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Filed on behalf of: Trulia, Inc.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TRULIA, INC.  
Petitioner

v.

ZILLOW, INC.  
Patent Owner

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Patent No. 7,970,674

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**DECLARATION OF STEVEN R. KURSH, PH.D., CSDP, CLP**

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I, Steven R. Kursh, Ph.D., CSDP, CLP. declare as follows:

## I. QUALIFICATIONS

1. My name is Steven R. Kursh. I am employed at Northeastern University as Executive Professor in the College of Business Administration, and I also teach in the College of Engineering.

2. I have also developed and taught courses at Harvard University, the University of Pennsylvania, and in continuing professional education programs. Several of my courses have covered topics directly related, but not limited, to real estate finance, real estate appraisal, statistics, econometrics, software development, and e-commerce.

3. I hold an A.B. from Boston College (*magna cum laude*, Scholar of the College) and a Ph.D. from the University of Pennsylvania. Early in my academic career I took continuing education courses offered by the Appraisal Institute.

4. One of my primary fields of study in graduate school at the University of Pennsylvania was Housing and Real Estate Finance. At that time the real estate program at the University of Pennsylvania was widely considered to be among the leading programs in the United States.

5. While in graduate school at the University of Pennsylvania, I developed and taught graduate-level (Master's programs) courses in Real Estate Finance and Statistics. I was awarded fellowships from grants from the U.S. Department of Housing and Urban Development and the U.S. Department of Energy. These grants focused respectively on assessing how federal housing programs and other programs impact housing markets and investments in housing. My first peer-reviewed published article focused on urban housing markets. I have also researched and written other peer-reviewed publications related to housing and finance.

6. In my first full-time academic position (Assistant Professor) at Northeastern University I began a track in real estate finance. As part of this effort, I developed and taught real estate finance courses, recruited faculty and was active in the professional real estate community in the Boston area.

7. I have worked as a consultant to the banking industry and as a consultant to a major regional bank where my duties focused on lending activities,

including, but not limited to, management and assessment of appraisal services, loan sales, secondary mortgage market activities, and pricing.

8. I now maintain an active management consulting practice, where I provide consulting services to Fortune 500 companies, closely-held businesses and investors. My consulting clients include AT&T, IBM, Citicorp, HP, and financial institutions.

9. I have been admitted as an expert before arbitration panels (AAA and JAMS), state courts, and federal courts (Southern District of New York, Northern District of California, Eastern District of Pennsylvania, District of Massachusetts, Eastern District of New York, and Eastern District of Texas), in matters relating to software intellectual property (copyrights, trade secrets, and patents). My expert witness experience includes being admitted as an expert in matters regarding the development of technologies and business practices for investment management, back-office systems at financial institutions, retail banking services, real estate appraisal and risk-management software, and e-commerce, among other topics.

10. I am certified by the IEEE Computer Society as a Computer Software Development Professional, the qualifications for which include documentation of at least 9,000 hours of professional work in software development, passing a rigorous examination, and remaining current in the field through continuing education and other activities.

11. I have published and lectured extensively, primarily focusing in the areas of the software industry and the Internet, including evaluation of software programs, finance, strategy, valuation of software products and services, e-commerce, and team performance in technology-related projects. Earlier in my career I published and lectured extensively on topics related to housing and real estate finance.

12. I was named a Fulbright Scholar in 2005 and conducted research and teaching in innovation, information technologies, and finance in Warsaw, Poland.

13. I have more than twenty-five years of experience in the software industry, the financial services industry, and the Internet industry, including founding and serving as president of a software company named Blackacre Financial Software that developed, marketed, licensed and implemented software used by professional services firms, insurance companies, and financial institutions. Our products were extensively used in applications related to housing

finance, including, but not limited to, real estate loan origination, real estate loan processing (including activities related to appraisals), real estate loan closings, and real estate loan foreclosures.

14. A copy of my CV is attached as Appendix A, and also as Ex. 1003.

15. I understand that a petition is being filed with the United States Patent and Trademark Office for transitional covered business method patent review of U.S. Patent No. 7,970,674 to David Cheng et al. (“’674 patent,” attached as Ex. 1001).

16. I understand that the real party in interest to the petition is Trulia. I understand that the ’674 patent is currently assigned to Zillow, Inc. (“Zillow”).

17. I have been retained by Trulia to provide various opinions regarding the ’674 patent. I have been specifically asked to provide my opinions on claims 2, 5, 15-25 and 40.

18. I do not have any other current or past affiliation as an expert witness or consultant with Trulia. I do not have any current or past affiliation with Zillow, and I do not have any financial interest in the outcome of this proceeding.

## **II. SCOPE OF WORK**

19. I have reviewed the ’674 patent and its file history. I have also reviewed and considered various other documents in arriving at my opinions, and may cite to them in this declaration. For convenience, the information considered in arriving at my opinions is listed in Appendix B.

## **III. LEVEL OF ORDINARY SKILL AND RELEVANT TIME**

20. I have been advised that the ’674 patent application was filed on February 3, 2006.

21. I have been advised that “a person of ordinary skill in the relevant field” is a hypothetical person to whom one could assign a routine task with reasonable confidence that the task would be successfully carried out. I have been advised that the relevant timeframe is prior to February 3, 2006. When I refer to February 2006, I am referring specifically prior to February 3, 2006.

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