

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC.
Petitioner

v.

AT HOME BONDHOLDERS' LIQUIDATING TRUST,
Patent Owner

Case CBM: Unassigned
U.S. Patent 6,286,045

DECLARATION OF HENRY HOUH

***CBM Review of USPN 6,286,045
Declaration of Henry Houh (Exhibit 1003)***

I, Henry Houh, hereby declare as follows.

I. Introduction

1. I have been retained as an expert witness on behalf of Google Inc. for the above-captioned covered business method (CBM) review.

2. I am over the age of eighteen (18) and otherwise competent to make this declaration. I am being compensated for my time in connection with this CBM at my standard consulting rate. I understand that the petition for covered business method (CBM) patent review involves U.S. Patent No. 6,286,045 ("the '045 patent"), GOOG 1001, which resulted from U.S. Application No. 08/858,650 ("the '650 application"), filed on May 19, 1997, naming Michael John Griffiths and James David McElhiney as the inventors. The '045 patent issued on September 4, 2001, from the '650 application. I further understand that, according to USPTO records, the '045 patent is currently assigned to the At Home Bondholders' Liquidating Trust ("Patent Owner").

3. In preparing this Declaration, I have reviewed the '045 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.

4. I am familiar with the technology at issue as of the May 19, 1997 filing date of the '045 patent. I am also familiar with a person of ordinary skill in

the art with respect to the technology at issue as of the May 19, 1997 filing date of the '045 patent.

II. My Background and Qualifications

5. I have multiple undergraduate and graduate degrees from the Massachusetts Institute of Technology (MIT). I have a Bachelor of Science Degree in Electrical Engineering and Computer Science from MIT which I received in June 1989. I also have a Bachelor of Science Degree in Physics from MIT which I received in February 1990. I have a Master of Science Degree in Electrical Engineering and Computer Science from MIT which I received in February 1991. I have a PhD in Electrical Engineering and Computer Science from MIT which I received in February 1998. My thesis was directed to "Designing Networks for Tomorrow's Traffic," and was supervised by Professor David Tennenhouse and Professor John Guttag.

6. I have extensive experience in creating web pages and commercially setting up websites during the 1993-1997 time frame, and have continued this development since then. As part of this experience, I regularly programmed using HTML and Perl programming languages. I also have experience with CGI scripts and Perl scripts as used for dynamic web pages.

7. I have experience with the operations of web servers starting in 1993, including setting up one of the first hundred or so web servers, and have

*CBM Review of USPN 6,286,045
Declaration of Henry Houh (Exhibit 1003)*

configured and set up scores of web servers since. In 1994, I co-authored papers on our web server video system and on database-backed web sites which I presented at the first World Wide Web conference held at CERN in Geneva, Switzerland.

8. From 2003-2004, I also was the architect for a next-generation web testing platform developed by Empirix, known as e-Test Suite. e-Test Suite is now owned by Oracle Corporation. e-Test provided functional and load testing for web sites. e-Test emulated a user's interaction with a web site and provided web developers with a method of creating various scripts and providing both functional testing (i.e., did the web site provide the correct response) and load testing (i.e., could the web site handle 5000 users simultaneously). As part of this project, I co-wrote a javascript interpreter for e-Test so that it could understand the javascript code present on advanced web sites.

9. I have web advertising experience as well, including starting a company in 1994 that was funded, in part, through web advertisements. Later in 2008-2009, as the CTO of a venture-funded social network start-up company, I also evaluated different ad network tools.

10. I am familiar with patents and have numerous provisional and non-provisional patent applications on which I am an inventor, including 4 provisional patent applications, and 20 non-provisional applications. These patent applications deal with various areas of technology including, but not limited to: utilizing

***CBM Review of USPN 6,286,045
Declaration of Henry Houh (Exhibit 1003)***

network processors, network and packet delivery systems, tagging media content, dynamic presentation of advertising and other content using enhanced metadata, methods for web site testing, and organizing and managing files that are transmitted over a network.

11. In formulating my opinions, I have relied upon my training, knowledge, and experience in the relevant art. A copy of my current curriculum vitae is provided as GOOG 1004, and it provides a comprehensive description of my academic, employment, research, and professional history.

12. With my extensive experience in the field of web based systems prior to and up until May 1997, I am qualified to provide an opinion as to what a person of ordinary skill in the art would have understood, known or concluded as of 1997. I have been asked to opine on the state of the art as of the May 19, 1997 filing date of the '045 patent.

III. List of Documents Considered in Formulating My Opinion

13. In formulating my opinion, I have considered the following documents referenced herein:

<i>Google Exhibit #</i>	<i>Description</i>
1001	Griffiths <i>et al.</i> , U.S. Patent No. 6,286,045 (filed May 19, 1997; issued September 4, 2001).
1002	Prosecution history of U.S. Patent No. 6,286,045.

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.