

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of Pourkeramati:

U.S. Patent No. 6,058,045

Issued: May 2, 2000

Title: SERIAL FLASH MEMORY

Petition for *Inter Partes* Review

Attorney Docket No.: 351912-  
22.045

Customer No.: 26379

Real Parties in Interest: Toshiba  
Corporation; Toshiba America,  
Inc.; Toshiba America Electronic  
Components, Inc.; Toshiba  
America Information Systems,  
Inc.

**DECLARATION OF DOUG WONG**

I, Doug Wong, do hereby declare:

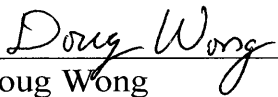
1. I am making this declaration at the request of the above identified Real Parties of Interest ("Toshiba") in the matter of *Inter Partes* Review of U.S. Patent No. 6,058,045 (the '045 Patent) to Pourkeramati.
2. I am a Senior Member, Technical Staff at Toshiba America Electronic Components, Inc. ("TAEC"). I joined TAEC on or around July 6, 1993. Except where noted, I have personal knowledge of the matters set forth in this declaration and, if called as a witness, I could and would testify competently thereto.

3. TAEC maintained product data books and data sheets that were made available to customers in the ordinary course of TAEC's business.
4. As part of my job responsibilities at TAEC, I am familiar with TAEC's practice of using data books for the products sold by TAEC. These data books contain product information, specifications, diagrams and other information concerning the functionality and design of electronic components offered for sale by TAEC. Toshiba also publicly provides product information for individual products in the form of data sheets. Each year, Toshiba typically compiles multiple data sheets and distributes them as part of an annual data book. TAEC makes its data books for particular product lines publicly available to customers on annual basis or when revisions to them are made. Toshiba maintains archives of some of these data books in the ordinary course of business.
5. I have reviewed one document that was contained in the files of TAEC and which is being submitted with Toshiba's petition for *inter partes* review of the '045 patent under the exhibit number: TOSH-1009. This document is a business record of TAEC kept in the ordinary course of business.
6. Document TOSH-1009 is a true and correct copy of a data book for TAEC's non-volatile MOS memory products. This data book includes data sheets, including a data sheet for the TC584000P/F/FT/TR non-volatile memory

product. This data book was compiled and printed in Japan, and delivered to TAEC for release to customers. Based on available records at TAEC, the practices and procedures of TAEC concerning its publication of data books and my personal recollection, I can say with confidence that this data book was made publicly available to customers during the 1993 calendar year. It is the usual and customary practice of TAEC to place dates on data books and similar company documents identifying the year in which they become publicly available to customers. Here, there is a notation on the cover the data book with the year "1993." Further, there is a notation of "Jan. 1993" at the bottom of the page entitled "INTRODUCTION. Finally, the last two pages of this data book include the notations "9302" and "93.2" which indicate a date of February, 1993.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 22<sup>nd</sup> day of October, 2013 at Irvine, California.

  
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Doug Wong