

CONTAINS CONFIDENTIAL BUSINESS INFORMATION  
SUBJECT TO PROTECTIVE ORDER

**UNITED STATES INTERNATIONAL TRADE COMMISSION  
WASHINGTON, D.C.**

**Before the Honorable Bryan F. Moore  
Administrative Law Judge**

**In the Matter of:**

**CERTAIN COMPACT WALLETES AND  
COMPONENTS THEREOF**

Investigation No. 337-TA-1355  
(Enforcement Proceeding)

**DECLARATION OF DR. KIMBERLY K. CAMERON  
REGARDING CLAIM CONSTRUCTION OF THE '808 PATENT**

**TABLE OF CONTENTS**

|                                                                          |                                     |
|--------------------------------------------------------------------------|-------------------------------------|
| <b>I. OVERVIEW .....</b>                                                 | <b>1</b>                            |
| <b>II. BACKGROUND AND QUALIFICATIONS .....</b>                           | <b>1</b>                            |
| <b>III. LIST OF DOCUMENTS CONSIDERED IN FORMULATING MY OPINIONS.....</b> | <b>2</b>                            |
| <b>IV. ANALYSIS.....</b>                                                 | <b>3</b>                            |
| <b>A. Person of Ordinary Skill in the Art .....</b>                      | <b>3</b>                            |
| <b>B. Indefiniteness.....</b>                                            | <b>3</b>                            |
| <b>C. interposed .....</b>                                               | <b>4</b>                            |
| <b>D. channeling means .....</b>                                         | <b>Error! Bookmark not defined.</b> |
| <b>E. minimize the profile of the wallet .....</b>                       | <b>5</b>                            |
| <b>F. minimal silhouette .....</b>                                       | <b>7</b>                            |
| <b>V. CONCLUSION.....</b>                                                | <b>7</b>                            |

CONTAINS CONFIDENTIAL BUSINESS INFORMATION  
SUBJECT TO PROTECTIVE ORDER

I, Dr. Kimberly K. Cameron, hereby declare as follows:

**I. OVERVIEW**

1. I am over the age of eighteen and otherwise competent to make this declaration.

2. I have been retained as an expert witness by Shenzhen Pincan Technology Co., Ltd., d/b/a SWZA (SWZA) for the above-captioned investigation. Engineering Systems Incorporated (ESi) is being compensated for my time in connection with this investigation at my standard legal consulting rate of \$550 per hour. I have no personal or financial interest in the outcome of this proceeding.

3. I understand that this investigation involves U.S. Patent No. 10,791,808 (the '808 Patent, Ex. 1), entitled "Compact Wallet."

4. In preparing this declaration, I have reviewed the '808 Patent, the prosecution history of the '808 Patent, and considered each of the documents cited herein in light of general knowledge in the art. In formulating my opinions, I have relied upon my experience and expertise in mechanical engineering, including engineering products, structures, design, and physics. I have also considered the viewpoint of a person of ordinary skill in the art ("POSA") (*i.e.*, a person of ordinary skill in this industry) as of the priority date of the '808 Patent. Thus, I have considered the viewpoint of a POSA as of the filing date of February 1, 2017, as well as May 7, 2015, the filing date of U.S. Patent Application Serial Number 14/706,019, which is the earliest possible date to which the '808 Patent can claim priority.

**II. BACKGROUND AND QUALIFICATIONS**

5. My qualifications and credentials are fully set forth in my curriculum vitae, attached as Appendix A. I am a Principal at ESi, a leading scientific and engineering firm. I

CONTAINS CONFIDENTIAL BUSINESS INFORMATION  
SUBJECT TO PROTECTIVE ORDER

specialize in mechanical engineering and materials science and have extensive experience with the design of mechanical systems.

6. I received a Bachelor of Science and Engineering degree in Mechanical Engineering from Princeton University in 1999 with certificates in Materials Science, Engineering Physics, and Applied Mathematics. I subsequently received a Master of Science degree in Mechanical Engineering from Stanford University in 2000 and a Doctoral Degree in Mechanical Engineering (with a minor in Materials Science & Engineering) from Stanford University in 2004.

7. I have received numerous awards, including fellowships from the Department of Defense, the National Science Foundation, and Lucent Technologies. I am a Registered Professional Engineer in both Mechanical Engineering and Materials Science and Metallurgy, and am a registered patent agent.

8. A list of engagements where I have provided testimony in either a deposition or at trial/hearing over the last four years is attached as Appendix B.

