

INTER PARTES REVIEW PROCEEDING IPR2015-01167

PATENT OWNER'S EXHIBIT 1506

“EXHIBIT A” OF THE DEPOSITION TESTIMONY

OF ROBERT MAHAFFEY

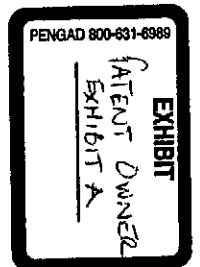
MARCH 21, 2016

Patent Owner Exhibit A.

Simplified Explanation of Findings Provided in the IPR

Prepared by Rob Mahaffey
In Support of Findings in IPR

Last Updated 03/17/2016



Contents

- Simplified Explanation of Referenced Prior Art
- Methodology Used in Fact Finding
- Definition of Security Rod
- Credentials

Simple Definition of *radial* (Source: Webster)

: arranged or having parts arranged in straight lines coming out from the center of a circle

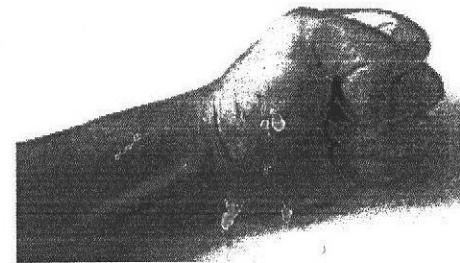
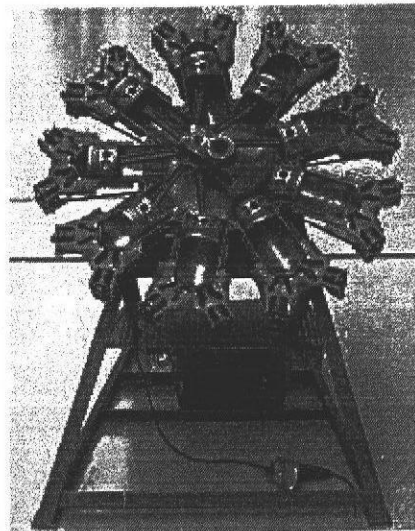
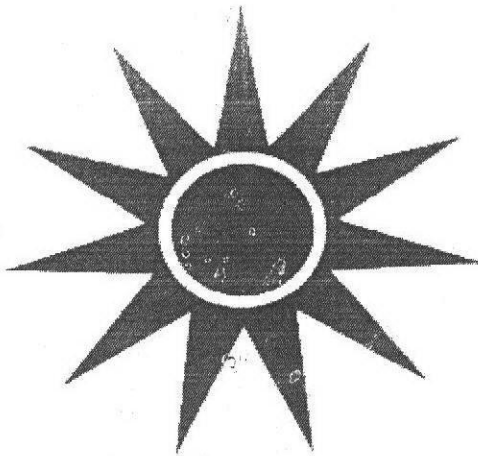
Full Definition of *radial*

1 : arranged or having parts arranged like rays

2 *a* : relating to, placed like, or moving along a radius *b* : characterized by divergence from a center

3 : of, relating to, or adjacent to a bodily radius

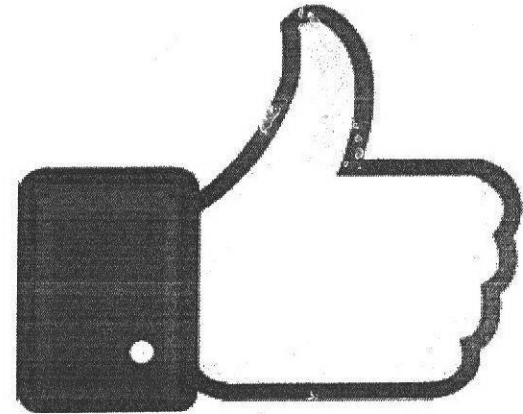
4 : developing uniformly around a central axis



Definition of axial (Source: Webster)

1 : of, relating to, or having the characteristics of an axis

2 *a* : situated around, in the direction of, on, or along an axis *b* : extending in a direction essentially perpendicular to the plane of a cyclic structure (as of cyclohexane) <axial hydrogens>



