UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HEWLETT-PACKARD COMPANY,
Petitioner

v.

YYZ, LLC,
Patent Owner

CBM No. <u>Unassigned</u>

**DECLARATION OF HANS-ARNO JACOBSEN, PH.D.
IN SUPPORT OF PETITION FOR
COVERED BUSINESS METHOD REVIEW**

U.S. PATENT NO. 7,603,674

I, Hans-Arno Jacobsen, do hereby declare that:

1.   I have been retained by counsel for Petitioner to provide assistance regarding U.S. Patent No. 7,603,674 (the "'674 patent").

Professional Background

2.   I have more than 20 years of experience in research, academia, and industry in the areas of middleware systems, event processing, service computing, enterprise data processing, distributed systems, and information systems.

3.   I hold the title of Full Professor with tenure in the Department of Electrical & Computer Engineering and the Department of Computer Science (cross-appointed) at the University of Toronto, Canada. I held the Bell University Laboratories Chair in Software and lead the Middleware Systems Research Group. A copy of my curriculum vitae is attached as Appendix A to this declaration.

4.   I received my Ph.D. degree from Humboldt University, Berlin in 1999 and my M.A.Sc. degree from the University of Karlsruhe (TH), Germany in 1994. Between 1992 and 1998 I engaged in pre-doctoral research activities working at various research laboratories world-wide, including the Laboratoire d'Informatique et d'Intelligence Artificielle (LIFIA) in Grenoble, France, the International Computer Science Institute (ICSI) in Berkeley, United States, and Lawrence Berkeley National Laboratory (LBNL) in Berkeley, United States. After completing my doctorate from 1998 to 1999, I engaged in post-doctoral research at

Institut National de Recherche en Informatique et en Automatique (French Institute

for Research in Computer Science and Automation - INRIA) in Rocquencourt,

France, before joining the University of Toronto in 2001.

     5.   My areas of research include the design and development of

middleware systems, event processing, service computing, business process

management, and applications in enterprise data processing distributed systems,

and information systems. My current research focuses on publish/subscribe,

content-based routing, event processing, and aspect-orientation. My applied

research focuses on information and communication technology for energy

management and energy efficiency. I also explore the integration of modern

hardware components, such as SSDs (Solid State Drives) and FPGAs (Field

Programmable Gate Arrays), into middleware, event processing, and data

management architectures.

     6.   I have served as program committee member of various international

conferences, including the Institute of Electrical and Electronics Engineers (IEEE)

International Conference on Distributed Computing Systems (ICDCS),

International Conference on Data Engineering (ICDE), Association for Computing

Machinery (ACM) Middleware Conference, ACM SIGMOD Conference

(Special Interest Group on Management of Data), ACM Object-Oriented

Programming, Systems, Languages & Applications Conferences (OOPSLA) and

International Conference on Very Large Data Bases (VLDB). I was the Program

Chair of the 5th ACM International Middleware Conference and the General Chair

of the Inaugural International Conference on Distributed Event-Based Systems

(DEBS). I was among the initiators of the ACM International Conference on

Distributed Event-Based Systems conference series. I have given numerous

keynote addresses at major national and international conferences, such as the

International Conference on Business Process Management, the ACM Middleware

Conference, and the Chinese National Computer Congress.

7.   I was awarded the Alexander von Humboldt-Professorship Award

from the Humboldt Foundation to conduct research at the Technische Universität

München.

8.   I hold numerous patents and was involved in important industrial

developments in the area of distributed systems, middleware systems, and business

process management with partners like Bell Canada, Computer Associates, IBM,

Yahoo! and Sun Microsystems.

Assignment & Materials Considered

9.   Counsel for Petitioner requested that I provide analysis pertinent to

the '674 patent.

10.   For time spent in connection with this case, I am being compensated

at my customary rate. My compensation is not dependent upon the outcome of this

petition or any issues involved in or related to the '674 patent, and I have no other financial stake in this matter.

11.   The patent-related materials I considered include: the '674 patent (Exhibit 1001); the original prosecution history for the '674 patent (Exhibit 1002); and the reexamination file history for the '674 patent (Exhibit 1003).

12.   The eSleuth prior art related materials I considered include: eSleuth 1.0 User's Guide ("User's Guide") (Exhibit 1011); eSleuth 1.0 Administrator's Guide ("Administrator's Guide") (Exhibit 1012); Release Notes eSleuth 1.0.0 Early Adoption Release ("Release Notes") (Exhibit 1013); a whitepaper entitled *eSleuth - eBusiness Transaction Analysis Software that Simplifies the Development of Reliable, High-Quality eBusiness Systems* ("First Whitepaper") (Exhibit 1006); and a whitepaper entitled *eBusiness Transaction Analysis Software that Improves Reliability, Performance, and Quality* ("Second Whitepaper") (Exhibit 1008),[1] (collectively, "eSleuth Materials"), along with the Cullens Declaration (Exhibit 1030).

13.   The other prior art I considered include: MQSeries Primer, IBM MQSeries EAI Center, October 1999 ("MQSeries Primer") (Exhibit 1017); Using

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[1]   An online version of the text of the Second Whitepaper is also at Exhibit 1009 at 6-12.

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