IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Monster Worldwide, Inc.
Petitioner

v.

Career Destination Development, LLC
Patent Owner

Case CBM: <u>Unassigned</u>

DECLARATION OF DR. MARTIN G. WALKER CONCERNING INVALIDITY OF U.S. PATENT NO. 8,374,901

DECLARATION OF MARTIN G. WALKER

I, MARTIN G. WALKER, declare:

1.   I am a United States Citizen, and the following is based on my personal knowledge, education, and experience. If called upon to testify, I am prepared to testify as to the matters set forth herein.

2.   I have been retained by Dechert LLP on behalf of Petitioner Monster Worldwide Inc. ("Monster"), in connection with the petition for Covered Business Method Review of U.S. Patent No. 8,374,901 ("`901 Patent").  Ex. 1001.  I am informed that Career Destination Development LLC has asserted the `901 Patent against Monster. *See* Ex. 1002. Although I am being compensated at my rate of $450 per hour for time spent on this matter, my compensation does not depend on the outcome of this proceeding, and I have no other interest in this proceeding.

I.   EDUCATION AND EXPERIENCE

3.   I received a B.S. in electrical engineering from the Massachusetts Institute of Technology ("MIT") in 1973, an M.S. in electrical engineering from Stanford University in 1976, and a Ph.D. in electrical engineering from Stanford in 1979. A true and correct copy of my *curriculum vitae* ("CV") is attached below as Appendix 1. My CV provides a summary of my experience in the fields of Internet websites and applications.

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4.   I have experience in the fields of database schema, mail-list processing software, and stock brokerage software. For example, in 2000-2001, I served as Chief Technology Officer ("CTO") of Knowledge Networks, a company which leveraged Internet technology to enhance market research. While at Knowledge Networks, I gained experience managing high-availability web-based systems for fielding interviews as well as internal systems used to analyze data and produce real time reports.

5.   While CTO at Knowledge Networks, I was responsible for the development and deployment of a web-based product designed to conduct interviews of a panel of consumers for the purpose of determining consumer preferences, including for instance, preferences for candidates in general elections, brand awareness, and incidence of disease symptoms.

6.   The system was entirely web based. It included an email server, web server, dedicated application servers, and a database server. Consumer characteristics were maintained in the database. These characteristics were searchable based on a multitude of requirements. Searching against minimum requirements was routinely performed to determine which panelists to interview for particular topics. All interaction with the panelists was conducted in an automated fashion through the web-based application servers and web servers.

Interview responses were logged in the online database. Requests for interviews were sent to panelists using the integrated email server.

7. The system developed and deployed by Knowledge Networks in the 2000-2001 time period had functions and features very similar to those described and claimed in the `901 Patent. Therefore, during the 2000-2001 time period, I gained first-hand experience in design, deployment, and operation of systems of the type described in the `901 Patent.

8. In addition, I personally used various employment websites during the 2000-2001 time period to hire software developers while I was CTO of Knowledge Networks. Therefore, I was at least familiar with the functions and features used by employment websites in the 2000-2001 time period.

II. MATERIALS CONSIDERED

9. In forming the opinions set forth below, I have considered the following materials:

- *Monster Worldwide Inc. v Career Destination Development LLC,* Petition for Covered Business Method Patent Review of U.S. Patent No. 8,374,901 Under 35 U.S.C. § 321 and § 18 of the Leahy-Smith America Invents Act (hereinafter "Petition");

- U.S. Patent No. 8,374,901 (the "`901 Patent" or Ex. 1001);

- Dictionary of Occupational Titles (U.S. Dep't of Labor 4th ed. 1991), Introduction and Section 186.117-078 (Ex. 1008);

- Complete file history of U.S. Patent No. 8,374,901 (Ex. 1025), including the following documents contained therein:

  - Amendment filed June 28, 2012 (Ex. 1010);

  - Notice of Allowance dated August 25, 2012 (Ex. 1011);

  - Original Specification, July 29, 2010 (Ex. 1012);

  - Preliminary Amendment dated July 29, 2010 (Ex. 1013);

  - Reply to Office Action dated March 1, 2012 (Ex. 1014);

  - Amendment After Notice of Allowance, dated December 6, 2012 (Ex. 1015);

- The "Cooper" prior art reference, PCT Patent Pub. No. WO 99/17242 by Cooper *et al*, published April 8, 1999, ("Cooper") (Ex. 1016);

- The "Coueignoux" prior art reference, PCT Patent Pub. No. WO 99/01834 by Coueignoux, published Jan. 14, 1999, ("Coueignoux") (Ex. 1017);

- The "Pineda" prior art reference, PCT Patent Pub. No. WO 01/82185 by Pineda, *et al.*, published Nov. 1, 2001, ("Pineda") (Ex. 1018);

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