UNITED STATES PATENT AND TRADEMARK OFFICE

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IN THE UNITED STATES PATENT TRIAL AND APPEAL BOARD

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WESTINGHOUSE AIR BRAKE TECHNOLOGIES CORPORATION
Petitioner

v.

SIEMENS INDUSTRY, INC.
Patent Owner

_____

CASE: IPR2017-01263
U.S. PATENT NO. 6,996,461

_____

DECLARATION OF ERIK J. HALVERSON

I, Erik J. Halverson, do hereby declare and say:

1.   I am an attorney with K&L Gates LLP, counsel for Petitioner Wabtec Corporation in this proceeding. I am over 18 years of age and I make this declaration based upon my own knowledge, personal experience, and belief. If called upon, I can competently testify to the facts stated in this declaration.

2.   I created the PDF submitted herewith as Ex. 1005 as detailed in the following paragraphs.

3.   On February 14, 2017, I accessed the web page located at the following URL   ("Report   URL"):
http://web.archive.org/web/20010717113545/http://rsac.fra.dot.gov/meetings/ptc_report.htm. When I accessed that webpage, I saw what appeared to be the webpage attached as Exhibit A to Ex. 1015, the Declaration of Christopher Butler of Internet Archive. (Ex. 1015, 4)

4.   I then selected the link "Report Cover in Microsoft Word Format." Selecting that link caused a Microsoft® Word file with the extension .doc to be downloaded to my computer. That file was titled "reportcover.doc."

5.   Next, I opened the downloaded file in Microsoft® Word 2010. I selected the "File" menu and then the "Info" sub-menu. I used the "Snipping Tool" to capture a screen shot of the displayed information as a JPEG file. I saved the JPEG file as a PDF by selecting the "File" menu, then selecting the

"Print" sub-menu of Microsoft Paint® and selecting "Acrobat PDF" as the printer and saved that PDF as "Metadata pdfcover.pdf." That PDF is page a of Ex. 1005.

6. I then selected the "File" menu of the Microsoft® Word file titled "reportcover.doc", selected the "Print" sub-menu and selected "Acrobat PDF" as the printer and saved that PDF as "reportcover doc version.pdf."

7. I then selected the link "Report Body in Microsoft Format" from the Report URL. Selecting that link caused a Microsoft® Word file with the extension .doc to be downloaded to my computer. That file was titled "ptc.doc."

8. Next, I opened the downloaded file in Microsoft® Word 2010. I selected the "File" menu and then the "Info" sub-menu. I used the "Snipping Tool" to capture a screen shot of the displayed information as a JPEG file. I saved the JPEG file as a PDF by selecting the "File" menu, then selecting the "Print" sub-menu of Microsoft Paint® and selecting "Acrobat PDF" as the printer and saved that PDF as "Metadata pdfbody.pdf." That PDF is page b of Ex. 1005.

9. I then selected the "File" menu of the Microsoft® Word file titled "ptc.doc", selected the "Print" sub-menu and selected "Acrobat PDF" as the printer and saved that PDF as "report body doc version.pdf."

10. I then selected the link "Appendix A in Microsoft Format" from the Report URL. Selecting that link caused a Microsoft® Word file with the extension .doc to be downloaded to my computer. That file was titled "appenda.doc."

11. Next, I opened the downloaded file in Microsoft® Word 2010. I selected the "File" menu and then the "Info" sub-menu. I used the "Snipping Tool" to capture a screen shot of the displayed information as a JPEG file. I saved the JPEG file as a PDF by selecting the "File" menu, then selecting the "Print" sub-menu of Microsoft Paint® and selecting "Acrobat PDF" as the printer and saved that PDF as "Metadata pdfa.pdf." That PDF is page c of Ex. 1005.

12. I then selected the "File" menu of the Microsoft® Word file titled "appenda.doc", selected the "Print" sub-menu and selected "Acrobat PDF" as the printer and saved that PDF as "appenda doc version.pdf."

13. I then selected the link "Appendix B in Microsoft Format" from the Report URL. Selecting that link caused a Microsoft® Word file with the extension .doc to be downloaded to my computer. That file was titled "appendb.doc."

14. Next, I opened the downloaded file in Microsoft® Word 2010. I selected the "File" menu and then the "Info" sub-menu. I used the "Snipping Tool" to capture a screen shot of the displayed information as a JPEG file. I saved the JPEG file as a PDF by selecting the "File" menu, then selecting the

"Print" sub-menu of Microsoft Paint® and selecting "Acrobat PDF" as the printer and saved that PDF as "Metadata pdfb.pdf." That PDF is page d of Ex. 1005.

15. I then selected the "File" menu of the Microsoft® Word file titled "appendb.doc", selected the "Print" sub-menu and selected "Acrobat PDF" as the printer and saved that PDF as "appendb doc version.pdf."

16. I then selected the link "Appendix C in Microsoft Format" from the Report URL. Selecting that link caused a Microsoft® Word file with the extension .doc to be downloaded to my computer. That file was titled "appendc.doc."

17. Next, I opened the downloaded file in Microsoft® Word 2010. I selected the "File" menu and then the "Info" sub-menu. I used the "Snipping Tool" to capture a screen shot of the displayed information as a JPEG file. I saved the JPEG file as a PDF by selecting the "File" menu, then selecting the "Print" sub-menu of Microsoft Paint® and selecting "Acrobat PDF" as the printer and saved that PDF as "Metadata pdfc.pdf." That PDF is page e of Ex. 1005.

