

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION
Petitioner,

v.

B.E. TECHNOLOGY, LLC,
Patent Owner

Patent No. 6,771,290

Issued: August 3, 2004

Filed: July 16, 1999

Inventors: Martin David Hoyle

Title: COMPUTER INTERFACE METHOD AND APPARATUS WITH
PORTABLE NETWORK ORGANIZATION SYSTEM AND TARGETED
ADVERTISING

Inter Partes Review No. IPR2013-00040

Declaration of Dr. Henry Houh Regarding

U.S. Patent No. 6,771,290

I, Henry Houh, do hereby declare and state, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: October 8, 2013


Henry Houh

TABLE OF CONTENTS

I.	INTRODUCTION	1
A.	Engagement	1
B.	Background and Qualifications	1
C.	Compensation and Prior Testimony	4
D.	Information Considered.....	5
II.	LEGAL STANDARDS FOR PATENTABILITY	5
A.	Anticipation	7
B.	Obviousness.....	8
III.	THE '290 PATENT	14
A.	Effective Filing Date of the '290 Patent	14
B.	Prosecution History Of The '290 Patent	15
C.	The Person Of Ordinary Skill In The Art.....	16
D.	Overview of the Claims of the '290 Patent	16
E.	Description of the Background Technology Relevant to the '290 Patent.....	16
1.	Customized Graphical User Interfaces to UNIX	16
2.	Remote Access to Files From a Personal Computer via Dedicated File Access Software	30
3.	Consumer Online Services.....	31
IV.	GENERAL ISSUES RELATED TO MY PATENTABILITY ANALYSIS.....	36
A.	The Claims of the '290 Patent I Am Addressing in this Report	36
B.	Interpretation of Certain Claim Terms	38
1.	“File”	39
C.	Prior Art References	40
1.	Exhibit 1005 – International Publication No. 97/09682 to Kikinis.....	40
2.	Exhibit 1006 – America Online for Dummies 3 rd Edition.....	40

V.	PATENTABILITY ANALYSIS OF CLAIMS 1-3 OF THE '290 PATENT	41
A.	International Publication No. WO 97/09682 to Dan Kikinis.....	41
1.	Overview of Kikinis.....	41
2.	Comparison of Kikinis to Claims 1, 2 and 3 of the '290 Patent.....	50
a.	Claim 1.....	50
b.	Claim 2.....	57
c.	Claim 3.....	63
B.	Kaufeld, John, <i>America Online for Dummies, 3rd Edition</i> , 1996.....	65
1.	Overview of AOL	65
2.	Comparison of AOL to Claims 1, 2 and 3 of the '290 Patent.....	83
a.	Claim 1.....	83
b.	Claim 2.....	92
c.	Claim 3.....	98
3.	CONCLUSION.....	98
VI.	APPENDIX A: MATERIALS CONSIDERED BY HENRY HOUH	99

TABLE OF APPENDICES

Appendix A: List of Materials Considered

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.