

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., EVENTBRITE, INC. and STARWOOD HOTELS & RESORTS
WORLDWIDE, INC.

Petitioner

v.

AMERANTH, INC.
Patent Owner

CASE: To Be Assigned
Patent No. 6,871,325 B1

**DECLARATION OF ABDELSALAM HELAL, PH.D.
IN SUPPORT OF PETITION FOR
COVERED BUSINESS METHOD PATENT
REVIEW OF U.S. PATENT NO. 6,871,325 B1**

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I. INTRODUCTION

1. My name is Abdelsalam Helal. I am a Professor in the Computer and Information Science and Engineering Department at the University of Florida (1998 – present), and a Finland Distinguished Professor at Aalto University, Finland (2011-2013).

2. I have been engaged by counsel for Apple Inc., EventBrite, Inc. and Starwood Hotels & Resorts Worldwide, Inc. (collectively, “Petitioner”) as a consultant in connection with Petitioner’s Petition for Covered Business Method Review (“Apple CBM Petition”) of U.S. Patent No. 6,871,325 B1 (the “’325 patent”). I previously submitted a declaration in connection with a petition for Covered Business Method Review of the ’325 patent submitted by Starbucks Corporation (“Starbucks”) in Case No. CBM2015-00099 (“Starbucks CBM Petition”).

3. I have been informed by counsel for Petitioner that the Apple CBM Petition seeks CBM review on Grounds identical to those instituted by the Board in CBM2015-00099. Counsel for Petitioner further informed me that Petitioner is concurrently submitting a motion for joinder to join the Apple CBM Petition with CBM2015-00099. I am further informed that in order to facilitate joinder and simplify issues before the Board, the Apple CBM Petition intentionally includes virtually identical invalidity analyses as the Starbucks CBM Petition.

4. I have been asked to review my prior declaration submitted with the Starbucks CBM Petition to determine whether any of opinions and analyses relating to the validity of the '325 patent have changed. Because my analyses and opinions have not changed in material respects, I have reproduced below substantially the same declaration I submitted in connection with the Starbucks CBM Petition.

5. I understand that the '325 patent has been assigned to Ameranth, Inc. ("Ameranth"). Ameranth is also referred to as the "Patent Owner" in this declaration.

6. This declaration is based on the information currently available to me. To the extent that additional information becomes available, I reserve the right to continue my investigation and study, which may include a review of documents and information that may be produced, as well as testimony from depositions that not yet been taken.

7. In forming my opinions, I have relied on information and evidence identified in this declaration, including the '325 patent, the prosecution history of the '325 patent, and prior art references including Japanese Published Appl. No. H10-247183 ("Brandt"), NetHopper Version 3.2 User's Manual ("NetHopper"), Alan Demers et al., The Bayou Architecture: Support for Data Sharing Among Mobile Users (1995) ("Demers"), Gustavo Alonso et al, Exotica/FMDC: A

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