

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SAMSUNG ELECTRONICS AMERICA, INC.  
Petitioner

v.

B.E. TECHNOLOGY, L.L.C.  
Patent Owner

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Case IPR2014-00044  
Patent 6,771,290

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**DECLARATION OF DR. CORY PLOCK IN SUPPORT OF  
PATENT OWNER'S RESPONSE TO PETITION**

I, Cory Plock, declare as follows:

**I. PERSONAL BACKGROUND**

1. I have personal knowledge of the facts contained in this Declaration, am of legal age, and am otherwise competent to testify.

2. My name is Cory Plock. I have been retained as a consultant by Freitas Angell and Weinberg LLP on behalf of B.E. Technology, L.L.C. to provide professional opinions in the Inter Partes Review of United States Patent 6,771,290 (“the ’290 patent”) initiated by petitioner Samsung Electronics America, Inc. Specifically, I have been asked to provide my opinion on whether U.S. Patent No. 6,771,290 (the “’290 patent”) is unpatentable under 35 U.S.C. § 102(b) as anticipated by WO 97/09682 to Kikinis (“Kikinis”).

3. I have approximately nineteen (19) years of software engineering and software development background in both academic and commercial settings. Over the years, I have participated in the design, development, testing, deployment, support, and ongoing maintenance of software projects of various sizes across several industries.

4. As a result of my extensive experience and work in both academia and industry, I have personal knowledge concerning certain technologies and art relevant to this case. I currently serve as President and Chief Executive Officer of Prolifogy Inc., a software technology firm based in Danbury, Connecticut. The

primary functions of the business are software consulting and software development. Most of my current software development work has involved my personal hands-on involvement with web based software technology.

5. My academic background is primarily in the field of computer science. I hold a Bachelor of Arts (BA) degree in computer science from Western Connecticut State University, where I graduated Summa Cum Laude. I also hold a Master of Science (MS) degree in computer science from Rensselaer Polytechnic Institute. I also hold a Doctor of Philosophy (Ph.D.) degree in computer science from the Courant Institute of Mathematical Sciences at New York University. My area of research study includes formal requirements languages, embedded systems, and synthesis of executable code from requirements.

6. My academic background in computer science includes, among other things, coursework and hands-on experience with programming languages, computer architecture, software engineering, assembly programming, operating systems, compilers, and programming languages such as Java, PHP, and C#.

7. I am currently an Adjunct Assistant Professor at New York University where I teach graduate courses in programming languages and web application development.

8. I served as a full-time consultant to Microsoft Research Ltd. for approximately two (2) years, where I worked with researchers and programmers to

design and implement a software framework known as an execution engine for a publically available research tool used in biological modeling.

9. I was employed as a Specialist and then later as a consultant for the Information Technology (IT) department of PepsiCo Inc. I was also employed at various times by Boehringer Ingelheim and Yoh Scientific in the capacities of intern, employee, and consultant, where I worked with web technology.

10. I have also served as a Teaching Assistant for several undergraduate and graduate courses including Programming Languages, UNIX Tools, and Machine Learning at Rensselaer Polytechnic Institute and New York University. I have received recognition by the New York University Computer Science department for my work as a teaching assistant.

11. I have additionally served as a Research Assistant at various times throughout my course of study at Rensselaer Polytechnic Institute and New York University. Topics of research have included a programming concept known as garbage collection, machine learning, software modeling, verification, and synthesis.

12. My education, history of employment, listing of all publications, listing of all prior testimony, and additional qualifications are set forth in my curriculum vitae, attached to this report. Filed herewith as Exhibit 2002 is a true and correct copy of my curriculum vitae.

13. I am being compensated at my customary rate of \$495.00 per hour for all work I perform in the current matter, including reasonable out-of-pocket expenses. The compensation is not dependent on the outcome of the matter.

14. The opinions I provide herein are my own, and are based on my research in this matter and on the education, experience, training, and skill that I have accumulated in the course of my approximately nineteen (19) years working in this field. In connection with my analysis, I have reviewed the following: (1) the '290 patent (Ex. 1001), (2) Samsung's Petition for *Inter Partes* Review (Paper 1), (3) the Board's Institution Decision (Paper 11), and (4) Kikinis (Ex. 1007). I have also read the declaration and deposition testimony of Dr. John M. Strawn. (Exs. 1005 and 2003.)

15. All of the opinions I express in this declaration have been made from the standpoint of a person of ordinary skill in the art of the subject matter of the '290 patent. It is my opinion that at the time the '290 patent application was filed, July 16, 1999, a person of ordinary skill in the art (hereafter, "POSITA") in the subject matter of the '290 patent would have education and/or experience with the World Wide Web, Common Gateway Interface (CGI), server side programming languages, databases, networking, and client/server architecture. The education component could be satisfied with a bachelor's degree in computer science (or related field such as computer engineering) or at least two (2) years of industry

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