

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Klaus Finkenzeller, et al.
U.S. Patent No.: 8,581,706 Attorney Docket No.: 39843-0132IP1
Issue Date: November 12, 2013
Appl. Serial No.: 12/304,653
Filing Date: March 4, 2009
Title: DATA STORAGE MEDIUM AND METHOD FOR
CONTACTLESS COMMUNICATION BETWEEN THE DATA
STORAGE MEDIUM AND A READER

DECLARATION OF TAJANA ŠIMUNIĆ ROSING, PH.D.

TABLE OF CONTENTS

I. INTRODUCTION AND SCOPE OF WORK	5
II. QUALIFICATIONS	6
III. MATERIALS CONSIDERED	11
IV. SUMMARY OF CONCLUSIONS	14
V. LEGAL PRINCIPLES	15
A. Obviousness	15
VI. PERSON OF ORDINARY SKILL IN THE ART.....	16
VII. OVERVIEW OF THE '706 PATENT	17
A. The '706 Patent	17
B. The State of the Art at the Time of the '706 Patent Filing	21
VIII. INTERPRETATIONS OF THE '706 PATENT CLAIMS AT ISSUE	
27	
IX. GROUND 1A – Claims 1-3, 9, 11, 12, 14-17, and 19 are obvious in view of de Jong and Nozawa	28
A. Overview of de Jong	28
B. Overview of Nozawa	32
C. The de Jong-Nozawa Combination.....	33
D. Analysis of Claims 1-3, 9, 11, 12, 14-17, and 19	48

X.	GROUND 1B: Claims 4-6 are obvious in view of de Jong, Nozawa and Deo	98
	A. Overview of Deo.....	98
	B. The de Jong-Nozawa-Deo Combination	100
	C. Analysis of Claims 4-6	107
XI.	GROUND 2A: Claims 10 and 20- 22 are obvious in view of de Jong	115
	A. Analysis of Claims 10 and 20-22.....	115
XII.	GROUND 2B: Claim 10 is obvious in view of de Jong and JCVM	132
	A. Overview of JCVM.....	132
	B. The de Jong-JCVM Combination	134
	C. Analysis of Claim 10	136
XIII.	GROUND 2C: The de Jong-RFID Handbook combination renders Claims 18 and 20-22 obvious	142
	A. Overview of RFID Handbook.....	142
	B. The de Jong-RFID Handbook Combination.....	145
	C. Analysis of Claims 18 and 20-22.....	151
XIV.	GROUND 3: Claims 18 and 21 are obvious on view of de Jong and Messerges	156

A.	Overview of Messerges	156
B.	The de Jong-Messerges Combination.....	158
C.	Analysis of Claims 18 and 21	165
XV.	CONCLUSION.....	176

I, Tajana Šimunić Rosing, Ph.D. of San Diego, California, declare that:

I. INTRODUCTION AND SCOPE OF WORK

1. I have been retained by Fish & Richardson P.C., on behalf of Samsung Electronics Co., Ltd. (“Petitioner”), as an independent expert consultant in this *inter partes* review (“IPR”) proceeding before the United States Patent and Trademark Office.

2. I have been asked by Petitioner’s counsel (“Counsel”) to consider whether certain references teach or suggest the features recited in Claims 1-3, 8-12, 14-20, and 22 of U.S. Patent No. 8,581,706 (“the ’706 patent”) (SAMSUNG-1001). My opinions and the bases for my opinions are set forth below. My opinions are based on my education and experience.

3. In writing this Declaration, I have considered the following: the prior art publications cited below and my own knowledge and experience, including my teaching and work experience in the below-described fields, and my experience of working with others in those fields during the relevant period.

4. I have no financial interest in either party or in the outcome of this proceeding. I am being compensated for my work on an hourly basis for all tasks involved. My compensation is not dependent on the outcome of these proceedings or on the content of my opinions.

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.