McDaid 6,360,405 – Radial Lock

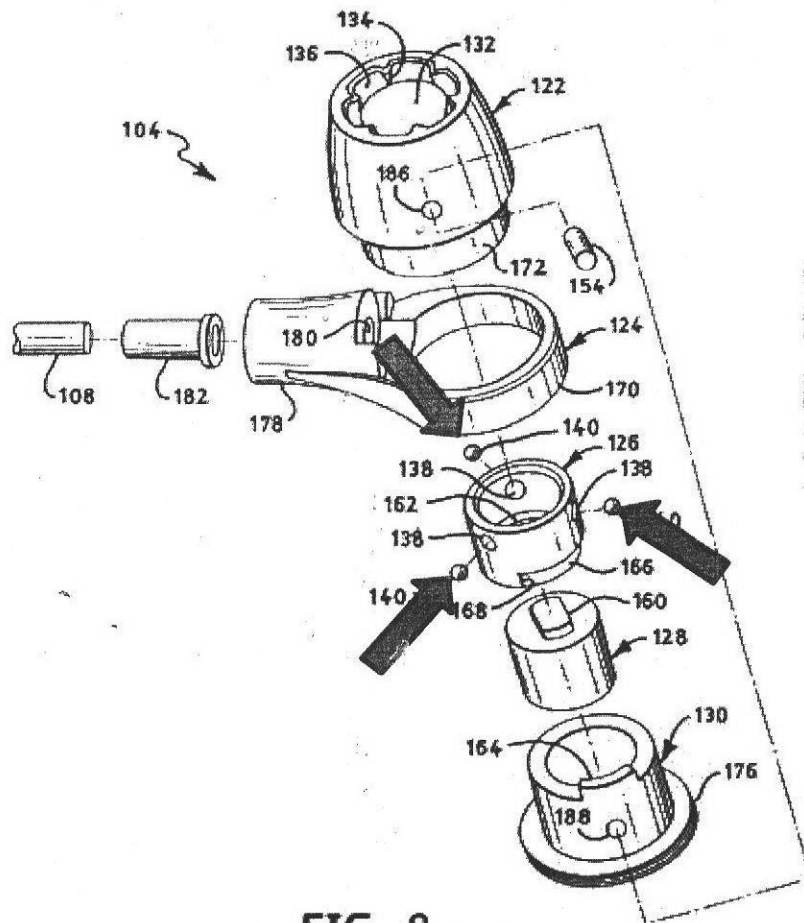


FIG. 8

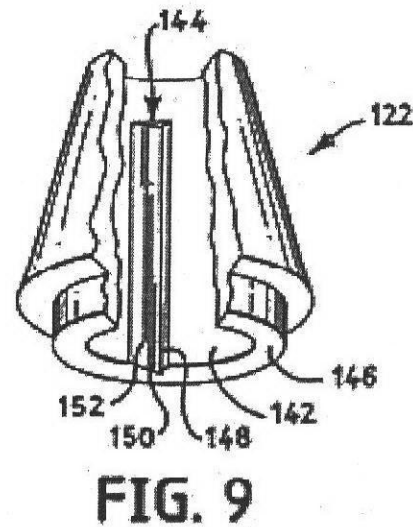


FIG. 9

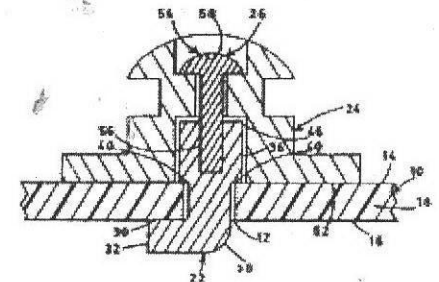


FIG. 3

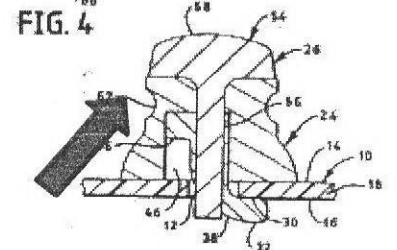
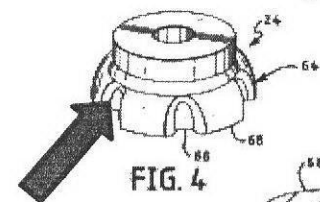
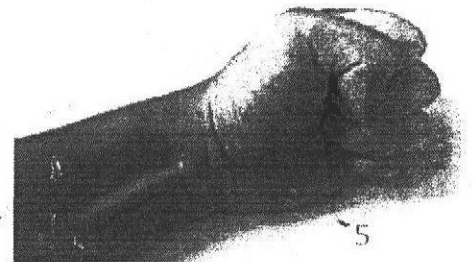
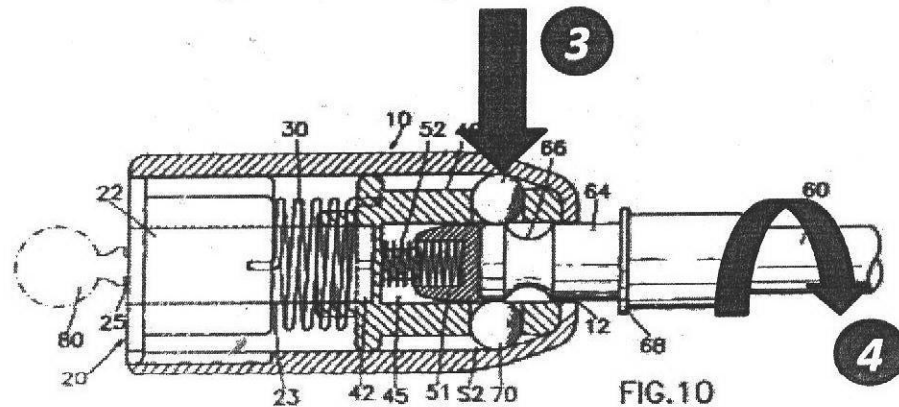


