

**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. D797,625

Filed: August 24, 2016

Issued: September 19, 2017

Title: Vehicle Front Fender

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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. D797,625**

I, Jason C. Hill, submit this declaration in support of a Petition for *Inter Partes* Review of U.S. Design Patent No. D797,625 (“the ’625 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 ’625 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 ’625 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. D797,625 (“the ’625 Patent”) (Ex. 1001);

- File History for U.S. Design Patent No. D797,625 (Ex. 1002);
- 2018 Chevrolet Equinox Brochure, [http://www.auto-brochures.com/makes/Chevrolet/Equinox/Chevrolet\\_US%20Equinox\\_2018.pdf](http://www.auto-brochures.com/makes/Chevrolet/Equinox/Chevrolet_US%20Equinox_2018.pdf) (Ex. 1005);
- U.S. Design Patent No. D773,340 (“Lian”) (Ex. 1006);
- 2010 Hyundai Tucson Brochure, [http://www.auto-brochures.com/makes/Hyundai/Tucson/Hyundai\\_US%20Tucson\\_2010.pdf](http://www.auto-brochures.com/makes/Hyundai/Tucson/Hyundai_US%20Tucson_2010.pdf), archived on April 2, 2014 by Internet Archive organization’s “Wayback Machine” at [https://web.archive.org/web/20140402003154/http://www.auto-brochures.com/makes/Hyundai/Tucson/Hyundai\\_US%20Tucson\\_2010.pdf](https://web.archive.org/web/20140402003154/http://www.auto-brochures.com/makes/Hyundai/Tucson/Hyundai_US%20Tucson_2010.pdf) (Ex. 1007);
- Exemplary images of the 2010 Hyundai Tucson Brochure, [http://www.auto-brochures.com/makes/Hyundai/Tucson/Hyundai\\_US%20Tucson\\_2010.pdf](http://www.auto-brochures.com/makes/Hyundai/Tucson/Hyundai_US%20Tucson_2010.pdf), archived on April 2, 2014 by Internet Archive organization’s “Wayback Machine” at [https://web.archive.org/web/20140402003154/http://www.auto-brochures.com/makes/Hyundai/Tucson/Hyundai\\_US%20Tucson\\_2010.pdf](https://web.archive.org/web/20140402003154/http://www.auto-brochures.com/makes/Hyundai/Tucson/Hyundai_US%20Tucson_2010.pdf) (Ex. 1008); and

- File History of U.S. Design Patent No. D773,340 (Ex. 1009);
- File History of U.S. Patent Application Serial No. 29/516,319 (Ex. 1010); 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.

7. I receive compensation at a rate of \$375 per hour for my time spent on this matter, except for any travel time, which is billed at one-half of my hourly rate. I am also being reimbursed for reasonable and customary expenses associated with my work on this matter. I have no financial interests in the patents involved in this proceeding, and my compensation is not dependent on the outcome of this

proceeding. The conclusions I present are based on my own judgment. I am not an employee of LKQ Corporation, Keystone Automotive Industries, Inc., Irwin IP LLC, or any affiliated companies.

## II. QUALIFICATIONS

8. My current curriculum vitae is Exhibit 1015 in this proceeding.

9. I hold a Bachelor of Science in Transportation Design from the Art Center College of Design in Pasadena, California, where I graduated with honors in 1990.

10. Immediately upon graduation, I went to work with Mercedes-Benz in their newly-created North American design studio—the first design studio outside of Mercedes-Benz German headquarters in Sindelfingen, Germany. I worked as an automotive designer for Mercedes-Benz until 1997. While there for almost 7 years, my design experience ranged from advanced concept cars to near production cars, including the MCC concept which formed the basis for the SMART car and brand, as well as the W-203, which became the production C-Class vehicle.

11. In 1997, I was hired by Samsung Motors, where I worked on automotive designs to help establish the automotive division for the primarily electronics company.

12. After approximately two years with Samsung, I was hired by Porsche Engineering Services Styling Studio as their first designer when they opened an

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