

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HEWLETT-PACKARD COMPANY,
Petitioner

v.

MPHJ TECHNOLOGY INVESTMENTS, LLC
Patent owner

CASE NO. IPR2013-00309
Patent 6,771,381 B1

Declaration of Glenn E. Weadock
in Support of Patent Owner Response

TABLE OF CONTENTS

I. Background and Qualifications 1

 A. Scope of Work 1

 B. Expertise..... 1

II. Claim Construction..... 4

 A. Definition of a Person of Ordinary Skill in the Art..... 4

 B. “At least one,” “at least one of,” and related phrases..... 4

 C. “Third-party software application” 4

 D. “Managing” 6

 E. “Module”..... 6

 F. “Seamlessly” 7

 G. “GO Operation” 7

 H. Means-plus-function limitations 8

 I. Claim 8 “wherein” clause 8

 J. “Dynamically combining” 9

 K. “External devices and applications” 9

 L. Wibbels Constructions 9

III. Opinions Regarding Validity of the '381 Patent 13

 A. Legal Basis for Opinion..... 13

 B. Opinions on Invalidity Generally..... 17

 C. Specific Opinions Regarding Cotte 18

 D. Specific Opinions Regarding ScanJet 5 23

Appendix A. References and Information Considered 30

Appendix B. Curriculum Vitae 31

I. Background and Qualifications

A. Scope of Work

1. I have been asked by counsel for MPHJ Technology Investments, LLC (“MPHJ”) to analyze U.S. Patent No. 6,771,381 (the “381 patent”), issued to inventor Laurence C. Klein, and submit this Declaration in Support of Patent Owner’s Response in this IPR.

2. The opinions provided are my own and are based on my analysis and work in this case and the education, experience, and skills I have acquired and developed throughout my career. Appendix B contains my Curriculum Vitae.

3. In reaching my conclusions and opinions, I have relied upon my experience and training, my testing, and my review of the documents produced in this proceeding, and I have considered the documents and materials described in Appendix A in the process of forming my opinions.

4. For the time I expend on this case, my company is currently being compensated at a rate of \$475.00/hour less Teklicon’s broker fee. My compensation is not in any way dependent on the outcome of the dispute.

B. Expertise

5. Details of my professional qualifications and background are set out in my curriculum vitae (Appendix B).

6. I received a B.S. “with distinction” in General Engineering from Stanford University in 1980. In connection with that degree, I took several classes in computer science.

7. I am currently the President and sole employee of Independent Software, Inc. (“ISI”), based in Lakewood, Colorado. ISI is an information technology consulting firm active since 1982; I have worked full-time at ISI since 1988. ISI has provided a wide variety of services, including technical education, systems integration, network maintenance, Web site design, database design and programming, performance analysis, and multimedia services. ISI’s clients have

included many of the country's largest corporations and government agencies. In recent years, my focus has been on teaching technical seminars through Global Knowledge, and providing consulting in patent cases.

8. I have several years' experience creating software. I wrote data acquisition and billing analysis software in the 1981-1985 time period; a royalty calculating and reporting program for an oil and gas company in 1984-1986; database software for a travel magazine and for a credit collection bureau (1987-89). In the 2003-2008 timeframe, I co-developed a Web-based program to provide investor education ("MarketCoach"), designing a browser-based user interface, including menus and windows, with HTML, Flash, and JavaScript. I have also designed and deployed several Web sites for my own companies as well as for clients of ISI.

9. My experience in designing and installing networks for office automation extends from 1981 to the present day. I have planned and managed such projects on minicomputers, Novell networks, Macintosh networks, and Microsoft Windows networks.

10. I have written several books dealing with Windows, networking, and Web environments, including Bulletproof Your PC Network (1995), Bulletproofing NetWare (1996), Intranet Publishing For Dummies (1997), Bulletproofing Windows 95 (1997), Bulletproofing Client/Server Systems (1997), Bulletproofing Windows 98 (1998), Windows 95 Registry For Dummies (1998), Windows 98 Registry For Dummies (1998), Small Business Networking For Dummies (1998), MCSE Windows 98 For Dummies (1999), Windows 2000 Registry For Dummies (2000), Look & Learn Dreamweaver 4 (2001), MCSE Windows 2000 Professional (2000), MCSE Windows 2000 Network Infrastructure For Dummies (2000), MCSE Windows XP Professional For Dummies (2001), and (as contributing author) Using Macromedia Studio MX 2004 (2003).

11. I have written and delivered a large number of technical seminars on Windows, starting with Windows 3.0 in 1990 (through Data-Tech Institute) up through today's Windows 8 (through Global Knowledge, the world's largest independent provider of Microsoft training). I have written 26 technical seminars

in the IT field since 1988, and I have taught over 300 intensive technical courses. Many of these courses have dealt specifically with configuring, tailoring, and optimizing the subject operating systems. I continue to teach both instructor-led and Internet-based classes on a contract basis. I have also co-authored Microsoft Official Curricula (MOC) classes offered by Microsoft to its customers. I have taught seminars on Web design for Lucent Technologies and Avaya Communications.

12. I was involved as writer, editor, and/or presenter with a variety of networking- and Internet-related professional video courses developed and marketed by Technology Interchange Group, including *Windows on NetWare* (1994), *Enabling Networks for Internet Access* (1995), *Windows 95 Advanced* (1995), and *Troubleshooting & Fine-Tuning the Networked PC* (1995).

13. I am not an attorney, but I have experience with the patent system, both as a consultant and expert witness in patent cases, and as an inventor. I hold two US patents.

14. I have considered the '381 patent for the purposes of providing my expert opinion regarding the meaning of certain claim terms and the validity of certain claims of the patent in view of certain prior art. The '381 patent generally relates to a "Virtual Copier" system involving the management of physical and electronic documents across multiple devices and applications in a computer network. Because of my background, training, and experience, I am qualified as an expert in the technical areas relevant to the '381 patent.

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.