9. Given the foregoing, I am qualified to provide the opinions rendered herein.

**III. LIST OF DOCUMENTS CONSIDERED IN FORMULATING MY OPINIONS**

10. In formulating my opinions, I have considered the '808 Patent, as well as the file history for the '808 Patent. I have also considered the following exhibits:

| Exhibit No. | Description or Production Number                                       |
|-------------|------------------------------------------------------------------------|
|             | U.S. 10,791,808                                                        |
|             | U.S. Patent No. 1,525,745                                              |
|             | Oxford Dictionary of English, 2008 (interpose)                         |
|             | The Merriam-Webster Dictionary, 2016 (interpose)                       |
|             | Collins Pocket English Dictionary & Thesaurus, 2012 (interpose)        |
|             | Webster's New World Concise Dictionary and Thesaurus, 2014 (interpose) |

CONTAINS CONFIDENTIAL BUSINESS INFORMATION  
SUBJECT TO PROTECTIVE ORDER

**IV. ANALYSIS**

**A. Person of Ordinary Skill in the Art**

11. I understand that a POSA is a hypothetical person who is presumed to be aware of all pertinent art, thinks consistent with conventional wisdom in the art, and is a person of ordinary creativity.

12. A POSA in the field of compact wallets would have had knowledge of compact wallets, as well as the technical literature regarding the same, prior to February 1, 2017. My opinions would not change if the priority date were instead May 7, 2015.

13. Typically, a POSA would have had a technical degree (e.g., Bachelor of Science in engineering) with some experience in analyzing, designing, or creating mechanical devices such as wallets. Additional education experience could substitute for the experience, and extended experience could substitute for a technical degree.

**B. Indefiniteness**

14. I am informed that under the definiteness requirement an applicant for a patent must particularly point out and distinctly claim the subject matter which the applicant regards his or her invention. I am informed that a primary purpose of the definiteness requirement is to provide fair notice to others as to what falls within the scope of the claim.

15. A patent claim lacks definiteness if, when read in light of the specification and prosecution history, that claim fails to inform, with reasonable certainty, those skilled in the art about the scope of the invention.

16. I further have been informed that under this “reasonable certainty” standard, an undefined claim term renders a claim indefinite when it results in the existence of multiple approaches leading to different results without guidance in the patent or the prosecution

CONTAINS CONFIDENTIAL BUSINESS INFORMATION  
SUBJECT TO PROTECTIVE ORDER

history as to which approach to select. I also understand that this indefiniteness problem will persist even if someone skilled in the art could determine which approach was the most appropriate.

**C. Proposed Claim Constructions**

17. On May 17, 2023, the parties exchanged proposed constructions for various claim terms. I have summarized the proposals below in Table XX.

18. As there appears to be no dispute for the terms “channeling means,” “auxiliary feature,” “hook,” and “undercut,” I have only addressed the remaining three terms in the sections to follow.

**Table 1. Proposed Claim Constructions**

| Claim Term                              | Proposed Claim Construction                                                                                                                                                                                                                                                                                                                                                                                                           |             |            |
|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------|
|                                         | Staff                                                                                                                                                                                                                                                                                                                                                                                                                                 | Complainant | Respondent |
| “channeling means”<br>[Claims 1 and 14] | Subject to § 112, ¶ 6<br><br>Function: “to minimize the profile of the wallet and hold position of the at least one encircling elastic band with respect to each rigid plate while allowing freedom for the dynamic extension and contraction of the band over the entire running length thereof”<br><br>Structure: “a groove spanning the extent of one or more of the rigid plates or a longitudinal bore through each rigid plate” |             |            |
| interposed                              | Plain and ordinary meaning                                                                                                                                                                                                                                                                                                                                                                                                            |             | indefinite |
| minimal silhouette                      | Plain and ordinary meaning                                                                                                                                                                                                                                                                                                                                                                                                            |             | indefinite |
| minimize the profile                    | Plain and ordinary meaning                                                                                                                                                                                                                                                                                                                                                                                                            |             | indefinite |
| auxiliary feature                       | Plain and ordinary meaning                                                                                                                                                                                                                                                                                                                                                                                                            |             |            |
| hook                                    | Plain and ordinary meaning                                                                                                                                                                                                                                                                                                                                                                                                            |             |            |
| undercut                                | Plain and ordinary meaning                                                                                                                                                                                                                                                                                                                                                                                                            |             |            |

**D. interposed**

19. Claim 1, 14 and 19 all require at least two rigid plates interposed to sandwich card-like contents there between. The term interposed in the claim makes the bounds of the

CONTAINS CONFIDENTIAL BUSINESS INFORMATION  
SUBJECT TO PROTECTIVE ORDER

claims uncertain. Under its ordinary meaning, the term interpose means placed between. See, e.g., Oxford Dictionary of English, 2008 (“place or insert between one thing and another”), The Merriam-Webster Dictionary, 2016 (“to place between”), Collins Pocket English Dictionary & Thesaurus (“insert between or among things”), Webster’s New World Concise Dictionary and Thesaurus (“place or come between”). It is not clear what the two rigid plates are required to be placed between.

