

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

GEOTAB INC., AND
TV MANAGEMENT INC., D/B/A GPS NORTH AMERICA
Petitioners,

v.

PERDIEM CO., LLC.

Patent Owner

DECLARATION OF WILLIAM STECKEL

1. My name is William Steckel. I am over the age of twenty-one and competent to testify in this matter. The statements set forth herein are based on my personal knowledge.

2. I am the Chief Financial Officer of Telular Corporation. As such, I am familiar with the acquisition activities of the company, as well as corporate decisions and finance.

3. Telular acquired Skybitz in 2012. Since then SkyBitz has been a wholly owned subsidiary of Telular.

4. At Telular's instruction, SkyBitz in 2015 acquired the voting shares of TV Management, Inc. d/b/a GPS North America ("GPSNA"). Telular financed this transaction. Attached hereto as Exhibit A are wire transfers executed by Telular to close the GPSNA transaction. SkyBitz could only take the action in question based on Telular's direction and with Telular's approval, which was given.

5. After the acquisition, Telular took ownership of all GPSNA product lines and trademarks. Attached as Exhibit B is a true and correct copy of a trademark assignment agreement from GPSNA to Telular. One of the marks assigned to Telular is the name by which GPSNA marketed and sold the products accused by PerDiem of infringement.

6. Telular – not SkyBitz – is responsible for the manufacture, marketing and sale of the accused products.

7. I am also the Secretary of Telular Corporation. As such, although I am not a director, I am responsible for keeping up with the activities of the Telular Board of Directors, including votes taken. The Telular Board comprises five directors. Of those, four have no role with SkyBitz, Inc.

8. The Telular Board voted unanimously on behalf of Telular to join and fund the five IPR petitions at issue. Exhibit C attached hereto shows Telular payments of filing fees and attorney fees to Hill, Kertscher & Wharton, LLP for the IPR petitions directed to U.S. Patents 8,223,012, 8,493,207, 8,717,166, 9,003,499, and 9,071,931.

9. Telular approved naming GPSNA as Petitioner because it was identified as a defendant in the co-pending litigation.

10. Telular did not name SkyBitz as a real-party-in-interest because, absent permission from Telular, SkyBitz has no ability to take any legal action, participate in any legal action, or supply any funds in relation to legal action. To be clear, SkyBitz must first receive Telular Board approval before embarking on any involvement in engineering projects, setting sales prices, engaging in financial transactions, and/or participating in legal action. SkyBitz also must seek Telular's approval to spend any money.

11. SkyBitz neither requested nor received Telular's approval to participate or fund any IPR petitions against the PerDiem patents. Such approval would be mandatory for SkyBitz to participate in any way in the Per Diem IPR petitions. Likewise, Telular never authorized any action or funding from SkyBitz. Nor has Telular billed or allocated any costs relating to the five IPR petitions to SkyBitz. SkyBitz cannot bring any legal actions including any IPR challenge without receiving instructions and approval from Telular.

12. Telular is responsible for all accused products, attorney's fees and payment of any judgment in relation to the litigation brought by PerDiem against Petitioner GPSNA. SkyBitz is not responsible for the legal matter.

I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true. I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. § 1001).

Executed on OCTOBER 31, 2016



William Steckel

Exhibit A

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