

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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APPLE INC.,  
Petitioner,

v.

SCRAMOGE TECHNOLOGY LTD.,  
Patent Owner.

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IPR2022-00117  
U.S. Patent No. 9,843,215

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**DECLARATION OF DR. JOSHUA PHINNEY,  
UNDER 37 C.F.R. § 1.68 IN SUPPORT OF PETITION FOR  
*INTER PARTES* REVIEW**

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I, Joshua Phinney, do hereby declare as follows:

## **I. INTRODUCTION**

1. I am making this declaration at the request of Apple, Inc. in the matter of the *Inter Partes* Review of U.S. Patent No. 9,843,215 (“the ’215 Patent”) to Yeom *et al.*

2. I am being compensated for my work in this matter at my standard hourly rate. I am also being reimbursed for reasonable and customary expenses associated with my work and testimony in this investigation. My compensation is not contingent on the outcome of this matter or the specifics of my testimony.

3. I have been asked to provide my opinions regarding whether claims 1, 5, 8-13, and 17-22 (“the Challenged Claims”) of the ’215 Patent are unpatentable as they would have been obvious to a person having ordinary skill in the art (“POSITA”) at the time of the alleged invention, in light of the prior art. It is my opinion that all of the limitations of the challenged claims would have been obvious to a POSITA.

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

- a. the ’215 Patent, Ex.1001;
- b. the prosecution history of the ’215 Patent (“’215 File History”),

Ex.1002;

- c. U.S. Patent No. 9,443,648 to Sawa (“Sawa”), Ex.1005;

d. U.S. Patent No. 8,922,162 to Park (“Park”), Ex.1006;

e. U.S. Patent No. 8,922,160 to Inoue (“Inoue”), Ex.1007;

5. In forming the opinions expressed below, I have considered:

the documents listed above;

the relevant legal standards, including the standard for obviousness,

and any additional authoritative documents as cited in the body of this

declaration; and

my own knowledge and experience based upon my work in the field

of networking as described below, as well as the following materials.

a. U.S. Patent No. 9,030,724 to Agrawal (“Agrawal”), Ex.1008;

b. U.S. Patent Publication No. 2012/0236528 to Le (“Le”), Ex.1009;

c. U.S. Patent Publication No. 2014/0320369 to Azenui (“Azenui”),

Ex.1010; and

d. U.S. Patent No. 9,252,611 to Lee et al. (“Lee”), Ex.1011;

e. U.S. Patent No. 8,427,100 to Vorenkamp et al. (“Vorenkamp”),

Ex.1012;

f. U.S. Patent No. 8,687,536 to Michaelis (“Michaelis”), Ex.1013; and

g. U.S. Patent No. 9,627,646 to Ellinger (“Ellinger”), Ex.1014.

6. Unless otherwise noted, all emphasis in any quoted material has been

added.

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