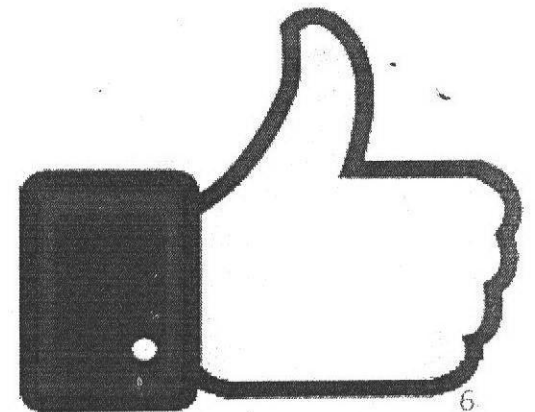
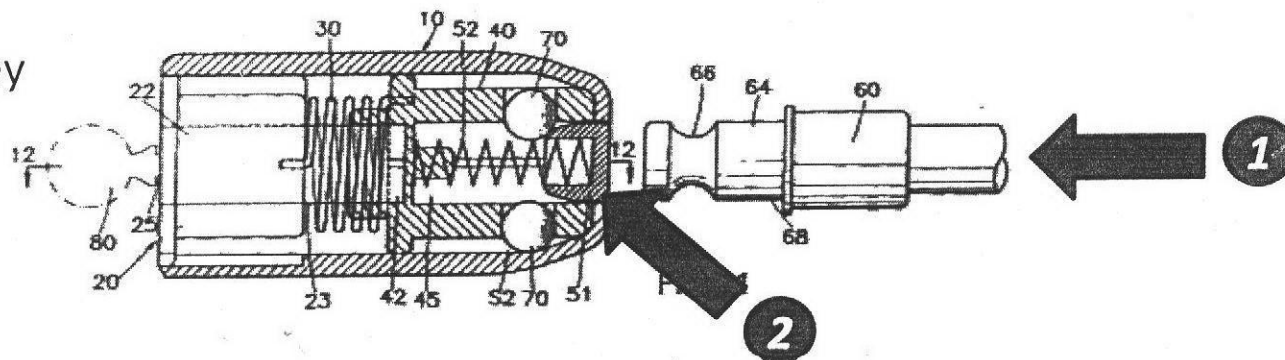
FIG. 5



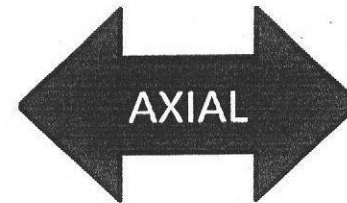
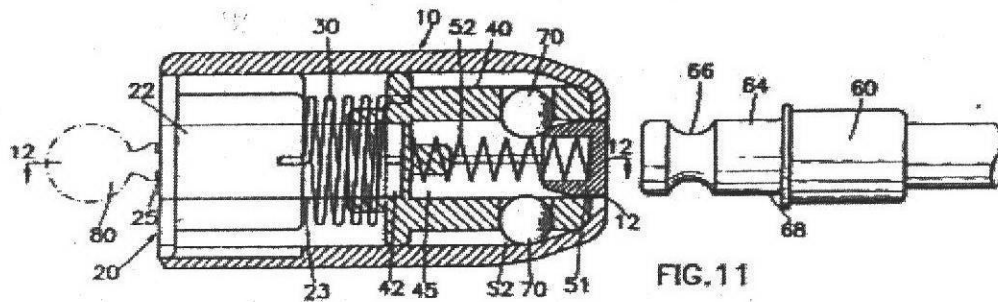
Chen 5,829,280 – Axial Lock



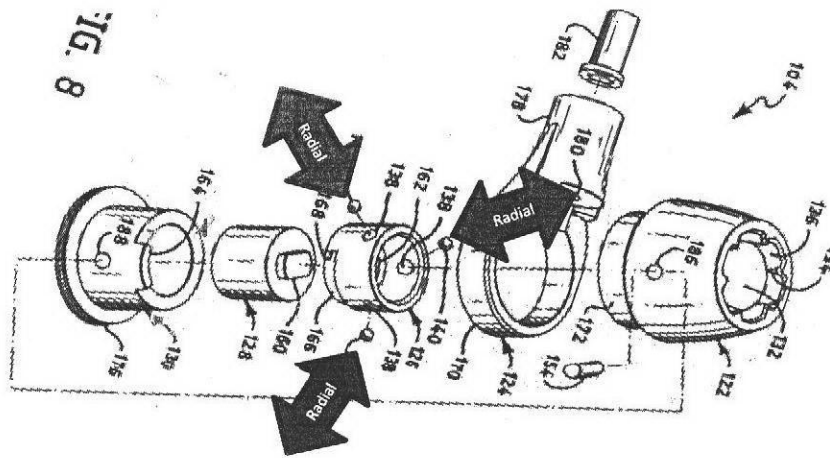
No Key



Conclusion Not Obvious to Combine



No Key
required to
Lock as its
AXIAL



Requires Key
to lock as its
RADIAL

Designing a Radial Lock that enables keyless locking would not consider Chen.

