UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. AND

SAMSUNG ELECTRONICS AMERICA, INC.,

Petitioners

v.

MAXELL, LTD.,

Patent Owner

Inter Partes Review No.: IPR2024-00907

DECLARATION OF ROSHAN KUMAR BHATTARAI, ESQ.

1616648674.1

1. My name is Roshan Kumar Bhattarai and I am employed as an Associate Attorney at DLA Piper.
2. On September 24, 2024, I requested from the Internet Archives an affidavit of authenticity/public availability for the following archived webpages. The archived webpages include Nokia N93 Wikipedia page archived on October 15, 2007 (item (i)) that includes a link to the N93 User Guide (http://nds1.nokia.com/phones/files/guides/Nokia_N93-1_UG_en.pdf). The link to the N93 User Guide was archived on April 23, 2007 (item (ii)). The archived webpages include web pages from Nokia's website to the N93 Phone as follows: EX1032, 38-39 (N93 Phone page with link to "Device Features"), 40-43 (N93 Phone feature page with link to "User Guides"), 44-45 (User Guides page with inoperable link to pdf of N93). A complete list of the archived links are as follows:

   i. https://web.archive.org/web/20071015005153/https://en.wikipedia.org/wiki/Nokia_N93
   ii. https://web.archive.org/web/20070423000010/http://nds1.nokia.com/phones/files/guides/Nokia_N93-1_UG_en.pdf
   iii. https://web.archive.org/web/20071015074922/http://nokia.com/A4136001?newsid=1088569
   iv. https://web.archive.org/web/20071011141246/http://www.nokia.com/A4136017?category=n93
   v. https://web.archive.org/web/20071015022337/http://www.allaboutsymbian.com/reviews/item/Nokia_N93.php
   vi. https://web.archive.org/web/20071012011607/http://allaboutsymbian.com/reviews/item/Nokia_N93_part_two-the_smartphone_the_summary.php

vii. https://web.archive.org/web/20071015083938/http://allaboutsymbian.com/features/item/Battle_of_the_camera_smartphones-Nokia_N90_vs_Nokia_N93.php
viii. https://web.archive.org/web/20070127104251/http://www.nokia.com/NOKIA_COM_1/Press/Press_Events/Nokia_Open_Studio/N93%20DataSheet.pdf
ix. https://web.archive.org/web/20070312173433/https://www.techdigest.tv/
x. https://web.archive.org/web/20070315022905/http://techdigest.tv/mobile_phones/
xi. https://web.archive.org/web/20061205090149/http:/nokia.com/
xii. https://web.archive.org/web/20061214021443/http://www.nokiausa.com/index/1,7905,,00.html?ref=http://www.nokia.com
xiii. https://web.archive.org/web/20061210190925/http://www.nokiausa.com/phones/comparephones
xiv. https://web.archive.org/web/20061219033949/http://www.nokiausa.com/phones/N93/0,7747,,00.html
xv. https://web.archive.org/web/20061219225929/http://www.nokiausa.com/phones/N93/0,7747,feat:1,00.html
xvi. https://web.archive.org/web/20061220091454/http://www.nokiausa.com/support/phones/guides/1,7840,N93,00.html
xvii. https://web.archive.org/web/20140920002856/http://nds2.nokia.com/files/support/nam/phones/guides/N93_US_en.PDF
xviii. https://web.archive.org/web/20070422105812/https://www.nokia.com/
xix. https://web.archive.org/web/20070428052509/http://europe.nokia.com/nokia/0,8764,64,00.html
xx. https://web.archive.org/web/20070427152832/http://europe.nokia.com/support/
xxi. https://web.archive.org/web/20070501114226/http://europe.nokia.com/A4162306
xxii. https://web.archive.org/web/20070501223802/http://europe.nokia.com/A4162308
xxiii. https://web.archive.org/web/20070427233124/http://www.nokia-asia.com/nokia/0,8764,27023,00.html
xxiv. https://web.archive.org/web/20061219210536/http://www.nokia-asia.com/nokia/0,1522,,00.html?orig=/n93/support
xxv. https://web.archive.org/web/20061121232844/http://www.nokia-asia.com/nokia/0,8764,95364,00.html

xxvi. https://web.archive.org/web/20061114195641/http://nds1.nokia.com/files/support/apac/phones/guides/Nokia_N93_APAC_UG_en.pdf

