UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICRON TECHNOLOGY, INC.,
Petitioner,

v.

VERVAIN, LLC,
Patent Owner.

IPR2021-01547
U.S. Patent No. 8,891,298

DECLARATION OF SUNIL P. KHATRI IN SUPPORT OF PATENT OWNER'S RESPONSE

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IX. THE CITED REFERENCES DO NOT DISCLOSE OR SUGGEST ALL OF THE FEATURES OF CLAIMS 1-5, 8-9, and 11 40

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A. Dusija in View of Sutardja Does not Disclose or Suggest All the Features of Claims 1-5 and 11 (Ground 1).....40

1. *Limitation [1.F] - "determine which of the blocks of the plurality of the blocks in the MLC and SLC non-volatile memory modules are accessed most frequently by maintaining a count of the number of times each one of the blocks is accessed"*.....40

2. *Limitation [1.G] – "allocate those blocks that receive the most frequent writes by transferring the respective contents of those blocks to the at least one SLC non-volatile memory module"*.....51

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DECLARATION OF SUNIL P. KHATRI, PH. D

I, Sunil P. Khatri, do hereby declare as follows:

I. INTRODUCTION

1. I have been retained on behalf of Vervain, LLC ("Vervain"), and its counsel, McKool Smith, P.C., as an expert in this proceeding. I am personally knowledgeable about the matters stated herein and am competent to make this declaration.

2. I understand that Vervain will submit this Declaration in connection with the Patent Owner's Response in IPR2021-01547, which I have been informed is an *inter partes* review (IPR) proceeding challenging the patentability of certain claims of U.S. Patent No. 8,891,298 ("the '298 patent" or "the challenged patent").

3. I receive compensation at an hourly rate of $700 per hour for my time working on this matter, plus expenses. I have no financial interest in Vervain or in the patents involved in this litigation, and my compensation is not dependent on the outcome of this litigation. The conclusions I present are due to my own judgment.

II. BACKGROUND AND QUALIFICATIONS

4. I have over thirty-five years of experience with electronics, electrical engineering, and computer engineering. A copy of my latest curriculum vitae (CV), which I understand was submitted previously as part of my prior declaration in this

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