Declaration of Dr. John M. Strawn

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Samsung Electronics America, Inc. Petitioner,

v.

B.E. Technology, LLC Patent Owner

Patent No. 6,771,290 (Claims 2-3) Issued: August 3, 2004 Filed: April 11, 2001 Inventors: Martin David Hoyle Title: COMPUTER INTERFACE METHOD AND APPARATUS WITH PORTABLE NETWORK ORGANIZATION SYSTEM AND TARGETED ADVERTISING

Inter Partes Review No. IPR2014-00044

Declaration of Dr. John M. Strawn

DOCKET

Δ

TABLE OF CONTENTS

I.	Introduction					
	А.	Background And Qualifications3				
	B.	Materials Considered 4				
II.	Lega	Legal Standards For Patentability				
	Α.	Anticipat	ion5			
	B.	Obviousn	ness6			
III.	Perso	on of Ordinary Skill in the Art7				
IV.	Back	ground Of The Technology7				
V.	The '290 Patent					
	A.	A. Technical Overview of the '290 Patent				
	B.	Prosecution History of the '290 Patent11				
	C.	Construction of Terms Used in the Claims				
		a) "cli	ent computer" 12			
		b) "se	rver" 13			
		c) "ne	twork" 13			
		d) "fil	e"13			
		e) "lir	ık" 13			
		f) "no	on-volatile data storage device" 14			
		g) "pr	ogram"14			
		h) "in	formation resource" 15			
		i) "br	owser" 15			
		j) "pr	ofile" 15			

VI.	Pate	tentability Evaluation Of The '290 Patent			
	А.	Kikinis Discloses Every Limitation of Claims 2 and 3		7	
		a)	Kikinis Discloses Every Limitation of Claim 2 17	7	
		b)	Kikinis Discloses Every Limitation of Claim 3 22	2	
	В.	puServe1 Discloses Every Limitation of Claim 223	3		
	C. CompuServe1 in View of Admissions of the '290 patent and/or in View of CompuServe2 Teach Claim 3				
	D.	Sonnenreich Discloses Every Limitation of Claims 2 and 3 28			
		a)	Sonnenreich Discloses Every Limitation of Claim 22	8	
		b)	Sonnenreich Discloses Every Limitation of Claim 33	1	
VII.	Con	clusio	n	2	
Atta	<u>chmer</u>	<u>nt A. (</u>	<u>Claim Chart - Kikinis</u>		
Attachment B. Claim Chart – CompuServe1 and CompuServe2					

Attachment C. Claim Chart - Sonnenreich

i.

4

ŝ

Declaration of Dr. John M. Strawn

I, John M. Strawn, 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 9, 2013

John M. Straum

John M. Strawn

 \bigcirc

I, Dr. John M. Strawn, hereby declare as follows:

I. Introduction

1. I have been retained by Greenberg Traurig, on behalf of Samsung Electronics America, Inc. ("Samsung"), as an expert in the above-captioned proceeding. I have been asked to render an opinion regarding the validity of claims 2 and 3 of U.S. Patent No. 6,771,290 ("the '290 patent"), a copy of which is submitted herewith as Exhibit 1001. I am being compensated at a rate of \$425.00 per hour for my study and testimony in this matter. I am also being reimbursed for reasonable and customary expenses associated with my work and testimony in this matter. My compensation is not contingent on the outcome of this matter or the specifics of my testimony.

2. Between 2005 and 2013, I was deposed as an expert in the following cases:

Date	Case				
2013	Adobe v. Wowza, CV 11-02243-CW, Northern District of California				
2013	SmartPhone v. LG, 6:10-cv-74, Eastern District of Texas.				
2012	Adobe v. Wowza, CV 11-02243-CW, Northern District of California.				
2011	Move Inc. v. Real Estate Alliance Ltd et al., 2:07-cv-02185, Centr				
	District of California.				
2011	Certain Wireless Communication Devices, Portable Music and Data				
	Processing Devices, Computers and Components Thereof, ITC 337-				
	TA-745				
2010	Affinity Labs v. Alpine Electronics et al., 08-171-RC, Eastern				
	District of Texas.				
2009-	In re Apple & ATTM Antitrust Litigation, C 07-5152, Northern				
2010	District of California.				
2008-	Konami Digital Entertainment v. Harmonix Music Systems, 6:08-cv-				
2010	00286, Eastern District of Texas				
2007-	Nice Systems Inc. and Nice Systems Ltd. v. Witness Systems Inc., 06-				

2

DOCKET A L A R M



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.