UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PELOTON INTERACTIVE, INC.,
Petitioner,

v.

NEC CORPORATION,
Patent Owner.

Case No. IPR2023-01240
Case No. IPR2023-01241

Patent No. 9,769,427

DECLARATION OF MOTOHIRO BABA

I, Motohiro Baba, declare as follows:

1. I have personal knowledge of the facts set forth herein, and if called to testify, I could and would competently testify to the same.

2. I am a Director at Baba International Patent Office ("Firm") and have worked at the Firm since April, 2005.

3. In 2008, I assisted patent attorneys and agents of the Firm with Japan Patent Application No. 2008-294270, filed November 18, 2008 ("JP'270 Application").

4. On November 6, 2008, the Firm received a request from NEC Corporation ("NEC") to prepare a patent application, which later became the JP'270 Application, including a draft specification. I have reviewed Ex. 2016 and confirmed that this was the draft specification that the Firm received from NEC on Thursday, November 6, 2008. I have also reviewed Ex. 2018 and confirmed that this was NEC's patent application work request that the Firm received from NEC on the same day.

5. Patent attorneys and agents at the Firm immediately began work on the request, and had a meeting with NEC personnel including Mr. Kunihiro Taniguchi on the following Monday, on November 10, 2008, which resulted in proposal for certain additions and changes.

6. Patent attorneys and agents at the Firm diligently worked to add to the specification over the following week, and filed the JP'270 Application on Tuesday of the following week, November 18, 2008. I have reviewed Ex. 2020 and confirmed

that it is the JP'270 Application the Firm filed on November 18, 2008 with the Japan Patent Office and submitted to NEC on the same day.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. I understand that willful false statements and the like are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the patent.

Motohiro Baba

MOTOHIRO BABA
Date: April 25, 2024
Tokyo, Japan