

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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BEDGEAR, LLC  
Petitioner

v.

SHEEX, INC.  
Patent Owner

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Case To Be Assigned  
U.S. Patent No. 8,402,580

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**DECLARATION OF SABIT ADANUR IN SUPPORT OF PETITION FOR  
*INTER PARTES* REVIEW OF U.S. PATENT NO. 8,402,580**

BEDGEAR 1005

**Declaration of Sabit Adanur**  
**In Support of Petition for *Inter Partes* Review of U.S. Patent No. 8,402,580**

I, Sabit Adanur, declare as follows:

**I. Overview**

1. I am over 21 years of age and otherwise competent to make this Declaration. I make this Declaration based on facts and matters within my own knowledge and on information provided to me by others.

2. I have been retained as an expert witness to provide testimony on behalf of Bedgear, LLC as part of the above-captioned *inter partes* review proceeding. I understand that this proceeding involves U.S. Patent No. 8,402,580 (“the ‘580 patent”) entitled “Fabric System.” I am also being retained as an expert in proceedings involving U.S. Patent Nos., 8,566,982 (“the ‘982 patent”), and 9,109,309 (“the ‘309 patent”), each also entitled “Fabric System” (the ‘580, ‘982 and ‘309 patents collectively are referred to as “the Sheex patents”). I understand that one or more separate petition for *inter partes* review have been filed for each of the Sheex patents.

3. I understand that the ‘580 patent was filed on October 12, 2011 and issued on March 26, 2013, and that the ‘580 patent is currently assigned to Sheex, Inc. It is also my understanding that the ‘580 patent is a continuation of and claims priority to U.S. Ser. No. 12/569,659, filed on Sep. 29, 2009, which claims the

benefit of U.S. Provisional Patent Application Ser. No. 61/101,049 filed Sep. 29, 2008. It is my understanding that this date represents the earliest possible filing date to which the '580 patent is entitled.

4. I have reviewed and am familiar with the specification and prosecution history of the Sheex Patents. A copy of the '580 patent has been provided as Bedgear 1001. As I explain in more detail below, I am familiar with the technology at issue as of the earliest possible filing date of the '580 patent.

5. Below is a list of the information that I considered in arriving at my opinions:

- a. The '580 patent and its prosecution history.
- b. The '982 patent and its prosecution history.
- c. The '309 patent and its prosecution history.
- d. Petitions for *Inter Partes* Review of the Sheex patents.
- e. Adanur, S., Wellington Sears Handbook of Industrial Textiles, Technomic Publishing Co., (CRC Press 1995).
- f. Knitted Fabrics, Manufacture and Processing, Ciba-Geigy, 1976.
- g. Spencer, D. J., Knitting Technology, Woodhead Publishing Limited, 1989.
- h. Gajjar, B. J., Warp Knit Fabrics Technologies, Emerald Ink Publishing, 2007.
- i. Chemstrand Co., Spandex Technology (Chemstrand 1965).
- j. Man-made fiber and Textile Dictionary, Celanese Corporation, 1981, 1985.
- k. Dictionary of Fiber and Textile Technology, Hoechst Celanese, 1990.

- l. Adanur, S., Knitting Fundamentals, Class Notes for PFEN 2270 Introduction to Engineered Fibrous Materials.
  - m. Jeanne Stauffer, Sewing Smart with Fabric at 139 (2004)
  - n. Various knitting machine manufacturers brochures
  - o. Various knitted fabric sample structures from different manufacturers
  - p. US Patents Nos. 4,461,048 , 5,127,115, 5,415,924, 5,287,573, 5,636,380, 6,006,550, 6,016,591, 6,532,608, 6,782,590, 6,779,368, 2003/0154748, 2004/0132367, 2005/0027094, 2005/0193490, 6,412,540, 6,164,092, 6,167,825, 7,370,380, 2008/0233368, 7,240,383, 7,774,865, 2001/0014981, 7,945,970, 7,360,378
  - q. *Fiber Usage in Home Textiles 2007* (Dec. 12, 2007), <http://www.researchandmarkets.com/reports/c77257>
6. I have also reviewed and am familiar with the following prior art, which I understand is being used by Bedgear in the Petitions for *Inter partes* Review of the Sheex patents:
- a. U.S. Patent No. 7,200,883 to David W. Haggerty (“Haggerty” provided as Ex. 1002).
  - b. U.S. Patent No. 3,696,475 to Heinz Fleissner (“Fleissner” provided as Ex. 1003).
  - c. U.S. Patent Application Publication No. 2005/0284189 to Richard F. Stewart (“Stewart” provided as Ex. 1004).
7. I have been asked to provide my technical review, analysis, and insight regarding the above-noted references, which I understand supports the basis for the grounds of rejection set forth in the Petitions.

8. I am being compensated at my normal consulting rate for my time spent in preparing this Declaration. I am being separately reimbursed for any out-of-pocket expenses. My compensation does not depend in any way on the outcome of this proceeding or the nature of my opinions.

9. I have no stake in the outcome of this proceeding or any related litigation or administrative proceedings.

10. I have been advised that Bryan Cave LLP represents the Petitioner Bedgear, LLC in this matter. I have no direct financial interest in the Petitioner. I have no direct financial interest in Petitioner, Sheex, Inc., or the Sheex patents.

## **II. My Background and Qualifications**

11. My qualifications for forming the opinions set forth in this Declaration are listed in this section and provided in Exhibit Bedgear 1006, which is my curriculum vitae (“CV”) which also includes a list of my publications and a list of the cases and proceedings over the last few years in which I have been deposed and/or testified as an expert.

12. I have extensive experience in knitting and knitted fabrics. My family had a knitting business in Istanbul, Turkey, where we had circular knitting machines; we also had a hand operated flat knitting machine to make knitted goods. I worked in that business during summer vacations before I came to the U.S.

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