

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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SAMSUNG ELECTRONICS CO. LTD., SAMSUNG ELECTRONICS

AMERICA, INC. AND APPLE, INC.,

Petitioners

v.

NEONODE SMARTPHONE LLC,

Patent Owner

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Case IPR2021-00145

U.S. Patent No. 8,812,993

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**DECLARATION OF CRAIG ROSENBERG, Ph.D.**

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I, Craig Rosenberg, Ph.D., declare as follows:

## I. INTRODUCTION

1. I have been retained by Neonode Smartphone LLC (“Respondent”) as an independent expert consultant in this *inter partes* review (“IPR”) proceeding before the United States Patent and Trademark Office (“PTO”).

2. I have been asked by Respondent’s counsel (“Counsel”) to consider whether certain references render Claims 1-8 of U.S. Patent No. 8,812,993 (“the ‘993 Patent” (EX1001)) unpatentable under 35 U.S.C. § 103, for the reasons set forth in the Petition for Inter Partes Review of United States Patent No. 8,095,879 Pursuant to 35 U.S.C. §§311-319, 37 C.F.R. §4 (“Petition”) and the accompanying Declaration of Dr. Benjamin B. Bederson (“Bederson Declaration”). My opinions and the bases for my opinions are set forth below.

3. I am being compensated at my ordinary and customary consulting rate for my work, which is \$450 per hour. My compensation is in no way contingent on the nature of my findings, the presentation of my findings in testimony, or the outcome of this or any other proceeding. I have no financial interest in this proceeding.

## II. QUALIFICATIONS

4. All of my opinions stated in this declaration are based on my own personal knowledge and professional judgment. In forming my opinions, I have

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