

Paper No. \_\_\_\_\_

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AVX Corporation  
Petitioner

v.

Samsung Electro-Mechanics Co., LTD.  
Patent Owner

Patent No. 9,326,381

Issue Date: April 26, 2016

Title: MULTILAYER CERAMIC CAPACITOR AND BOARD  
HAVING THE SAME MOUNTED THEREON

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Post-Grant Review No. PGR2017-00010

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DECLARATION OF STEVE SHIPMAN

Exhibit 1013

1. I, Steve Shipman, resident at 108 Comstock Ct, Greer, SC, hereby declare as follows:

2. I am a Quality Assurance Manager for the Ceramics Division at AVX Corporation in Fountain Inn, South Carolina. I have held this position since 2005. My principle job is to manage activities related to the quality of our products. Prior to that, I was the Quality Assurance Manager for the AVX facility in Raleigh, NC. As part of my employment at AVX Corporation (“AVX”) and in my role as Quality Assurance Manager, I am aware that, as a normal part of their business practices, AVX maintains business records to keep track of things like their sales and shipments of capacitor products. As one example, AVX maintains a database of electronic records (hereinafter referred to as the “business records database”) to document business transactions and from which business records and information may be queried. The business records database is used to maintain a variety of information and business records including product information and codes, manufacturing information and records, shipping information and records, transaction information and records, customer information, and various additional information related to the business dealings of AVX. This information includes manufacturing, sale, and shipping records and information related to surface mount capacitors. During the normal course of business, such information is routinely stored in the business records database and may be readily queried with an

associated user interface. As part of my employment at AVX and in my role as Quality Assurance Manager, I routinely access and utilize the business records database.

3. In early January of 2017, I was contacted by Mr. Andy Ritter regarding various information associated with a reel of capacitors acquired by Mr. John Galvagni. I was provided with an internal AVX specification number (32180272) and a shop order number (2104531170) that were on the label on the reel of capacitors. Using the AVX specification number, I queried AVX's business records database to obtain the manufacturing, transaction, and shipment information associated with the reel of capacitors obtained by Mr. Galvagni. The business records database provided various information in the form of a spreadsheet. A compilation of the information obtained from my query of the business records database is provided below in Table A:

SHOP_ORDER_NBR	2104531170
LOT_NBR	P8229X099
PACKSLIP_NUM	6539703
DATE_CODE_WK	201239
INV_QTY	8,000
SHIP_TRANS_DTE	20120928
AVX_SPEC_NBR	32180272
CATALOG_PART_NBR	0612YC105KAT2A
CUST_PART_NBR	0612YC105KAT2A
CUST_PO	RV00306
CUST_NBR	1000010703
CUST_NAME	AVX CZECH- REPUBLIC SRO

Table A

4. As shown in Table A, my query showed that the capacitors on the reel labeled with the AVX specification number of 32180272 and the shop order number of 2104531170 have a catalog part number of 0612YC105KAT2A and were part of a lot number (LOT\_NBR) P8229X099. A lot number is a unique number assigned at the start of production to each group of capacitors that were manufactured together as a single lot. A single lot includes only capacitors of the same catalog part number.

5. As further shown in Table A, my query also produced search results showing that the capacitors obtained by Mr. Galvagni had a manufacturing date code (DATE\_CODE\_WK) of 201239. The manufacturing date code of 201239 represents the 39<sup>th</sup> week of 2012, thus indicating that the reel and its capacitors

were completely manufactured, tested, and ready for sale during the 39<sup>th</sup> week of 2012. In addition, the business records from my query further included information regarding two separate shipments of the capacitors to customer, “AVX Czech-Republic SRO.” The first shipment had associated with it a shipment date (SHIP\_TRANS\_DTE) of 20120928, an inventory quantity (INV\_QTY) of 8,000, a customer purchase order number (CUST\_PO) of RV00306, and a customer name (CUST\_NAME) of AVX Czech-Republic SRO. The second shipment had associated with it a shipment date (SHIP\_TRANS\_DTE) of 20120928, an inventory quantity (INV\_QTY) of 8,000, a customer purchase order number (CUST\_PO) of RV00308, and a customer name (CUST\_NAME) of AVX Czech-Republic SRO. The shipment date code of 20120928 represents the date of September 28, 2012, thus indicating that the reel and its capacitors were shipped to the customer on September 28, 2012. The inventory quantity code of 8,000 indicates that 8,000 products were shipped to the customer. The customer purchase order number codes indicate that the customer purchase order codes for the various shipments were RV00306 and RV00308, and the customer name was “AVX Czech-Republic SRO.

6. The search results from my query also produced information indicating that additional capacitors were produced and sold to customer TTI, Inc., as part of the same lot having lot number P8229X099. The capacitors sold to TTI,

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