IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PETROLEUM GEO-SERVICES INC.
Petitioner
v.

WESTERNGECO LLC
Patent Owner

CASE IPR: Unassigned
Patent 7,162,520 B2

DECLARATION OF DR. BRIAN EVANS, PhD.

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I, Dr. Brian Evans, hereby state the following:

I. INTRODUCTION

1. I have been retained by Petroleum Geo-Services, Inc. ("PGS") to provide technical assistance related to the filing of a Petition for *Inter Partes Review* of U.S. Patent No. 7,293,520 B2 ("the '520 Patent") (Ex. 1001). I am working as a private consultant on this matter and the opinions presented here are my own.

2. I have been asked to prepare a written report, including comments related to whether certain claims of the '520 Patent are unpatentable because they are anticipated or would have been obvious to one of ordinary skill in view of the prior art. I have reviewed the documents set forth in the attached Appendix of Exhibits and relied on my decades of knowledge and experience in the field of seismic marine surveys (detailed in Section II) in reaching my opinions regarding validity. This report sets forth the bases and reasons for my opinions, including the additional materials and information relied upon in forming those opinions and conclusions.

3. This report is based on information currently available to me. I reserve the right to continue my investigation and analysis, which may include a review of documents and information not yet produced. I further reserve the right to expand or otherwise modify my opinions and conclusions as my investigation and study

continues, and to supplement my opinions and conclusions in response to any additional information that becomes available to me.

II. QUALIFICATIONS

4. I am a Professor of Geophysics in the Department of Petroleum Engineering at Curtin University located in Bentley, Western Australia. I have worked continuously in the field of marine seismic surveying for over 44 years, since the 1970s. I have been involved in the design of dozens of marine seismic surveys, and have been onboard seismic vessels as they were conducting a marine seismic survey over one-hundred times.

5. I authored a textbook devoted to marine seismic surveying and data acquisition, entitled "A Handbook for Seismic Data Acquisition in Exploration." I began writing the textbook in 1985 for use in my "Seismic Acquisition" class, and continued to update it over the years. It was first published in 1997 by the Society of Exploration Geophysicists (SEG), the premier international organization for seismic professionals and researchers, including marine seismic professionals. At the time of its publication, it was considered the authoritative textbook in the field of seismic data acquisition. Over the past 15 years, it has been used throughout the world in seismic surveying courses and on seismic survey vessels.

6. I obtained my Diploma of Electrical Engineering, the equivalent of a bachelor's degree, at the J.M. University of Liverpool in the United Kingdom in

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