

PGR2020-00034
Declaration of Cliff Harris

Filed on behalf of Supercell Oy

By:

JENNIFER R. BUSH, Reg. No 50,784
MICHAEL J. SACKSTEDER
BRIAN HOFFMAN, Reg. No. 39,713
KEVIN X. MCGANN, Reg. No. 48,793
GREGORY HOPEWELL, Reg. No. 66,012
GEOFFREY MILLER
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Telephone: 650.988.8500
Facsimile: 650.938.5200

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SUPERCCELL OY,
Petitioner

v.

GREE, INC.,
Patent Owner.

Case No. PGR2020-00034
Patent 10,300,385 B2

DECLARATION OF CLIFF HARRIS



CPH

I, Cliff Harris, declare as follows:

1. I have personal knowledge of the facts stated in this Declaration, and if called as a witness, I could and would competently testify thereto.
2. I founded the video game company Positech Games Ltd., in 1997. My current role has been and continues to be the programmer and designer for all of the Positech games. I have one employee who assists me with programming and game design.
3. Gratuitous Space Battles (GSB) was released by Positech on November 17, 2009, and was available for purchase and download from the Positech website at <https://positech.co.uk/gratuitousspacebattles/>.
4. As of June 26, 2012, over 100,000 people had purchased GSB, and each copy purchased included a copy of a manual. In particular, Version 1.1 of the manual for GSB was provided to at least 100,000 purchasers by June 26, 2012, and was accessible online at <http://www.positech.co.uk/gratuitousspacebattles/media/GSB%20Manual.pdf>.
5. A correct representation of the manual for GSB is shown in Exhibit 1010 at pages 1-12.
6. I maintain the website for GSB at the URL: <https://positech.co.uk/gratuitousspacebattles/>. A correct representation of the following GSB pages, as of June 26, 2012, are shown in Exhibit 1010 as follows: Home page, <https://positech.co.uk/gratuitousspacebattles/>, is shown at pages 17-19, the FAQ page, <https://positech.co.uk/gratuitousspacebattles/faq.html>, is shown at pages 15-16, and the Buy Now page, <https://positech.co.uk/gratuitousspacebattles/register.html>, is shown at pages 13-14.
7. These pages were accessible by the public and accessed by numerous users and purchasers as of June 26, 2012.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 5th, 2020 in [insert], United Kingdom.

WESTBURY


Cliff Harris

