

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

VOLUSION, INC.

Petitioner

v.

VERSATA DEVELOPMENT GROUP, INC.

Patent Owner

---

Case CBM2013-00017

Patent 6,834,282

Title: LOGICAL AND CONSTRAINT BASED BROWSE HIERARCHY WITH  
PROPAGATION FEATURES

---

**DECLARATION OF SCOTT NETTLES IN SUPPORT OF  
PATENT OWNER MOTION TO AMEND**

Versata Exh. 2004

## TABLE OF CONTENTS

I.	Qualifications and Professional Experience.....	2
II.	Level of Skill in the Art.....	4
III.	The Subject Patent.....	5
IV.	Scope of Inquiry and Relevant Legal Standards.....	8
V.	Proposed Claims for Motion to Amend.....	9
	A. Claim 24 (proposed substitute for original claim 1).....	9
	B. Claim 25 (proposed substitute for original claim 2).....	10
	C. Claim 26 (proposed substitute for original claim 3).....	10
	D. Claim 27 (proposed substitute for original claim 5).....	11
	E. Claim 28 (proposed substitute for original claim 6).....	11
	F. Claim 29 (proposed substitute for original claim 11).....	11
	G. Claim 30 (proposed substitute for original claim 12).....	12
	H. Claim 31 (proposed substitute for original claim 13).....	12
	I. Claim 32 (proposed substitute for original claim 15).....	12
	J. Claim 33 (proposed substitute for original claim 16).....	13
VI.	Claim Construction.....	13
VII.	Analysis of the Proposed Claims.....	17
VIII.	Support for the Proposed Claims.....	28
	A. Specification Support for Proposed Claim 24.....	29
	B. Specification Support for Proposed Claim 25.....	31

C. Specification Support for Proposed Claim 26.....	31
D. Specification Support for Proposed Claim 27.....	32
E. Specification Support for Proposed Claim 28.....	32
F. Specification Support for Proposed Claim 29.....	33
G. Specification Support for Proposed Claim 30.....	35
H. Specification Support for Proposed Claim 31.....	36
I. Specification Support for Proposed Claim 32.....	36
J. Specification Support for Proposed Claim 33.....	37
IX. Declaration.....	38

**DECLARATION OF SCOTT NETTLES IN SUPPORT OF  
PATENT OWNER MOTION TO AMEND**

I, Scott Nettles, do hereby declare:

1. I am making this Declaration at the request of Patent Owner, Versata Development Group, Inc., in connection with a Petition for Covered Business Method Patent Review of U.S. Patent No. 6,834,282 to Bonneau *et al.*, entitled “Logical and Constraint Based Browse Hierarchy with Propagation Features” (“the ’282 Patent”).

2. I am being compensated for my work in this matter at the rate of \$550 per hour. My compensation in no way depends upon the outcome of this proceeding. I have no personal interest in the outcome of this proceeding.

3. In the preparation of this declaration, I have studied:

- a. The ’282 Patent, Exhibit 1001;
- b. The prosecution history of the ’282 Patent;
- c. U.S. Patent Application No. 09/884,180 as filed June 18, 2001 (“the ’180 Application”).

4. In forming the opinions expressed below, I have considered:

- a. The documents listed above,
- b. Patent Owner’s proposed substitute claims,

- c. The relevant legal standards, including the standards for patent eligibility, and
- d. My knowledge and experience based upon my work in this area, as described below.

5. I reserve the right to modify or supplement my opinion, as well as the bases for my opinion, based on the nature and content of the documentation, data, proof, and other evidence or testimony that the Petitioner or its expert(s) may present or based on any additional discovery or other information provided to me or found by me in this matter.

#### **I. Qualifications and Professional Experience**

6. My qualifications are set forth in my curriculum vitae, a copy of which is included as Exh. 2006. A list of the cases during at least the last five years in which I have signed a Protective Order, have testified as an expert either at a trial, hearing, or deposition, or have submitted statements and/or opinions is also included.

7. I attended Michigan State University from 1977 to 1981 as a Merit Scholar and an Alumni Distinguished Scholar, and received a bachelor's degree in Chemistry. I later attended Carnegie Mellon University from 1988 to 1995, during which time I received both a master's degree (1992) and a Ph.D. (1996) in Computer Science. My dissertation was entitled "Safe and Efficient Persistent

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.