

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

SONY CORPORATION

Petitioner

v.

ARRIS ENTERPRISES LLC

Patent Owner

Patent No. 7,107,532
Filing Date: May 3, 2002
Issue Date: September 12, 2006

Case No. IPR2017-01803

DECLARATION OF AYA SUZUKI

I, Aya Suzuki, declare as follows:

I. INTRODUCTION

1. I am an attorney with Finnegan, Henderson, Farabow, Garrett & Dunner, LLP. Our firm represents Sony in this proceeding before the United States Patent and Trademark Office. I submit this declaration in support of Sony's Petition for *Inter Partes* Review of U.S. Patent No. 7,107,532 (the "Petition"). The matters stated herein are based upon my personal knowledge, and, if called as a witness, I would testify as to the following statements.

2. In 1994, I received a B.E. in Applied Chemistry at Keio University, which is located in Kanagawa, Japan.

3. After graduation from Keio University, I worked in the IP division of a Japanese company. My job responsibilities at that time included reviewing materials published by the Japan Patent Office ("JPO") and identifying published patent and utility model applications relevant to our company's business.

4. In approximately 1999, I became a *Benrishi*, which is a legal professional that practices before the JPO. As a *Benrishi*, I handled a wide range of matters including prosecution, patent opinions, counseling, due diligence, licensing, and litigation. I worked in that role actively until approximately 2009. My registration as a *Benrishi* remains active today.

5. I received an LLM degree from the Santa Clara University School of Law in the United States in 2004.

6. I have been registered to practice before the USPTO since 2009 (Reg. No. 64,621).

7. Japanese is my native language, and I also have a working proficiency with reading and writing in English.

II. JAPANESE PATENT KOKAI NO. 2001-188644 (*Kazamaki*)

8. On May 26, 2017, I downloaded the Japanese Patent Kokai No. 2001-188644 by Kazamaki, et al, to Sharp Corporation (“*Kazamaki*”) through the following steps: I accessed the following URL: https://www.j-platpat.inpit.go.jp/web/tokujitsu/tkbs/TKBS_GM101_Top.action. In the “Kind” field I selected “publication of patent application (A)”; in the “Document Number” textbox, I entered “2001-188644” and clicked the “Search” button; I clicked the link labelled “Patent Kokai 2001-188644”; I clicked the “PDF display of a whole document” button; I clicked the link labelled “Patent Kokai 2001-188644”; and I downloaded the PDF document.

9. Exhibit 1005 includes the *Kazamaki* reference that I downloaded on May 26, 2017 (Exhibit 1005 at 1-10). Exhibit 1005 also includes a certified English translation of *Kazamaki* prepared by a translator (which I did not prepare or personally verify) (Exhibit 1005 at 11-51).

10. Patent “Kokai” are unexamined Japanese patent applications that have been “laid-open” by the JPO (i.e., made available for public inspection through the JPO). *Kazamaki* at its front page states that *Kazamaki* was laid open (published) by the JPO on July 10, 2001 (Ex. 1005 at 1, 11).

11. Based on the above, *Kazamaki* was indexed and made publicly available in its entirety in Japan at least as early as July 10, 2001.

12. I declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: May 30, 2017

By: 
Aya Suzuki