

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC.
Petitioner

v.

ALFONSO CIOFFI, MEGAN ELIZABETH ROZMAN,
MELANIE ANN ROZMAN, AND MORGAN LEE ROZMAN
Patent Owners

Patent No. RE43,528

**DECLARATION OF DR. MICHAEL KOGAN REGARDING
U.S. PATENT NO. RE43,528 IN SUPPORT OF PETITION FOR COVERED
BUSINESS METHOD REVIEW**

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I, Dr. Michael Kogan, declare as follows:

1. My name is Dr. Michael Kogan, and I have been retained by counsel for Google Inc. to investigate certain issues related to several reissue patents that have been asserted against Google Inc. including U.S. Patent No. RE43,528 (“the ’528 Reissue”) as well as the original patent U.S. Patent No. 7,484,247 (“the ’247 Patent”). I make the statements in this declaration based upon my own personal knowledge and, if called upon as a witness, I could and would testify to the following.

2. I have also been retained as an expert witness by Google Inc. in connection with the district court lawsuit involving the ’528 Reissue, and I have provided certain opinions in that proceeding. I have not been asked to restate all of my opinions regarding the patentability of claims in the ’528 Reissue. I continue to hold the opinions that I have expressed in the district court lawsuit, and the fact that I have not restated a particular opinion in this declaration does not mean that I have changed my previously expressed opinion in any way.

3. I am being compensated for my time at the rate of \$550 for each hour of service that I provide in connection with this case. This compensation is not contingent upon my performance, the outcome of this case, or any issues involved in or related to this case.

I. BACKGROUND AND QUALIFICATIONS

4. I have more than thirty-three years of experience with a primary focus on PC and embedded systems product development. My curriculum vitae is attached as Exhibit 1 to this declaration.

5. Based on my work experience, described in detail in my curriculum vitae, I am knowledgeable about operating systems software at all levels, including personal computer (PC) and embedded systems architecture, hardware and device drivers, multitasking, memory management, interprocess communications, program loading, and graphical user interfaces (GUIs). I have experience with operating system development in connection with the following operating systems: CP/M, DOS, OS/2, Windows, and a wide variety of UNIX variants including XENIX, PC/IX, AIX, Mach, ATT Unix, Berkeley Unix, Linux, Android, and iOS.

6. I am an expert in PC and embedded systems software with specialized skills in operating systems, system software on microprocessor-based platforms including the areas of operating system kernels, multitasking and interprocess communications, memory management and protection, I/O programming and device drivers, system initialization and boot code, communications, cross-platform portability, cross-platform development, and GUI subsystems. My expertise includes multitasking operating system environments with security and protection mechanisms.

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