

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

STARBUCKS CORPORATION  
Petitioner

v.

AMERANTH, INC.  
Patent Owner

---

Case CBM2015-00091  
Patent No. 6,384,850 B1  
&  
Case CBM2015-00099  
Patent No. 6,871,325 B1

---

**EX. 1064**

**DECLARATION OF MAHMOOD A. KHAN, PH.D.  
IN SUPPORT OF PETITIONER'S REPLY TO  
PATENT OWNER'S RESPONSE**

## TABLE OF CONTENTS

I.	INTRODUCTION .....	1
II.	QUALIFICATIONS AND EXPERIENCE.....	2
	A. EDUCATION AND EXPERIENCE .....	2
	B. COMPENSATION.....	6
	C. DOCUMENTS AND OTHER MATERIALS RELIED UPON.....	7
III.	OPINIONS AND ANALYSIS .....	9
IV.	CONCLUSION.....	18

APPENDIX A - CURRICULUM VITAE OF DR. MAHMOOD A. KHAN

## I. INTRODUCTION

1. My name is Dr. Mahmood A. Khan. I am a Professor in the Hospitality and Tourism Department of the Pamplin College of Business at Virginia Polytechnic Institute and State University, Northern Virginia Center, Falls Church, Virginia ("Virginia Tech"). I am also a founding director of the Hospitality and Tourism Management program in the National Capital Region (Washington DC Metro Area) of Virginia Tech. Since obtaining my Ph.D. degree in 1975, I have over forty years of experience in the hospitality, food and nutrition industry. In addition to teaching M.B.A., M.S., and Ph.D. level hospitality classes, I have published and spoken frequently on issues related to the hospitality industry, and I have consulted for several companies in the hospitality industry. A more detailed discussion of my experience is discussed below.

2. I have been engaged by Petitioner Starbucks Corporation ("Starbucks") to respond to statements made by Patent Owner Ameranth, Inc. ("Ameranth") in its Patent Owner Responses and by its expert Dr. Alfred Weaver in CBM2015-00091 and CBM2015-00099 regarding the hospitality industry and its relationship to rental cars. Specifically, I have been asked to provide my expert opinion on the state of the hospitality industry as of September 21, 1999, and also to provide my expert opinion as to the relationship between the hospitality industry and rental cars at that same time.

3. My opinions in this declaration are based on my over 40 years of experience and expertise in the hospitality industry, as well as the specific information and evidence cited in this declaration as fully set forth below. In summary, it is my expert opinion that in September of 1999 the hospitality industry included travel and tourism, including transportation services such as car rentals. In September of 1999, hospitality was not limited to just food, beverages or lodging to travelers. Just like food and lodging services, transportation services were catered to travelers and were an integral and essential part of the services in the hospitality industry.

## **II. QUALIFICATIONS AND EXPERIENCE**

### **A. Education and Experience**

4. I have over forty years of experience in the hospitality, food, and nutrition areas. I obtained my Ph.D. degree in Food Science from Louisiana State University in 1975, after which I have primarily (but not exclusively) been in academia teaching, researching, and consulting in the field of hospitality management. After completing twelve years of teaching and research at the University of Illinois at Urbana-Champaign, Albright College, and Penn State, in 1987 I joined Virginia Tech as a professor and assistant department head in the Department of Hotel, Restaurant, & Institutional Management. I have remained at Virginia Tech since 1987. I was instrumental in developing hospitality programs

at the bachelors, masters, and Ph.D. level at Virginia Tech. From 1991 to 1998, I served as Department Head and Director at Virginia Tech's Hospitality and Tourism Department. In 1999, I served as the Director of the Hospitality and Tourism Management graduate programs at the Northern Virginia Center of Virginia Tech in the Washington, DC area. I am also a founding director of the Hospitality and Tourism Management program in the National Capital Region (Washington, DC Metro Area) of Virginia Tech.

5. I have taught many hospitality and tourism related courses, as identified in my curriculum vitae ("CV") attached hereto as Appendix A. For example, I have taught M.B.A., M.S., and Ph.D. courses such as "Research Methods for Hospitality Applications," "Franchising in Hospitality Management," "Contemporary Problems in the Hospitality Industry" and "Concept of Service in the Hospitality Service Industries."

6. I have authored or co-authored over 240 refereed and non-refereed publications related to the hospitality and tourism industry, including books, book chapters, journal articles, and conference and workshop papers. A list of my publications can be found in the detailed CV attached to this declaration as Appendix A.

7. I am currently a member of Advisory Board, Northern Virginia Community College; Capital Area Franchise Association; Restaurant Association

# 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.