

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

AIRE TECHNOLOGY LIMITED,
Patent Owner.

IPR2022-01137
U.S. Patent No. 8,581,706

**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, Dr. 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. 8,581,706 (“the ’706 patent”) to Finkenzeller *et al.*

2. 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, and I have no other interest in this case or the parties thereto.

3. I have been asked to provide my opinions regarding whether claims 1-3, 11-12, 16, 18, and 20 (“the Challenged Claims”) of the ’706 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 ’706 patent, Ex.1001;
- b. the prosecution history of the ’706 patent (“’706 File History”),

Ex.1002;

- c. U.S. Patent No. 6,824,064 to Guthery *et al.* (“Guthery”), Ex.1005; and

- d. JP 2000/163539A to Nozawa et al. (“Nozawa”) – Certified English Translation, Ex.1006;
- e. *RFID Handbook: Radio Frequency Identification Fundamentals and Applications*, Klaus Finkenzeller (1999) (“RFID Handbook”), Ex.1007;
- f. *Smart Card Handbook: Third Edition*, Wolfgang Rankl (3rd ed. 2003) (“Smart Card Handbook”), Ex.1008;
- g. Internet Archive capture of “Wiley::Smart Card Handbook, 3rd Edition,”
<https://web.archive.org/web/20041026102425/http://www.wiley.com:80/WileyCD/A/WileyTitle/productCd-0470856688.html> (archived October 26, 2004); Ex.1017;

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.

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

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