

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TIANMA MICROELECTRONICS CO. LTD.,
Petitioner,

v.

JAPAN DISPLAY INC. AND PANASONIC LIQUID CRYSTAL DISPLAY CO.,
LTD.,
Patent Owner

Case IPR No: IPR2021-01028

Patent No. 9,793,299

DECLARATION OF THOMAS L. CREDELLE
UNDER 37 C.F.R. § 1.68

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I. INTRODUCTION

1. I submit this declaration in support of the preliminary response submitted by of Japan Display Inc. and Panasonic Liquid Crystal Display Co., Ltd. (“Patent Owner”) in connect with the petition for *Inter Partes* Review of U.S. Patent No. 9,793,299 (“the ’299 patent”) filed by Tianma Microelectronics Co. Ltd. (“Petitioner”).

2. I am not an employee of Japan Display Inc., Panasonic Liquid Crystal Display Co., Ltd., or of any affiliate or subsidiary thereof.

3. I am being compensated for my work in this matter at the rate of \$400/hour. I am also being reimbursed for reasonable and customary expenses associated with my work and testimony in this investigation.

4. My compensation is not contingent on the outcome of this matter or the specifics of my testimony.

5. I have been informed by Patent Owner’s counsel that Petitioner has challenged the validity of the ’299 patent. Specifically, I understand that Petitioner purports that claims 1-11, 15, and 16 (the “Challenged Claims”) are invalid for obviousness under 35 U.S.C. § 103.

6. I understand that Petitioner relies on the expert declaration of Mr. Richard Flasck dated June 7, 2021 (Ex. 1002) to challenge the validity of the ’299 patent.

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7. Accordingly, I have been asked to provide certain opinions relating to the patentability of the '299 patent. Specifically, I have been asked to provide my opinions regarding (i) the level of ordinary skill in the art to which the '299 patent pertains, and (ii) whether the Challenged Claims are anticipated by the prior art.

8. As set forth in detail below, it is my opinion that the Challenged Claims of the '299 patent are valid as they are not obvious under 35 U.S.C. § 102.

9. In the preparation of this declaration, I have studied:

- a. The '299 patent, Ex. 1001;
- b. The prosecution history of the '299 patent, Ex. 1004;
- c. Declaration of Mr. Richard Flasck, Ex. 1002;
- d. U.S. Patent Publication No. 2005/0158665 to *Maekawa et al.*, Ex. 1005;
- e. U.S. Patent Publication No. 2004/0239641 to *Takahata et al.*, Ex. 1006;
- f. U.S. Patent Publication No. 2005/0099402 to *Nakanishi et al.*, Ex. 1007;
- g. Japanese Patent Application No. JP 2004272059 to *Hiroyuki Nagano et al.* with certified translation, Ex. 1008.
- h. U.S. Patent Application Publication No. 2004/0247918 to *Kiyokazu Hashimoto*, Ex. 1014.

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- i. U.S. Patent Application Publication No. 2007/0040816 to *Naohito Toyomaki*, Ex. 1015.
- j. Claim Construction Memorandum Opinion and Order in *Japan Display Inc. and Panasonic Liquid Crystal Display Co., Ltd.*; C.A. No. 2:20-cv-00283 (ED TX), Case No. 2:20-cv-00283 (Dkt. No. 123), Ex. 2006.
- k. G. Walker, "Part 2: Fundamentals of Touch Technologies other than Projected Capacitive," SID Display Week 2014, Ex. 2009.
- l. U.S. Patent No. 7,148,944 issued to *Kinoshita et al.* on 12/12/2006, Ex. 2008.

10. In forming the opinions expressed below, I have considered the documents listed above and my own knowledge and experience in the field of liquid crystal displays ("LCDs"), as described below.

II. QUALIFICATIONS AND PROFESSIONAL EXPERIENCE

11. My complete qualifications and professional experience are described in my *Curriculum Vitae*, a copy of which can be found in Ex. 2011. The following is a brief summary of my relevant qualifications and professional experience.

12. As shown in my curriculum vitae, I have devoted my career to the research and development and product engineering of flat panel displays and materials/optics/electronics for flat panel displays. I have over 20 years of

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