

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

RED.COM, LLC,
Patent Owner.

Case No. IPR2019-01065
Patent No. 9,245,314

**DECLARATION OF JAMES H. JANNARD IN SUPPORT OF
PATENT OWNER RED.COM, LLC'S PRELIMINARY RESPONSE**

RED.COM Ex. 2011 Apple v. RED.COM

I, James H. Jannard, declare and state as follows:

1. I am the Founder and Chairman of the Board of RED.COM (“RED”), the assignee of U.S. Patent Nos. 9,230,299 (“the ’299 patent”) and 9,245,314 (the ’314 patent). I am also a listed inventor on the ’299 and ’314 patents. I am submitting this declaration in connection with Patent Owner Preliminary Responses to IPR2019-01064 and IPR2019-01065, filed by Petitioner Apple Inc., relating to the ’299 and ’314 patents, respectively.

2. I executed a previous declaration under 37 C.F.R. § 1.132, which was submitted on July 1, 2013, in connection with a reexamination proceeding on U.S. Patent No. 8,174,560 (the “’560 patent”), assigned to RED and for which I am a named inventor (the “2013 declaration”). The ’299 and ’314 patents claim priority to the ’560 patent, and to the same April 11, 2007 provisional application as the ’560 patent. A true and correct copy of my 2013 declaration is attached hereto as **Exhibit 2012**.

3. I first met with my co-inventor, Graeme Nattress, in December 2005 to discuss my goal of building a digital motion picture camera that could generate cinema-quality video from compressed digital files saved to portable memory. Mr. Nattress agreed to work on the RED ONE project to help achieve this goal.

4. Mr. Nattress had primary responsibility for developing the REDCODE programing for the RED ONE that recorded compressed raw Bayer-

pattern video image data that would, after decompression and demosaicing, display visually lossless video having at least 2K resolution at 24 frames per second.

5. Mr. Nattress was one of the individuals I assembled at RED to work on the RED ONE project. In addition to other individuals who worked at RED, I hired the contract engineering firm Wind River to work under RED's direction to implement our design requirements and the REDCODE platform we developed.

6. In preparation for the upcoming 2007 National Association of Broadcasters show ("NAB 2007") to be held in Las Vegas in April, RED tested a functioning RED ONE motion picture camera, nicknamed Boris, at RED's headquarters in March 2007. I personally observed and helped conduct the testing of Boris. Members of the RED team who were also present included Graeme Nattress, Jarred Land, Ted Schilowitz, David Macintosh and Stuart English. I recall Mr. Nattress taking pictures during the testing. I have reviewed **Exhibits 2002-2008** that I understand are attached to Mr. Nattress's declaration that is also being submitted with these Patent Owner Preliminary Responses to IPR2019-01064 and IPR2019-01065. I can confirm that **Exhibits 2002-2008** depict RED's testing of the Boris RED ONE camera at RED's headquarters in March 2007.

7. In particular, the photo reflected in **Exhibit 2002**, reproduced below, shows me holding Boris.



8. I am also in **Exhibit 2003**, reproduced below. That photo shows, from left to right, David Macintosh, me, Ted Schilowitz, Jarred Land and Stuart English standing next to Boris after it had been set up on a tripod.



9. With regard to the photos reflected in **Exhibits 2006, 2007 and 2008**, reproduced below, respectively, I recall Messrs. Schilowitz and Macintosh sitting for test video depicted in those photos. I also recall viewing the output of that test video and confirming upon visual inspection that the raw compressed video shot by Boris displayed as visually lossless when decompressed and demosaiced. I also recall that the program used to display Boris's test footage reported that video taken by Boris achieved 4K resolution at 24 frames per second, as can be seen in the annotation and enlargement of **Exhibit 2008** below.

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