3. The request is attached herewith as EX1035. The request included a confirmation of the payment of $810.
4. On September 25, 2024, I received a response from Justin Painter, Records Request Processor, confirming the receipt of payment. The response is attached herewith as EX1036.
5. On October 20, 2024, I received an e-mail from possibly a hacker in response to another archives request I had sent for the Litigation. The e-mail is attached herewith as EX1037. A news article at National Public Radio (NPR) website about the hack is attached herewith as EX1038.
6. On October 22, 2024, I sent a reminder about the request combined with two requests associated with the Litigation. The reminder is attached herewith as EX1039.
7. On November 6, 2024, I sent another reminder about the three requests. The reminder is attached herewith at EX1040.
8. On November 19, 2024, I sent another reminder about the three requests. The reminder is attached herewith as EX1041.
9. On December 13, 2024, I sent another reminder about the three requests. The reminder is attached herewith as EX1042.

10. On December 23, 2024, I called the main customer service line of the Internet Archives and left a voicemail. I also sent another reminder about the three requests. The reminder is attached herewith as EX1043.

11. On December 23, 2024, I sent another reminder about the three requests in response to receiving a declaration for another request related to IPR2024-00735 and IPR2024-00777. The reminder is attached herewith as EX1044.

12. On December 23, 2024, I sent a fourth request to the Internet Archives for an affidavit of authenticity/public availability for the following archived webpages.

    i. https://web.archive.org/web/20071015005153/https://en.wikipedia.org/wiki/Nokia_N93
    ii. https://web.archive.org/web/20070105070832/https://www.3gpp.org/
    iii. https://web.archive.org/web/20070107095943/http://www.3gpp.org/specs/specs.htm
    iv. https://web.archive.org/web/20070107095708/http://www.3gpp.org/ftp/Specs/
    v. https://web.archive.org/web/20070106094131/http://www.3gpp.org/ftp/Specs/Latest-drafts/
    vi. https://web.archive.org/web/20060224023701/http://www.bluetooth.com/bluetooth/
    vii. https://web.archive.org/web/20060224231618/http://www.bluetooth.com/Bluetooth/Learn/
    viii. https://web.archive.org/web/20060224231808/http://www.bluetooth.com/Bluetooth/Learn/Technology/
    ix. https://web.archive.org/web/20060224231821/http://www.bluetooth.com/Bluetooth/Learn/Technology/Specifications/

13. The fourth request is attached herewith as EX1045. The request included a confirmation of the payment of $430.

14. On December 27, 2024, I received a confirmation of payment e-mail from Tanya, Records Request Processor at the Internet Archives. The payment e-mail is attached herewith as EX1046.
15. On January 7, 2025, I sent another reminder about the first three requests. The reminder is attached herewith as EX1047. In response to this reminder, I received an update from Tanya, Records Request Processor, that these requests would be serviced by the end of the week. The response is attached herewith as EX1048.
16. On January 10, 2025, I received the affidavit (EX1032) requested on September 24, 2024. The cover e-mail for EX1032 is attached herewith as EX1049.
17. On January 17, 2025, I sent a reminder about the fourth request. The reminder is attached herewith as EX1050.
18. On January 23, 2025, I received the affidavit (EX1033) in response to the fourth request. The cover e-mail for EX1033 is attached herewith as EX1051.

I hereby declare under penalty of perjury under the laws of the United States of America that the following is true and correct, and that all statements made of my own knowledge are true and that all statements made on information and belief are

believed to be true. I understand that willful false statements are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code.

Dated: January 27, 2025

By: *<u>/s/ Roshan Kumar Bhattarai</u>*
Roshan Kumar Bhattarai

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