## UNITED STATES PATENT AND TRADEMARK OFFICE

### BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC., Petitioner,

v.

SCRAMOGE TECHNOLOGY LTD., Patent Owner

> IPR2022-00120 Patent No. 9,997,962

## DECLARATION OF DR. DAVID S. RICKETTS IN SUPPORT OF PATENT OWNER'S RESPONSE

**DOCKET A L A R M** Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

## **TABLE OF CONTENTS**

| I.          | INTRODUCTION  | 1  |
|-------------|---|----|
| II.         | BACKGROUND AND QUALIFICATIONS   | 2  |
| III.        | LEGAL PRINCIPLES  | 5  |
| A.          | Claim construction  | 5  |
| B.          | Burden of Proof   | 6  |
| C.          | Anticipation  | 6  |
| D.          | Obviousness   | 6  |
| IV.         | PERSON OF ORDINARY SKILL IN THE ART   | 8  |
|             | GROUND 1: CLAIMS 1, 18, AND 19 ARE NOT OBVIOUS OVER<br>JKI IN VIEW OF LEE                   | 8  |
| VI.<br>OBVI | GROUND 2: CLAIMS 2-4 AND 7 ARE ADDITIONALLY NOT<br>IOUS OVER SUZUKI IN VIEW OF LEE AND SAWA | 19 |

I, David S. Ricketts, PhD, hereby declare as follows:

#### I. Introduction

1. I am over the age of eighteen (18) years and otherwise competent to make this declaration.

2. I have been retained as an expert witness on behalf of Scramoge Technology Limited ("Scramoge") for the above-captioned *inter partes* review ("IPR"). I understand that the petition for *inter partes* review involves U.S. Patent No. 9,997,962 ("the '962 Patent").

3. I make this declaration based on my personal knowledge, educational background and training, consideration of the materials I discuss herein, and my expert opinions.

4. I am being compensated at a rate of \$650 per hour for my time in this matter. My compensation does not depend on the outcome of this proceeding, and I have no financial interest in its outcome.

5. In preparing this Declaration, I have reviewed and considered the '962 Patent, the '962 Patent's prosecution history, the Petition, Dr. Phinney's declaration submitted in this proceeding and his deposition testimony, and each document cited in my declaration.

1

#### II. BACKGROUND AND QUALIFICATIONS

6. My qualifications for forming the opinions given in this declaration are summarized here and are addressed more fully in my curriculum vitae, which is submitted as Exhibit 2017. That exhibit also includes a list of my publications.

7. I am currently Professor of Electrical and Computer Engineering at the North Carolina State University. In my position I conduct research and teach undergraduate and graduate students in the area of electrical and computer engineering. The courses I teach include Advanced Analog Integrated Circuit ("IC") Design, Radio System Design, and Power Management IC Design. I also lead a research group that conducts research and design of electrical and electronic circuits, including millimeter wave and microwave circuits and systems, radio frequency identification ("RFID") circuits, wireless power transfer circuits, analog circuits, and radio frequency ("RF") circuits. I have served in my current position since 2012.

8. Prior to my current position, I served as an Assistant Professor of Electrical and Computer Engineering and Assistant Professor of Materials Science and Engineering (Courtesy) at Carnegie Mellon University from 2006 to 2012.

9. I received my B.S. and M.S. in Electrical Engineering in 1995 and 1997, respectively, from Worcester Polytechnic Institute in Worcester,

Massachusetts. I received my Ph.D. in Electrical Engineering from Harvard University in Cambridge, Massachusetts in 2006.

10. Prior to entering academia, I worked as an engineer in private industry holding several engineering and managerial positions where I developed and oversaw the development of electrical and electronic circuits, including those related to power transfer, power conversion, and semiconductor design in wired and wireless circuits and systems.

11. From 1995 to 1999, I held a position as an engineer and senior engineer at American Power Conversion, where I designed AC-DC and DC-DC converters.

12. From 1999 to 2001, I held a position as a Principal Consultant at Renaissance Design, Inc., where I designed power management ICs.

13. From 2000 to 2002, I held a position as a Manager of New Product Development at ON Semiconductor Corp., where I was responsible for six product development teams. In that role I oversaw the development of over twenty power management ICs in bipolar, CMOS, and BiCMOS technologies.

14. From 2002 to 2003, I held the position of Advanced System Engineering Manager at ON Semiconductor Corp., where I directed a team of system engineers to develop multi-phase power management ICs for Intel and AMD microprocessors.

## DOCKET A L A R M



# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

#### LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

#### FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.