Contents

- Simplified Explanation of Referenced Prior Art

- Methodology Used in Fact Finding

- Definition of Security Rod

- Credentials

Test for Obviousness – Applied

1. Obviousness of Combining 2 Patents

- McDaid is not a rotating lockhead design and requires a key to lock; Chen is a rotating lockhead design that does not require a key to lock
- Cited prior art in the IPR shows 2 very different locking mechanisms as explained in this report
- As identified by Chen to make an improvement by allowing a self locking (aka keyless locking) mechanism required the design to be of the AXIAL Type
- The inference that a person ordinarily skilled in the art could combine these 2 is not obvious ; to craft a self locking (keyless locking) RADIAL lock requires significant lock design/problem solving capability to invent a mechanism and reduce it to practice

2. Scope of Relevant Art

- McDaid is not a rotating lockhead design and requires a key to lock; Chen is a rotating lockhead design that does not require a key to lock
- It is unlikely that a RADIAL lock designer looking to design a self locking (aka keyless locking) mechanism would look to review AXIAL lock design prior art
- As stated above and in the report the mechanics of the two designs are very dissimilar in how the lockhead attaches to the attachment; the only similarity is in the attachment device which could mislead a person not ordinarily skilled in the art to assume it to be in scope and with describe it as obvious

3. Motivation to Modify or Combine

- McDaid teaches away from Rotation and nothing about keyless locking in describing a Radial locking mechanism
- Chen teaches away from Axial locks to enable an effective keyless locking mechanism
- Cited prior art does not explicitly or implicitly provide a person ordinarily skilled in the art from motivation to combine the above elements

4. Obvious to Try

- The combination of the elements is not obvious to try as computer locks always required the key to lock down the computer. Typically the key itself cannot be removed from the lock in the unlocked state hence ensuring that a user has the key when locking down the computer so that it can be unlocked later (avoids disruption to productivity).
- The invention itself is a lock that encourages users to lock down the computer to increase workplace security compliance.
- Invention is to provide a solution to the multitude of steps required to secure a PC. E.g. searching for the key, opening the lock, finding the slot, aligning and aiming the engagement mechanism, inserting the lock, and removing the key.
- Simply there is obvious market pressure to try and combine these elements making the invention of a keyless rotatable lock not obvious

5. Expert Experience / Credentials -> See Upcoming Slides

Contents

- Simplified Explanation of Referenced Prior Art
- Methodology Used in Fact Finding
- Definition of Security Rod
- Credentials

Captive Security Rod

Broadest Reasonable Interpretation

Is a rod, ferrule, or spike when confined within, upon, or through the housing recited in the claims will hold a device or article captive when locked

As Provided

*“Captive Security Rod” can be a **rod**, **ferrule** or **spike** that is passed through a hole unidirectionally.*

This could have freedom to slide back and forth and/or rotate in the hole.

Once attached to a locking device the rod is now captive in the hole and prevents the device to which the locking assembly has been applied from being removed.

The captive security rod, the locking device or head and device to be secured are now captive.

Captive Security Rod

"Captive Security Rod" can be a rod, ferrule, spike or anchor that is passed through a hole unidirectionally.

ROD (Source: Webster)

a straight slender stick growing on or cut from a tree or bush (2) : osier (3) : a stick or bundle of twigs used to punish; also : punishment (4) : a shepherd's cudgel (5) : a pole with a line and usually a reel attached for fishing b (1) : **a slender bar (as of wood or metal)** (2) : a bar or staff for measuring (3) : scepter; also : a wand or staff carried as a badge of office (as of marshal)



Source: Google Images "Rod"

FERRULE (Source: Webster)

a usually metal sleeve used especially for joining or binding one part to another (as pipe sections or the bristles and handle of a brush)



Source: Google Images "Ferrule"

SPIKE (Source: Webster)

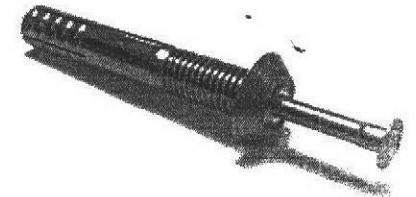
a very large nail



Source: Google Images "Spike"

ANCHOR (Source: Webster):

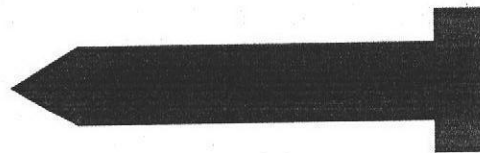
a device usually of metal attached to a ship or boat by a cable and cast overboard to hold it in a particular place by means of a fluke that digs into the bottom; a reliable or principal support; something that serves to hold an object firmly...



