

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DANXIAO INFORMATION TECHNOLOGY LTD.,

Petitioner

v.

SHENZHEN SVAKOM TECHNOLOGY CO., LTD.,

Patent Owner

Petition for Post-Grant Review of U.S. Patent No. 11,134,041

Issue Date: September 28, 2021

Title: SYSTEM AND METHOD FOR INTERACTIVE ONLINE
ENTERTAINMENT

CASE: PGR2022-00050

**Declaration Of Jilin Qiu In Support of Petition for Post-Grant Review of U.S.
Patent No. 11,134,041**

1. My name is Jilin Qiu. I am over the age of twenty-one (21) years, of sound mind, and capable of making the statements set forth in this Declaration. I am competent to testify to matters set forth herein. All the facts and statements contained herein are within my personal knowledge and they are, to the best of my knowledge, true and correct.

2. I am employed by Danxiao Information Technology Ltd. (“Danxiao”) as the Vice President of Software & Hardware. I have been employed by Danxiao since 2012. My employment and compensation are in no way dependent upon the outcome of this proceeding.

3. I make this declaration in support of Petitioner Danxiao’s Petition for Post-Grant Review of U.S. Patent No. 11,134,041 (the “Petition”). I have knowledge of the facts set forth herein based on my personal knowledge, my review of corporate records maintained by Danxiao in the ordinary course of business, and/or my discussions with other Danxiao employees.

4. I majored in Software Engineering. I have more than 10 years of work experience and training in the field of online entertainment and online communications.

5. I have done 8 projects related to software development and/or wireless devices in the area of online entertainment. Also, I am the co-inventor of several

U.S. Patent Applications of the subject matter of online chat applications and remotely-controlled devices.

6. My responsibilities and duties as Danxiao's Vice President of Software & Hardware include supervision of all the Research & Developing work in Danxiao. In the course of my duties, I am aware of the contents and involved in the planning of the conception, experiments, or reduction to practice of U.S. Patent Application 15/143,513, which was granted as U.S. Patent No. 9,762,515 (the "'515 Patent" or "Olivares"), including the participation of named inventors Eddy Olivares and Dan Liu in these activities. I am not aware of Minchao He's (the named inventor of U.S. Patent No. 11,134,041) participation in the conception, experiments, or reduction to practice of the '515 Patent or any of Lovense software development and product development as described below.

7. I oversaw and instructed the activities of the preparation and prosecution of U.S. Patent Application 15/143,513.

8. I instructed the publication of below webpages, which were archived on the Wayback machine of Internet Archive, and anyone from the public can access at least as of the date they were archived. I have also reviewed below Internet Archive webpages and they accurately reflect the information and functionality that was published and made available by Danxaio by at least the dates below.

- a) Danxiao's Lovense Website from October 4, 2013, available at <https://web.archive.org/web/20131004054024/http://www.lovense.com:80/>. Ex. 1009-2 at 2-3.
- b) Danxiao's Lovense Website from March 2, 2016, available at <https://web.archive.org/web/20160302191610/http://lovense.com:80/cam-model> (hereinafter "March 2, 2016 Webpage"). Ex. 1009-2 at 4-9.
- c) Danxiao's Lovense Website from November 16, 2017, available at <https://web.archive.org/web/20171116100110/http://lovense.com/cam-model/guides/mac>. Ex. 1009-2 at 10-18.
- d) Danxiao's Lovense Website from May 16, 2019, available at <https://web.archive.org/web/20190516104453/https://www.lovense.com/cam-model>. Ex. 1009-2 at 19-25.
- e) Software download page of May 18, 2019, corresponding to the code version v23.0.4 released on April 28, 2019, available at <https://web.archive.org/web/20190518155744/https://www.lovense.com/cam-model/download> (hereinafter "May 18, 2019 Webpage"). Ex. 1009-2 at 26-28.
- f) Cam Model Home Page from Danxiao's Lovense Website from June 11, 2019, available at <http://web.archive.org/web/20190611191521/https://www.lovense.com/cam-model>. Ex. 1009-2 at 29-35.
- g) Cam Extension Guides Page from Danxiao's Lovense Website from September 28, 2020, available at <http://web.archive.org/web/20200928181315/https://www.lovense.com/cam-model/guides/Written-Guides/Cam-Extension-Guides/Basic-Levels>. Ex. 1009-2 at 36-40.
- h) Cam Extension Guides Page from Danxiao's Lovense Website from September 28, 2020, available at <http://web.archive.org/web/20200928194309/https://www.lovense.com/cam-model/guides/Written-Guides/Cam-Extension-Guides/Special-Commands>. Ex. 1009-2 at 56-60.
- i) Cam Extension Guides Page from Danxiao's Lovense Website from September 28, 2020, available at <http://web.archive.org/web/20200928193812/https://www.lovense.com/cam-model/guides/Written-Guides/Cam-Extension-Guides/Dice-Game>. Ex. 1009-2 at 50-55.

- j) Cam Extension Guides Page from Danxiao's Lovense Website from September 28, 2020, available at <http://web.archive.org/web/20200928193030/https://www.lovense.com/cam-model/guides/Written-Guides/Cam-Extension-Guides/Keno-Game>. Ex. 1009-2 at 41-49.

9. I oversaw and instructed the activities of the Lovense software development and product development, including the development of Lovense toys Max and Nora released in the fall of 2013. Max and Nora sent commands to each other via the Internet using apps for customers' smart phones and PCs or via Bluetooth connections. Ex. 1009-2 at 2-3.

10. I oversaw and instructed the activities of the Lovense software development and product development, including the development of "Body Chat" and "Lovense Cam Model Extension" released in the spring of 2016. Ex. 1009-2 at 4-9. "Body Chat" is a predecessor to the current "Lovense Remote," and enabled customers to connect a mobile device to one or more of Lovense toys and remotely control their operations. The "Lovense Cam Model Extension" is a web extension plug-in for a web-streamer broadcasting on the Internet using his/her PC-connected camera. Ex. 1010-3 at 2 (2:47-3:14). The web-streamer's camera can be any camera connected to the web-streamer's PC or a build-in camera on the PC. The "Lovense Cam Model Extension" is sometimes used together with the "Lovense SmartCam" and controls toys and enables customers to set modes of playing as discussed below.



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