

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PEAG LLC (d/b/a JLab Audio), AUDIO PARTNERSHIP LLC and AUDIO
PARTNERSHIP PLC (d/b/a Cambridge Audio)
Petitioner

v.

VARTA MICROBATTERY GMBH,
Patent Owner

Patent Nos.

9,153,835

9,496,581

9,799,913

9,799,858

IPRs

IPR2020-01211

IPR2020-01212

IPR2020-01213

IPR2020-01214

**SUPPLEMENTAL DECLARATION OF
WILLIAM H. GARDNER**

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 ii) A POSA would have been motivated to combine Kobayashi with general knowledge.
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 iii) A POSA would have had a reasonable expectation of success. 20

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I. INTRODUCTION

1. My name is William H. Gardner. My CV is available as Exhibit 1004. I am presently employed as Senior Director at QuantumScape.

2. I provided my credentials and background in my earlier declaration with respect to U.S. Patent Nos. 9,153,835 (“the ‘835 Patent”), 9,496,581 (“the ‘581 Patent”), 9,799,913 (“the ‘913 Patent”), and 9,799,858 (“the ‘858 patent”). That material has not materially changed since my last declaration, dated July 7, 2020 (“Original Declaration” or Ex. 1003), and I incorporate that information into this declaration.

3. I have been retained by Baker Botts L.L.P. (“Counsel”) on behalf of PEAG LLC d/b/a JLab Audio, Audio Partnership LLC and Audio Partnership PLC d/b/a Cambridge Audio (“Petitioner”) to offer opinions relating to Petitioner’s Reply to Patent Owner’s Response filed in each of the *inter partes* reviews concerning the ‘835 patent, the ‘913 patent, the ‘581 patent, and the ‘858 Patent (collectively, the “challenged patents”). I am also providing opinions related to Petitioner’s Opposition to Patent Owner’s Contingent Motions to Amend filed in each of the same matters.

4. For the purposes of this Declaration, I have reviewed the following:

- The challenged patents;
- Each of the Patent Owner’s Responses: Patent Owner’s Response for the ‘835 Patent, IPR2020-01212, Paper 15 (“POR1”); Patent Owner’s Response for the ‘581 Patent, IPR2020-01211, Paper 16 (“POR2”); Patent Owner’s Response for the ‘913

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