Source: Google Images "Security Anchor"

Becomes a CAPTIVE SECURITY ROD when passed through a hole unidirectionally

Hole



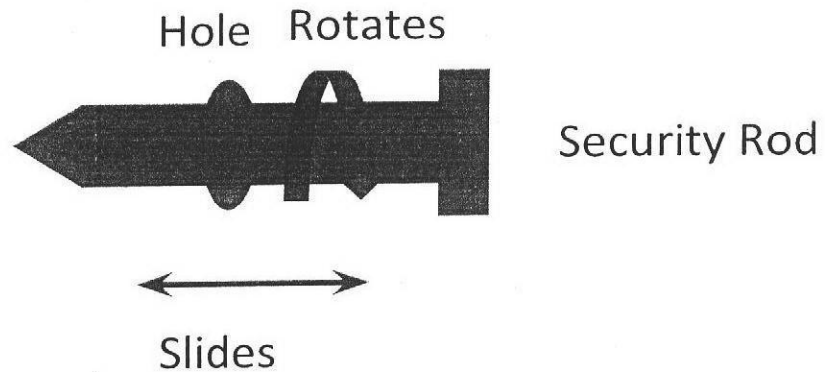
Security Rod
(One Possible Embodiment)

One Way = Unidirectional

Captive Security Rod

As Provided

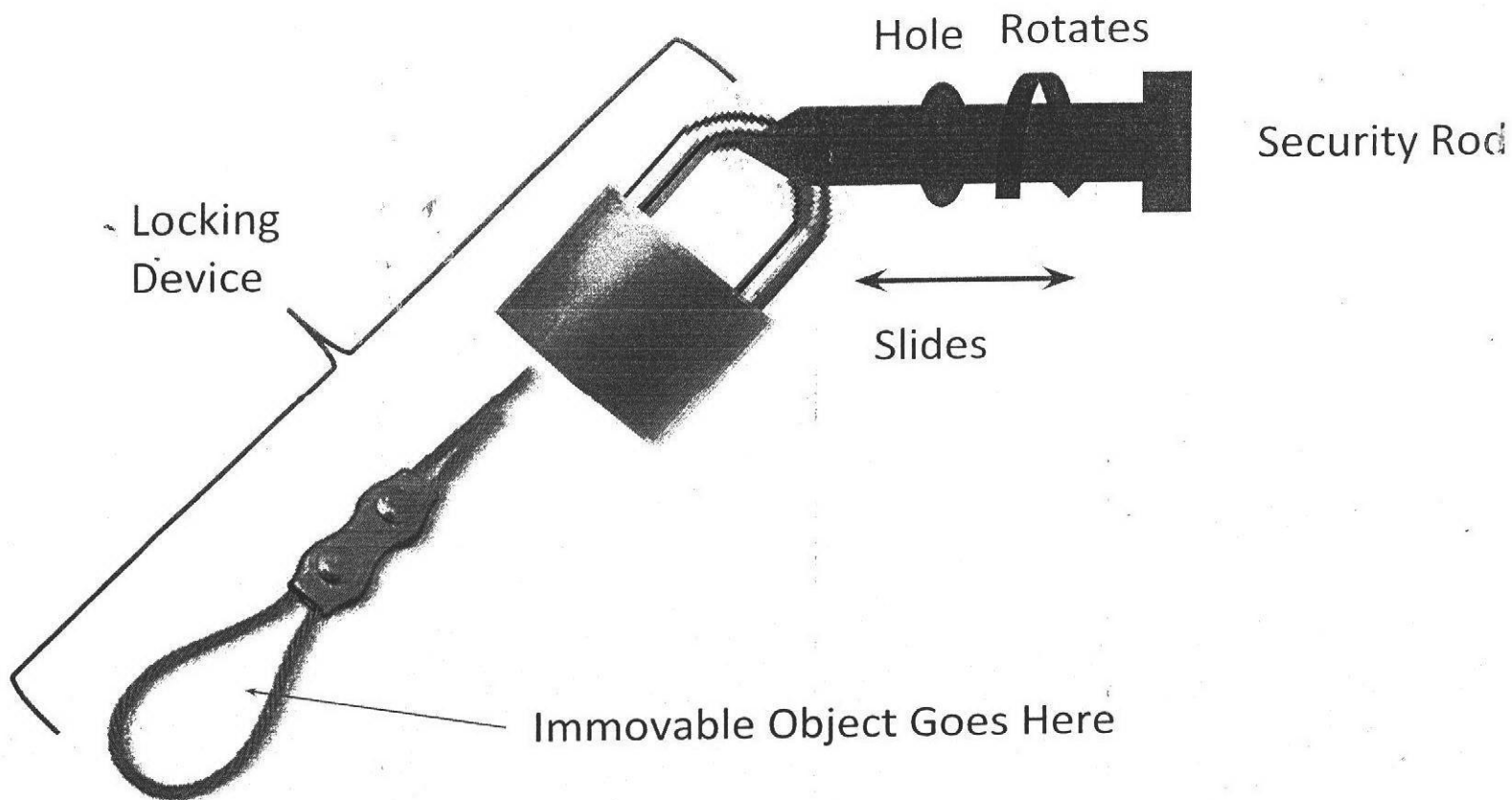
This could have freedom to slide back and forth and/or rotate in the hole.



