

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

SCRAMOGE TECHNOLOGY LTD.,
Patent Owner.

IPR2022-00350
U.S. Patent No. 9,806,565

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

TABLE OF CONTENTS

I.	Introduction.....	4
II.	Qualifications and Professional Experience.....	6
III.	Level of Ordinary Skill in the Art	10
IV.	Relevant Legal Standards	11
V.	Background.....	13
VI.	Overview of the '565 Patent.....	15
VII.	Claim Construction.....	18
VIII.	Identification of how the Claims are Unpatentable.....	19
A.	Ground 1: Claims 1-8 and 11-18 are obvious under 35 U.S.C. § 103 over Hong in view of Park.	19
1.	Summary of Hong.....	19
2.	Summary of Park	23
3.	Reasons to Combine Hong and Park	24
4.	Claim 1.....	29
5.	Claim 2.....	53
6.	Claim 3.....	55
7.	Claim 4.....	57
8.	Claim 5.....	58
9.	Claim 6.....	58
10.	Claim 7.....	61
11.	Claim 8.....	62
12.	Claim 11.....	63

13.	Claim 12.....	64
14.	Claim 13.....	66
15.	Claim 14.....	69
16.	Claim 15.....	69
17.	Claim 16.....	69
18.	Claim 17.....	69
19.	Claim 18.....	69
B.	Ground 2: Claims 9 and 19 are obvious under 35 U.S.C. § 103 over Hong in view of Park and Hasegawa.	70
1.	Summary of Hasegawa	70
2.	Reasons to Combine Hasegawa with Hong.....	72
3.	Claim 9.....	75
4.	Claim 19.....	77
C.	Ground 3: Claims 10 and 20 are obvious under 35 U.S.C. § 103 over Hong in view of Park and Sung.	78
1.	Summary of Sung	78
2.	Reasons to Combine Sung with Hong.....	78
3.	Claim 10.....	82
4.	Claim 20.....	84
IX.	Conclusion	85

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. 9,806,565 (“the ’565 Patent”) to An *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 1-20 (“the Challenged Claims”) of the ’565 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 ’565 Patent, Ex.1001;
- b. the prosecution history of the ’565 Patent (“’565 File History”), Ex.1002;
- c. U.S. Patent No. 8,941,352 to Hong (“**Hong**”), Ex.1005;
- d. U.S. Patent No. 8,922,162 to Park *et al.* (“**Park**”), Ex.1006;

- e. U.S. Patent Application Publication No. US 2009/0021212 to Hasegawa *et al.* (“**Hasegawa**”), Ex.1007; and
 - f. U.S. Patent Application Publication No. 2012/0274148 to Sung *et al.* (“**Sung**”), Ex.1008.
 - g. U.S. Patent No. 8,427,100, Ex.1009;
 - h. U.S. Patent No. 8,687,536, Ex.1010;
 - i. Websters II New College Dictionary: Third Edition, (2005), Ex.1011;
 - j. U.S. 8,339,798 to Minoo *et al.*, Ex.1012;
 - k. U.S. 7,375,609, Ex.1013;
 - l. U.S. 8,164,001, Ex.1014;
 - m. U.S. 8,643,219, Ex.1017;
 - n. U.S. 2011/0050164, Ex.1018; and
 - o. U.S. 9,252,611, Ex.1019.
- 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 wireless charging as described below.

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.