UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MASTERCARD INTERNATIONAL INCORPORATED

Petitioner

v.

JOHN D'AGOSTINO

Patent Owner

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Case IPR2014-00543

Patent 8,036,988

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DECLARATION OF EDWARD L. GUSSIN IN REPLY TO PETITIONER'S
OBJECTIONS TO DECLARATION FILED WITH PATENT
OWNER'S RESPONSE

1.   My name is Edward L. Gussin, and I have been retained by the Patent Owner to provide my opinions as they relate to U.S. Patent 8,036,988, which is the subject of the present Inter Partes Review, and U.S. Patent 7,840,486, which is the subject of IPR2014-00544.

2.   I made a previous declaration (Exhibit 2007) that was submitted with the Patent Owner's Response, filed December 5, 2014. That declaration included my curriculum vitae as Appendix A, and a list of my prior engagements as Appendix B.

3.   I am making this declaration in response to Petitioner's objections to my previous declaration concerning my qualifications to serve as an expert witness in this proceeding.

4.   As shown in Appendix A, I received a B.S. in Electrical Engineering from the Illinois Institute of Technology in 1975, and an M.S. in Electrical Engineering from the University of Southern California in 1979.

5.   As shown in Appendix A, from May, 1975 through August, 1976, I was a computer hardware designer and software programmer at GTE Automatic Electric in Northlake, Illinois.

6.   As shown in Appendix A, from August, 1976 through April, 2011, I was an electrical engineer developing signal and data processing electronics, with

progressively expanding responsibility in program management and technical leadership positions at Raytheon Company, formerly Hughes Aircraft Company in El Segundo, California.

7.   Throughout my entire 39 year career as an electrical engineer, I have been engaged in the design and development of complex computer hardware and software systems with technology similar to the systems described in the patents at issue in this case. In particular, I have been responsible for leading technical efforts to establish design requirements for computing systems that meet user objectives and performance goals. As part of this work, I have had to analyze and understand descriptions of user interfaces, functional performance specifications, and design characteristics, a task that require many of the same skills used in patent claim interpretation and analysis of prior art.

8.   I also have many years of experience leading the design and testing of computing systems. This experience provides me with the ability to understand technical electrical engineering issues as they relate to patent infringement cases, and to provide opinions on the correct claim construction and anticipation based on a thorough analysis.

9.   As shown in Appendix B, I have served as an expert witness, including trial testimony, depositions, and preparing declarations, on electrical

engineering matters in multiple patent infringement cases, which are discussed below.

10.   I have served as an expert witness, including trial testimony, depositions, and preparing declarations, on electrical engineering matters, on two video game patent infringement cases. The patent at issue in this case was 3,900,886, titled "Sonic color system." I provided testimony on claim construction, anticipation and obviousness. Coyle v. Nintendo (C.D. CA) and Coyle v. Sega, Case No. 2:90-cv-2323 (C.D. CA).

11.   I have served as an expert witness, including depositions and preparing declarations, on electrical engineering matters on a patent infringement case relating to a software system. The patent at issue in this case was 4,689,737, titled "Integrated environment computer system control structure with natural language interface." I provided testimony on claim construction, anticipation and obviousness. Grant v. Apple, Case No. 2:93-cv-808 (C.D. CA).

12.   I have served as an expert witness, including preparing declarations, on electrical engineering matters on a patent infringement case relating to a security system. The patent at issue in this case was 4,494,114, titled "Security arrangement for and method of rendering microprocessor-controlled electronic equipment inoperative after occurrence of disabling event." I provided testimony

on claim construction, anticipation and obviousness. Int'l Elec. Tech. v. DirecTv, Case No. cv-97-2678 (C.D. CA).

13. I have served as an expert witness, including depositions and preparing declarations, on electrical engineering matters on a patent infringement case relating to scanning electron microscope data processing. The patent at issue in this case was 5,212,383, titled "Color synthesizing scanning electron microscope." I provided testimony on claim construction, anticipation and obviousness. Scharf v. Applied Materials, Case No. cv-01-06580 (C.D. CA).

14. I have served as an expert witness, including depositions and preparing declarations, on electrical engineering matters on a patent infringement case relating to a video game. The patent at issue in this case was 5,524,637, titled "Interactive system for measuring physiological exertion." I provided testimony on claim construction, anticipation and obviousness. Impulse Technology v. Nintendo, Ubisoft, THQ, Konami, Majesco, and Namco Bandai, Case No. 11-cv-02519-JG (N.D. Ohio).

15. I have served as an expert witness, including depositions and preparing declarations, on electrical engineering matters on a patent infringement case relating to secure credit card data processing. The patent at issue in this case was 6,792,464, titled "System for automatic connection to a network." I provided

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