18. I then selected the "File" menu of the Microsoft® Word file titled "appendc.doc", selected the "Print" sub-menu and selected "Acrobat PDF" as the printer and saved that PDF as "appendc doc version.pdf."

19. I then selected the link "Appendix D in Microsoft Format" from the above URL. Selecting that link caused a Microsoft® Word file with the extension .doc to be downloaded to my computer. That file was titled "appendd.doc."

20. Next, I opened the downloaded file in Microsoft® Word 2010. I selected the "File" menu and then the "Info" sub-menu. I used the "Snipping Tool" to capture a screen shot of the displayed information as a JPEG file. I saved the JPEG file as a PDF by selecting the "File" menu, then selecting the "Print" sub-menu of Microsoft Paint® and selecting "Acrobat PDF" as the printer and saved that PDF as "Metadata pdfd.pdf." That PDF is page f of Ex. 1005.

21. I then selected the "File" menu of the Microsoft® Word file titled "appendd.doc", selected the "Print" sub-menu and selected "Acrobat PDF" as the printer and saved that PDF as "appendd.pdf."

22. I then opened the file "reportcover doc version.pdf" in Adobe Acrobat X Pro. I selected the "Tools" menu, the "Pages" sub-menu, and selected "Insert from File" under the "Insert Pages" heading. I selected the file "report body doc version.pdf," selected after for the Location of the insertion, and selected "Last" followed by the "Ok" button.

23. I then selected the "Tools" menu, the "Pages" sub-menu, and selected "Insert from File" under the "Insert Pages" heading. I selected the file

"appenda doc version.pdf," selected after for the Location of the insertion, and selected "Last" followed by the "Ok" button.

24. I then selected the "Tools" menu, the "Pages" sub-menu, and selected "Insert from File" under the "Insert Pages" heading. I selected the file "appendb doc version.pdf," selected after for the Location of the insertion, and selected "Last" followed by the "Ok" button.

25. I then selected the "Tools" menu, the "Pages" sub-menu, and selected "Insert from File" under the "Insert Pages" heading. I selected the file "appendc doc version.pdf," selected after for the Location of the insertion, and selected "Last" followed by the "Ok" button.

26. I then selected the "Tools" menu, the "Pages" sub-menu, and selected "Insert from File" under the "Insert Pages" heading. I selected the file "appendd doc version.pdf," selected after for the Location of the insertion, and selected "Last" followed by the "Ok" button.

27. I then selected the "Tools" menu, the "Pages" sub-menu, and selected "Insert from File" under the "Insert Pages" heading. I selected the file "Metadata pdfcover.pdf" selected after for the Location of the insertion, and selected "Last" followed by the "Ok" button.

28. I then selected the "Tools" menu, the "Pages" sub-menu, and selected "Insert from File" under the "Insert Pages" heading. I selected the file

"Metadata pdfbody.pdf" selected after for the Location of the insertion, and selected "Last" followed by the "Ok" button.

29. I then selected the "Tools" menu, the "Pages" sub-menu, and selected "Insert from File" under the "Insert Pages" heading. I selected the file "Metadata pdfa.pdf" selected after for the Location of the insertion, and selected "Last" followed by the "Ok" button.

30. I then selected the "Tools" menu, the "Pages" sub-menu, and selected "Insert from File" under the "Insert Pages" heading. I selected the file "Metadata pdfb.pdf" selected after for the Location of the insertion, and selected "Last" followed by the "Ok" button.

31. I then selected the "Tools" menu, the "Pages" sub-menu, and selected "Insert from File" under the "Insert Pages" heading. I selected the file "Metadata pdfc.pdf" selected after for the Location of the insertion, and selected "Last" followed by the "Ok" button.

32. I then selected the "Tools" menu, the "Pages" sub-menu, and selected "Insert from File" under the "Insert Pages" heading. I selected the file "Metadata pdfd.pdf" selected after for the Location of the insertion, and selected "Last" followed by the "Ok" button.

33. I then saved the compiled PDFs as Ex. 1005 and caused the appropriate exhibit labeling and page numbering per 37 C.F.R. §§ 42.6 and 42.63 to be applied to Ex. 1005.

34. The "Last Modified" date of the "Info" submenu of "reportcover.doc" indicates that the file was last modified on April 2, 2001. This can be seen on page a of Ex. 1005.

35. The "Last Modified" date of the "Info" submenu of "ptc.doc" indicates that the file was last modified on April 2, 2001. This can be seen on page b of Ex. 1005.

36. The "Last Modified" date of the "Info" submenu of "appenda.doc" indicates that the file was last modified on April 2, 2001. This can be seen on page c of Ex. 1005.

37. The "Last Modified" date of the "Info" submenu of "appendb.doc" indicates that the file was last modified on April 2, 2001. This can be seen on page d of Ex. 1005.

38. The "Last Modified" date of the "Info" submenu of "appendc.doc" indicates that the file was last modified on April 2, 2001. This can be seen on page e of Ex. 1005.

39. The "Last Modified" date of the "Info" submenu of "appendd.doc" indicates that the file was last modified on April 2, 2001. This can be seen on page f of Ex. 1005.

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

Dated: April 11, 2017

/Erik J. Halverson/
Erik J. Halverson