

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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Parrot S.A. and Parrot, Inc.

Petitioners,

v.

Drone Technologies, Inc.

Patent Owner

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Case IPR2014-00732  
U.S. Patent No. 8,106,748

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Before HOWARD B. BLANKENSHIP, MATTHEW R. CLEMENTS, and  
CHRISTOPHER M. KAISER, *Administrative Patent Judges*.

**DECLARATION OF JAMES E. HOPENFELD IN SUPPORT OF MOTION  
TO CORRECT EXHIBIT  
TO PETITION FOR *INTER PARTES* REVIEW  
37 C.F.R. § 42.104(c)**

<p><b>PARROT EXHIBIT 1014</b> <b>Parrot, Inc. v. Drone</b> <b>Technologies, Inc.</b></p>
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I, James E. Hopenfeld, do hereby declare and state, that all statements made herein of my own knowledge are true and correct and all statements made on information and belief are believed to be true and correct; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under the laws of the United States of America.

Dated: February 9, 2015

A handwritten signature in blue ink, appearing to read "James E. Hopenfeld", is written over a horizontal line.

1. I am a Partner at Osha Liang LLP and represent Petitioners Parrot S.A and Parrot, Inc. (collectively, “Parrot” or “Petitioner”). I am also lead counsel in IPR2014-00730 and IPR2014-00732.

2. Due to clerical errors in the assembly of certain exhibits in both proceedings, Petitioner is seeking authorization to file corrected exhibits.

3. Exhibit 1011 to the Petition for *Inter Partes* Review of U.S. Patent No. 8,106,748 is the declaration of Prof. Raffaello D’Andrea, in which he sets forth his opinions of unpatentability of the claims of the ’748 patent. On behalf of Osha Liang LLP, I prepared and represented Prof. D’Andrea at his deposition in this proceeding, which occurred on January 8, 2015.

4. In the course of preparing for the deposition, I learned that Prof. D’Andrea’s CV was inadvertently not included in the declaration in Exhibit 1011 when it was filed, even though the declaration clearly describes the CV and refers to it as being attached as “Appendix B” to the declaration. Upon further investigation, I learned this was an error that was made during the assembly of the exhibit prior to filing in PRPS, as we had received Prof. D’Andrea’s CV for his declaration prior to the time of filing the IPR petitions.

5. During Prof. D’Andrea’s deposition, I further learned that Exhibit 1011 had the wrong signature page attached to it—instead of the correct signature page, Exhibit 1011 had a duplicate of the signature page that accompanied Exhibit

1010 in IPR2014-00730, which is Prof. D'Andrea's declaration regarding the unpatentability of a related patent, U.S. Patent No. 7,584,071. Upon further investigation, I learned that this was another error that was made during the assembly of the exhibit prior to filing in PRPS. Although we received Prof. D'Andrea's signature pages for both declarations on April 30, 2014, somehow in the process of assembling the exhibits, the wrong signature page was attached to the declaration that was turned into Exhibit 1011. Attached is a true and correct copy of my email showing that I received Prof. D'Andrea's signature pages for both declarations, with his authorization to finalize any remaining typographical errors and attach his signature to each. I have not located any records confirming receipt of the paper originals of these signature pages; however, there is no evidence to suggest that the signature pages I received from Prof. D'Andrea by email were anything other than what they purport to be.

6. The above-described recently-discovered clerical errors were unintentional, are being promptly corrected, and have not caused any prejudice or harm to Patent Owner. Indeed, it was not until Patent Owner's counsel sent a letter dated January 22, 2015, that it became apparent that Patent Owner intended to challenge the authenticity of Prof. D'Andrea's declaration because of clerical errors. Although under no obligation to do so, Petitioner immediately investigated

the issue and, on January 26, served copies of corrected versions of the exhibits on Patent Owner.