20. Claim 14 and 19 include the language “at least one encircling elastic band interposed with the at least two rigid plates, over the longitudinal extents thereof, to bias them inwardly and securely hold the card-like contents while providing elastic volume between the plates for adding or removing contents.” While embodiments shown in the ’808 Patent do show an elastic band between rigid plates, this only increases the confusion about what is covered by interposed when considered in conjunction with the language from Claim 1. Overall, the term interposed in light of the specification does not provide any certainty to a POSA about the scope of the claim.

**E. minimize the profile of the wallet**

21. It is unclear how the phrase “minimize the profile of the wallet” should be evaluated or what the bounds of the term is. One passage where the specification describes “profile minimization” states that a

A channeling means 20 prevents the encircling elastic band from adding more than negligible breadth to profile 14. This profile minimization is accomplished by locating the channeling means 20 internally to the rigid plates 10. In other words, no structures projecting from the profile 14 are needed to fixture the encircling band 4, as in the case of prior art.”

’808 Patent, 4:4-8.

CONTAINS CONFIDENTIAL BUSINESS INFORMATION  
SUBJECT TO PROTECTIVE ORDER

22. If profile simply means the length and width (the area instead of the thickness of the wallet, as also seems indicated by the statements in the specification that “[t]he rigid plates 10, and the profile 14 by definition, preferably measure approximately 8.5 cm by 5.4 cm,” ’808 Patent 5:54-55, and “[t]he profile of the plates is generally larger than that of the contents,” ’808 Patent, 1:53-54), then a structure projecting from the profile 14 to fix the encircling band 4 need not project in the length or width direction. Rather it could project in the thickness direction as seen in, for example, U.S. Patent No. 1,525,745. (Fig. 1 showing 9 projecting in the depth direction to secure the band 8). Therefore, the statements quoted above from the specification are of dubious accuracy and it is unclear whether “configured to minimize the profile” refers to the length, width or the thickness (or some combination thereof).

23. Adding to the confusion is another section of the specification that states:

Such a minimalist wallet could be easily slipped into a shirt pocket, or present a slim profile in a pants pocket or purse. Even with money clipped to it, the bulk of such a wallet would be less than that of the fold-over-envelope-type-wallet traditionally used to carry cards, money and identification. Such a traditional wallet, with its internal sleeves, compartments, and windows, not to mention contents, can bulge uncomfortably or telltale-like from clothing...

’808 Patent, 1:22-30.

24. Here the profile is referred to as “slim” and is discussed in conjunction with “bulk.” If “minimize the profile” were instead to refer to the thickness, however, other problems arise. Even for a groove in the rigid plate that is not capped by another structure, the increase in thickness needed to maintain structural integrity with a groove extending the entire longitudinal extent of the plate would offset the lack of need of protrusions from the plate. Additionally, for a capped groove, the statement discussing profile minimization is

CONTAINS CONFIDENTIAL BUSINESS INFORMATION  
SUBJECT TO PROTECTIVE ORDER

almost immediately contradicted by the next paragraph that explains that “the channeling means 20 of the preferred embodiment is a longitudinal groove 21 spanning a longitudinal extent 3 of each rigid plate 10. The longitudinal groove 21 is of such ample dimension as to receive a corresponding part of the encircling elastic band 4 and allow it to slidingly expand and contract freely while holding position there within.” 4:9-15. In other words, when the elastic band is within a capped groove, a larger dimension is needed to ensure the desired operation of the band – such that *more space* is needed than when the band is not within a capped groove.

25. Overall, it is unclear how the phrase “minimize the profile of the wallet” should be evaluated or what the bounds of the term is.

**F. minimal silhouette**

26. Like the term “minimize the profile,” the term “minimal silhouette” does not provide guidance as to the meaning (width and length versus depth) or bounds, i.e., what is or is not considered a minimal silhouette.

**V. CONCLUSION**

27. If asked to testify at the *Markman* hearing or other proceeding, I may provide a tutorial concerning the subject matter of the '808 Patent based on my review and study of the specification, claims, the file histories, the relevant art, and my professional and academic experience. Such a tutorial may use demonstrative exhibits such as charts, overheads, videos, computer graphics, and other visual aids. Such a tutorial may include the topics and subject matter identified herein.

28. In signing this declaration, I understand that the declaration will be filed as evidence in the above captioned investigation. I acknowledge that I may be subject to cross

CONTAINS CONFIDENTIAL BUSINESS INFORMATION  
SUBJECT TO PROTECTIVE ORDER

examination in the case and that cross examination will take place within the United States.

If cross examination is required of me, I will appear for cross examination within the United States during the time allotted for cross examination.

29. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 16, 2023.

Respectfully submitted,



Dr. Kimberly K. Cameron