Captive Security Rod

As Provided

Once attached to a locking device the rod is now captive in the hole and prevents the device to which the locking assembly has been applied from being removed.

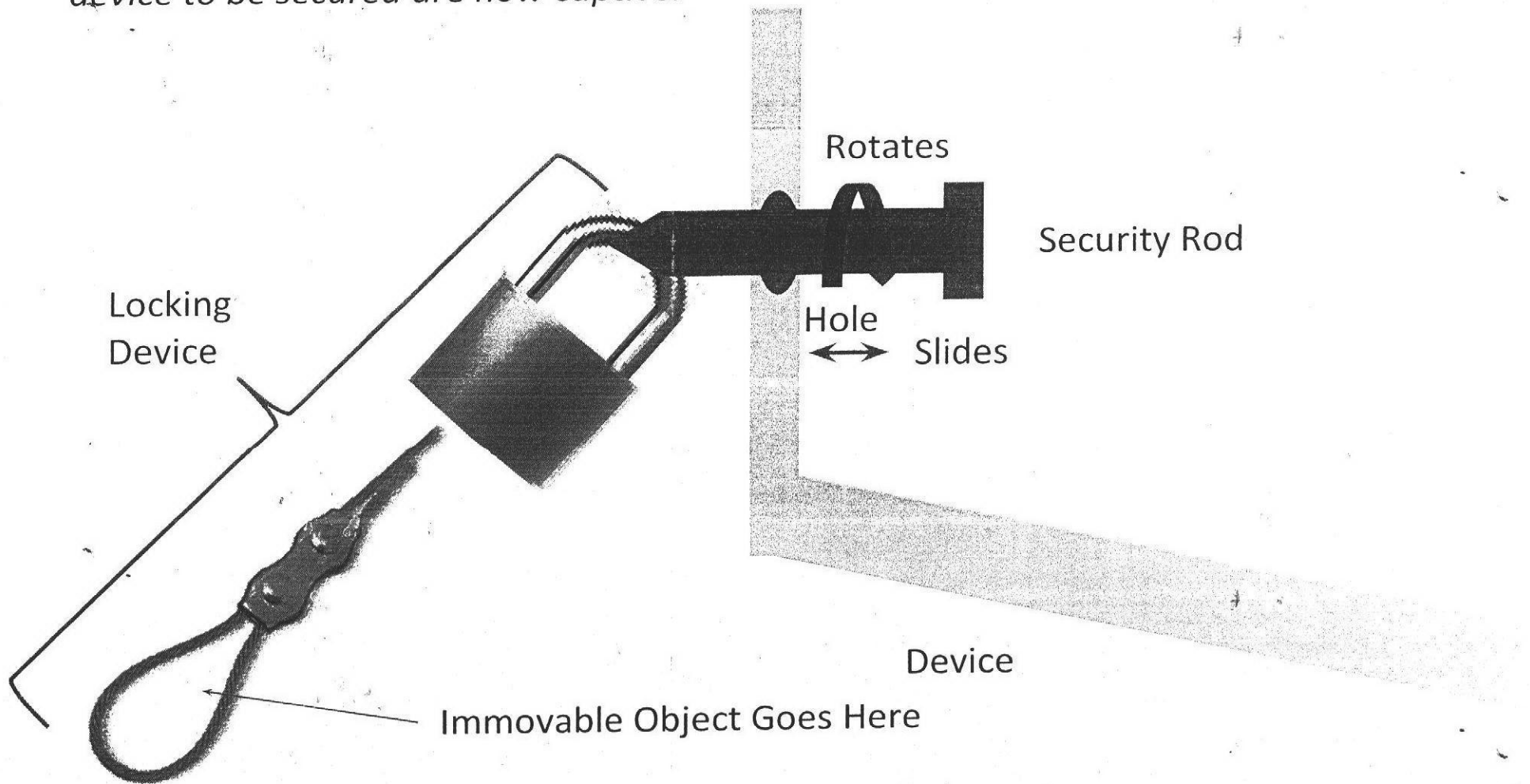


Security Rod is deemed to be captive in the hole

Captive Security Rod

As Provided

The captive security rod, the locking device or head and device to be secured are now captive.



