and Keystone Automotive Industries, Inc. (together “LKQ” or “Petitioner”), as an expert witness in the above-captioned proceeding. Based on my education and my experience in transportation design, I have been asked to render an opinion regarding the patentability of the sole claim of the ’120 Patent.

2. As discussed in further detail in this Declaration and any supplemental reports, testimony, or declarations that I may provide, it is my opinion that the sole claim of the ’120 Patent is unpatentable based on the grounds set forth herein.

3. The following is my report and it and the exhibits hereto contain my opinions and the support therefore. In connection with rendering my opinion I have reviewed and relied upon the following materials:

- U.S. Design Patent No. D813,120 (“the ’120 Patent”) (Ex. 1001)

- U.S. Design Patent No. D813,120 (“the ’120 Patent”) (Ex. 1001);
- File History for U.S. Design Patent No. D813,120 (Ex. 1002);
- Sonic 2017, General Motors, July 2016 (Ex. 1005) (“Sonic 2017”);
- Traverse 2015, General Motors, July 2014, archived on December 12, 2014, by the Internet Archive organization’s “Wayback Machine” at [https://web.archive.org/web/20141212044203/http://www.auto-brochures.com/makes/Chevrolet/Traverse/Chevrolet\\_US%20Traverse\\_2015.pdf](https://web.archive.org/web/20141212044203/http://www.auto-brochures.com/makes/Chevrolet/Traverse/Chevrolet_US%20Traverse_2015.pdf). (“Traverse 2015”) (Ex. 1006);
- Traverse/<sup>14</sup>, General Motors, July 2013, archived on April 3, 2014, by the Internet Archive organization’s “Wayback Machine” at [https://web.archive.org/web/20140403110028/http://www.auto-brochures.com/makes/Chevrolet/Traverse/Chevrolet\\_US%20Traverse\\_2014.pdf\\_2014.pdf](https://web.archive.org/web/20140403110028/http://www.auto-brochures.com/makes/Chevrolet/Traverse/Chevrolet_US%20Traverse_2014.pdf_2014.pdf) (“Traverse/<sup>14</sup>”) (Ex. 1007);
- Screenshot of 2014 Chevrolet Traverse LS, extracted from “2014 Chevy Traverse LS Review Walkaround – Used Cars for Sale in Columbus Ohio” (timestamp: 4m34s), published on YouTube on March 24, 2014 by Chesrown Autos, accessible at [https://www.youtube.com/watch?v=5jZ\\_LYGZJnU](https://www.youtube.com/watch?v=5jZ_LYGZJnU) (Ex. 1008);
- Screenshot of 2014 Chevrolet Traverse LS, extracted from “New 2014 Chevrolet Traverse LS Review | 140377” (timestamp 0:06), published

on YouTube on April 25, 2014, by Michael Boyer Chevrolet Cadillac Buick GMC Ltd., accessible at

<https://www.youtube.com/watch?v=uCF77dLIbJ4> (Ex. 1009);

- Screenshot of 2017 Chevrolet Sonic LS Sedan, extracted from “2017 Chevy Sonic LS Sedan: First Person In Depth Look” (timestamp 03:33), published on YouTube on January 21, 2017, by N&T Auto Reviews, accessible at <https://www.youtube.com/watch?v=yNdO0zmU5Qc> (Ex. 1010);
- Screenshot of 2012 Chevrolet Sonic LTZ, extracted from “Chevrolet Sonic LTZ 2012 Test Drive & Car Review with Ross Rapoport by RoadflyTV” (timestamp 00:58), published on May 8, 2012, by RoadflyTV, accessible at <https://www.youtube.com/watch?v=W0tk7sJSD6Q> (Ex. 1011);
- Photograph of 2015 Chevrolet Traverse, [www.chevrolet.com](http://www.chevrolet.com), archived on June 9, 2014, by the Internet Archive organization’s “Wayback Machine” at [https://web.archive.org/web/20140609161008/http://www.chevrolet.com/content/dam/Chevrolet/northamerica/usa/nscwebsite/en/Home/Vehicles/SUVs%20and%20Crossovers/2015\\_Traverse/Model\\_Overview](https://web.archive.org/web/20140609161008/http://www.chevrolet.com/content/dam/Chevrolet/northamerica/usa/nscwebsite/en/Home/Vehicles/SUVs%20and%20Crossovers/2015_Traverse/Model_Overview)

/01\_images/2015-chevrolet-traverse-crossover-suv-mo-exterior-1480x551-04.jpg (Ex. 1012);

- 2013 Sonic, General Motors, August 2012, archived on April 3, 2014, by the Internet Archive organization's "Wayback Machine" at [https://web.archive.org/web/20140403104909/http://www.auto-brochures.com/makes/Chevrolet/Sonic/Chevrolet\\_US%20Sonic\\_2013.pdf](https://web.archive.org/web/20140403104909/http://www.auto-brochures.com/makes/Chevrolet/Sonic/Chevrolet_US%20Sonic_2013.pdf) (Ex. 1013); and
- The documents and materials listed in my other declarations.

4. In addition to the above-stated materials provided, I have also relied on my own education, training, experience, and knowledge in the field of transportation or automotive design and design patents.

5. I may also consider additional documents and information that have not yet been provided to or discovered by me should such documents and information be brought to my attention after the date I submit this Declaration, and I reserve the right to add to or amend my opinions in connection with the same.

6. The analysis in this Declaration is exemplary. Additional reasons may support my conclusions, but they do not form my current analysis. The fact that I do not address a particular reason does not imply that I would agree or disagree with such additional reason.

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