# SFDC 1012

**DOCKET A L A R M** Find authenticated court documents without watermarks at <u>docketalarm.com</u>. IN THE UNITED STATES PATENT & TRADEMARK OFFICE

## BEFORE THE PATENT TRIAL AND APPEAL BOARD

salesforce.com, inc., Petitioner, v. Applications In Internet Time LLC, Patent Owner.

> Case CBM: 2014-00168 Patent U.S. 7,356,482

## PETITION FOR COVERED BUSINESS METHOD REVIEW OF

### U.S. PATENT NO. 7,356,482

# <u>35 U.S.C. § 321 AND</u> § 18 OF THE LEAHY-SMITH AMERICA INVENTS ACT

Mail Stop PATENT BOARD Patent Trial and Appeal Board Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

DOCKE

Δ

# **Declaration of Benjamin B. Bederson**

# TABLE OF CONTENTS

| I.   | Overview1                           |  |                      |    |  |
|------|-------------------------------------|--|----------------------|----|--|
| II.  | Background and Qualifications       |  |                      |    |  |
| III. | List of Documents Considered        |  |                      |    |  |
| IV.  | Level of Ordinary Skill in the Art7 |  |                      |    |  |
| V.   | State of the Art                    |  |                      |    |  |
| VI.  | I. The '482 Patent                  |  |                      |    |  |
|      | A.                                  | The (  | Claims               | 17 |  |
|      | B.                                  | The Specification18  |                      |    |  |
|      | C.                                  | Prose  | ecution History      | 21 |  |
|      | D.                                  | Clair  | n Construction       | 23 |  |
| VII. | II. Analysis                        |  |                      |    |  |
|      | A.                                  | Identification of Challenge (37 C.F.R. § 42.304(b))28                                    |                      |    |  |
|      | B.                                  | The '482 Patent Does Not Solve a Technological Problem<br>Using a Technological Solution |                      |    |  |
|      | C.                                  | Indefinite Terms   |                      |    |  |
|      | D.                                  | Prior  | Prior Art References |    |  |
|      |                                     | 1.   | Peters               | 39 |  |
|      |                                     | 2.   | Gordon               | 41 |  |
|      |                                     | 3.   | Haverstock           | 42 |  |
|      |                                     | 4.   | Pad++                | 43 |  |
|      |                                     | 5.   | Obviousness          | 43 |  |

DOCKET

Page

# CBM Review of U.S. Patent No. 7,356,482 Declaration of Benjamin B. Bederson

| VIII. | Compensation | 46 |
|-------|--------------|----|
| IX.   | Conclusion   | 46 |

CBM Review of U.S. Patent No. 7,356,482 Declaration of Benjamin B. Bederson

I, Benjamin B. Bederson, hereby declare as follows.

### I. Overview

1. I am over the age of eighteen (18) and otherwise competent to make this declaration.

2. I have been retained as an expert witness on behalf of salesforce.com, inc. ("Salesforce") for the above-captioned covered business method patent review.

3. I have prepared this declaration in support of Salesforce's petition for covered business method patent review of U.S. Patent No. 7,356,482 ("the '482 Patent"). I understand that the '482 Patent resulted from U.S. Application No. 09/797,488 ("the '488 application"), filed on March 1, 2001, naming Richard Frankland, Christopher M. Mitchell, Joseph D. Ferguson, Anthony T. Sziklai, Ashish J. Verma, Judith E. Popowski, and Douglas H. Sturgeon as the inventors. The '482 Patent issued on April 8, 2008, from the '488 application. I further understand that, according to USPTO records, the '482 Patent is currently assigned to Applications In Internet Time LLC ("AIT" or "Patent Owner").

4. In preparing this Declaration, I have reviewed the '482 Patent and considered each of the documents cited herein, in light of general knowledge in the art. In formulating my opinions, I have relied upon my experience in the relevant art and have also considered the viewpoint of a person of ordinary skill in the art prior to December 18, 1998, as discussed below.

# DOCKET A L A R M



# 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.