Device is now secured

Examples of Possible Embodiments

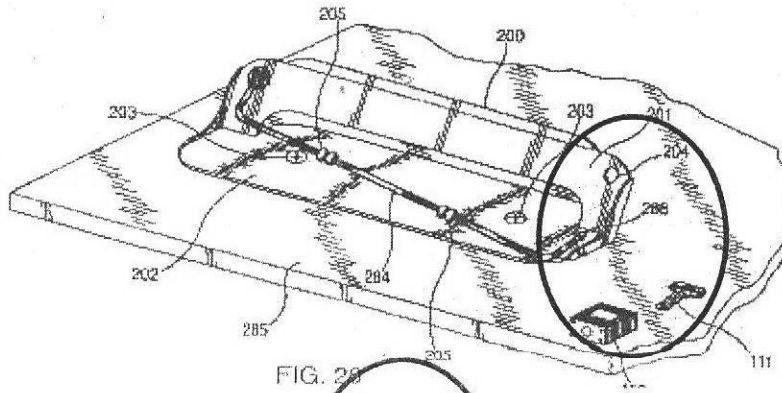
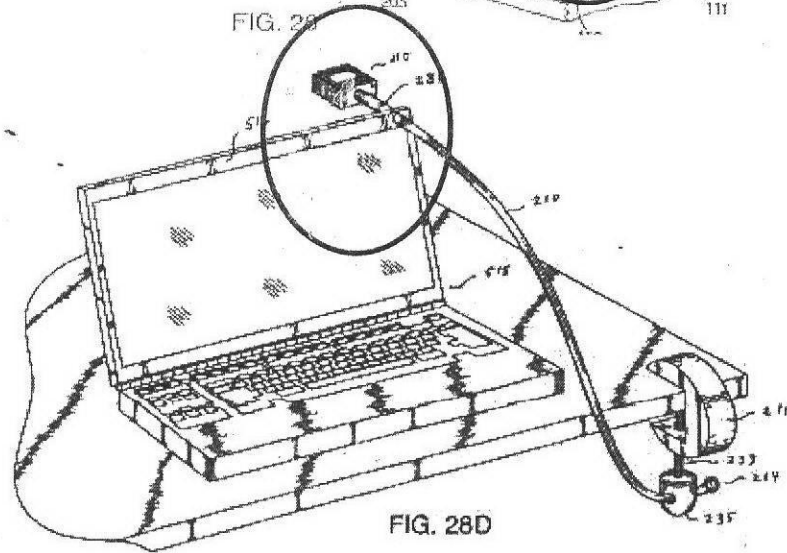
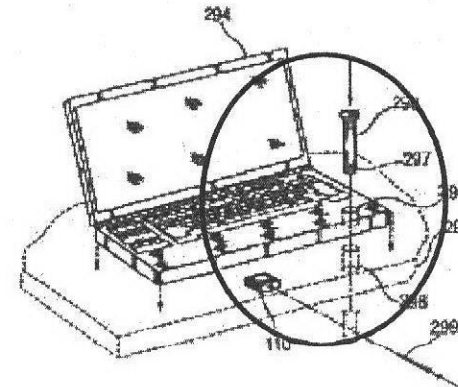


FIG. 28B



Supporting Argument Mr. Ryan White

Ex 1021 Pg 15 + Pg 16

Mr. Ryan White (POSA) broadest reasonable interpretation of claims in his opinion

No.	Claim Term	'758 Claims	'144 Claims	Construction
1	wherein the locking device is configured with an opening to receive the locking end of the captive security rod to activate the locking mechanism, where the activation causes the locking mechanism to securely grasp the locking end and thereby lock the [installed] security rod and portable electronic device to the locking device	1-15	1-13	the locking device has an opening into which the locking end of the captive security rod fits, and upon insertion of the captive security rod in the locking device, the rod becomes locked in the locking device
2	a locking device having a lock opening to a locking mechanism, said locking device configured to lock to said captive security rod or spike upon insertion of the locking end of said installed security rod or spike into said lock opening to actuate said locking mechanism, therein locking said locking device to said captive security rod or spike		14-19	[same as term 1]

It appears that in his affidavit Mr. Ryan White is in agreement that "Captive Security Rod" in its broadest interpretation (when accorded its ordinary and customary meaning":

Spike = Captive Security Rod

As shown, the term **Rod**, **Ferrule**, **Spike**, **Anchor** can be used to describe the feature referred to as **Captive Security Rod**.

Contents

- Simplified Explanation of Referenced Prior Art
- Methodology Used in Fact Finding
- Definition of Security Rod
- Credentials

Rob Mahaffey – Education Level

Mechanical Engineer – Bachelor of Applied Science 2003

University of British Columbia Canada

(https://en.wikipedia.org/wiki/University_of_British_Columbia)

Rankings compiled in 2015 by U.S. News and World Report, Times Higher Education, the Academic Ranking of World Universities and QS World University Rankings all ranked UBC among the 50 most reputable universities worldwide.

