

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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WESTERN DIGITAL CORPORATION  
Petitioner

v.

SPEX TECHNOLOGIES, INC.  
Patent Owner

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Case No. IPR2018-00084

Patent 6,003,135

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DECLARATION OF RUSTIN K. MANGUM IN SUPPORT OF  
PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE

Mail Stop **Patent Board**  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Rustin K. Mangum, declare and state as follows:

1. I am an attorney duly licensed to practice law in the State of California, and I work at the law firm of Gibson Dunn & Crutcher (“Gibson Dunn”). I have assisted Brian Buroker and Blair Silver in their efforts on behalf of Petitioner in this *inter partes* review, and I submit this declaration in support of Petitioner’s Reply to Patent Owner’s Response. I know the facts stated herein to be true based upon my own personal knowledge or upon my review of the records and files maintained by Gibson Dunn in the regular course of business. If called and sworn as a witness, I could and would testify competently thereto.

2. Attached hereto is a true and correct copy of an email chain between Blair Silver and the Board, with messages dated October 17, 2017, November 7, 2017, and November 27, 2017. I was a carbon copy recipient of each of the messages in the email chain though GDCWesternDigital@gibsondunn.com, which is a team distribution email address that routes emails to me, among others. Patent Owner’s counsel were also carbon copied on these messages through a variety of different email addresses.

3. The October 17, 2017 email from Mr. Silver is a request to the Board that sought to “correct a handful of citations and clarifications that were intended to be carried over from a petition filed on the same day for a related patent but that were omitted due to clerical error.” The email explains that “Ppetitioner served the

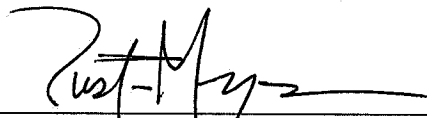
attached corrected petition and expert declaration today on Patent Owner's counsel of record at the Patent Office and current litigation counsel." The email also explains that, pursuant to "instruction from the Board's paralegal," Petitioner intended to "seek authorization from the Board to file the attached corrected documents after Patent Owner has filed its mandatory notices under 37 C.F.R. § 42.8."

4. The November 7, 2017 email from Mr. Silver requests "authorization to file a corrected petition for *inter partes* review of U.S. Patent No. 6,003,135 and a corrected corresponding expert declaration (Ex. 1016) in IPR2018-00084." It reiterates much of the information found in the October 17, 2017 email.

5. The November 27, 2017 email from Mr. Silver is a follow up request regarding the same topic as the November 27, 2017 email.

6. I declare under penalty of perjury of the laws of the United States of America that the above facts are true and correct, and that this declaration was executed this 23<sup>rd</sup> day of October 2018 in Irvine, California.

Respectfully submitted,



Rustin K. Mangum

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