Business Leader – Master of Business Administration - 2011

Sauder School of Business, University of British Columbia Canada

https://en.wikipedia.org/wiki/Sauder_School_of_Business

Sauder is consistently ranked among the top 100 business schools by organizations such as the Financial Times and The Economist.^{[13][14]} The MBA program was indexed as the 16th best in North America in the 2015 QS Global 200 Business Schools Report.^[15] In 2015, the Financial Times ranked the MBA ranked second among Canadian business schools and in the top 5% of MBA programs worldwide; Sauder was also ranked #1 in North America for "international mobility", #1 in North America for "international faculty", and #5 in North American for International Students.^[16] The UBC MBA program has also been recognized in the Corporate Knights 2014 Global Green MBA Survey as 2nd in the world for its efforts to integrate sustainability into business education^[17] and was listed 23rd by Forbes in its top global business schools report

Rob Mahaffey – Experience Level

SEI Industries 2003 – 2005

- Product Designer / Development Engineer
- Filed patent for Pop Up Shelter (UPTO '159)

Kensington Computer Products 2005 – 2011

- Product Designer / Development Engineer
- Sole Inventor on '671 + '385 Power Supply Patent
- Named Inventor on 14 Patents; majority on Lock Designs
- Project Manager
- Team Lead
- Business Unit Manager

SECOR/KPMG 2011 – 2013

- Business Process Consultant

Panasonic Lighting Americas (Douglas Lighting Controls) 2013 – 2016

- Manufacturing / Operations Director
- Product Market Director
- Inside Sales, Application Designer, Marketing, Field Technical Support Lead

Rob Mahaffey – Specific IP Development Experience

Patents

Power Supply System Providing Two Output Voltages
United States 7642671
Issued

Power Adapter
United States D601901
Issued

Power Adapter
United States D592138
Issued

Power Adapter
United States D570772
Issued

Security Apparatus with Identification Mechanism
United States 20090164822
Filed

Security Apparatus with Stabilizing Element
United States 20090049876
Filed

Power Supply System
United States 20100090531
Filed

Collapseable Portable Shelter
United States 20080254159
Filed

Security Apparatus Including Attachment Device
Europe WO2010138847
Filed

Security Apparatus Including Locking Head and Attachment Device
United States 20110072863
Filed

Security Apparatus Including Attachment Device
United States 20110061427
Filed

Security Apparatus Including Locking Head
United States 20110080707
Filed

Security Apparatus Including Attachment Device
United States 20110089794
Filed

Security Apparatus Including Breakaway Key
United States 20110179834
Filed

Apparatus for Securing a Portable Electronic Device
United States US20110185774
Filed

Securing Apparatus for Portable Electronic Devices
United States US20110185776
Filed

Rob Mahaffey – Specific IP Development Experience

Security Apparatus Including Locking Head and Attachment Device

United States 7997106

Issued

Security Apparatus Including Locking Head

United States 8001812

Issued

Security Apparatus Including Attachment Device

United States 8042303

Issued

Security Apparatus

United States 8051889

Issued

Security Apparatus Including Attachment Device

United States 20120125057

Filed

Security Apparatus Including Power Attachment Device

United States 20120118031

Filed

Security Apparatus

United States D666,662

Issued

Attachment Device for Security Apparatus

United States D681975

Issued

Power Supply System

United States 8,212,386

Issued

Attachment Device for Security Apparatus

United States D670,553

Issued

Apparatus for Securing a Portable Electronic Device

United States 8,720,848

Issued

Securing Apparatus for Portable Electronic Devices

United States 8,882,939

Issued

Security Apparatus Including Attachment Device

United States 20150369932

Filed

Rob Mahaffey – Expert Test

1. Qualifications

- Engineer / Designer of multiple lock mechanisms w/ Kensington
- Significant IP Generating Experience; proven inventor of patentable devices and manager of IP in various organizational roles in various organizations
- Meets requirements for POSIA

2. Credibility

- Highly regarded professional who currently holds a managerial role (Director) in a Panasonic member company as a consequence of a well developed education and career path
- Promoted several times at Kensington into Management position
- Independent technical assessment provided to firm by reviewing the arguments put forth in the ongoing IPR

3. Bias

- Met Think Products during Tenure at Kensington; always acted in the best interests of Kensington; engagement progressed under mutual NDA
- Left Kensington on own accord on completion of MBA to explore other career opportunities, specifically in the field of management consulting
- Fully understand that covenants in the original employment contract which was signed at time of accepting offer at Kensington remain in effect post employment; always abided by in practice with no confidential information shared with outside parties or in role as expert witness in this IPR engagement
- Retained by Think Products
- Rate as Expert Witness in IPR \$375 USD / Hr