UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE, INC.,
Petitioner,

v.

TLI COMMUNICATIONS LLC,
Patent Owner.

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Case IPR2015-00283
Patent 6,038,295
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DECLARATION OF PRASANT MOHAPATRA, PH.D.

PRASANT MOHAPATRA, Ph.D. declares:

I. BACKGROUND.

1.　　In 1987, I earned the B.S. degree in Electrical Engineering from the National Institute of Technology in Rourkela, India. In 1989, I earned a M.S. degree in Mathematics from The University of Rhode Island and in 1993, I earned a Ph.D. degree in Computer Engineering from The Pennsylvania State University.

2.　　From 2009 to 2013, I was the Tim Bucher Family Endowed Chair, University of California, Davis, CA.

3.　　From 2007 to 2013, I was the Chair of the Computer Science Department, University of California, Davis, CA.

4.　　From 2003 to present I have been a professor at the Computer Science Department, University of California, Davis, CA.

5.　　From 2013 to 2014, I served as the Interim Vice-Provost and the Chief Information Officer (CIO) of UC Davis.

6.　　From 2014 to present I am serving as the Associate Chancellor of UC Davis.

7.　　I am a fellow of the American Association for the Advancement of Science (AAAS) and Institution of Electrical and Electronics Engineers (IEEE).

8.   I have taught computer science classes at the undergraduate and graduate levels, as well as supervised research at the undergraduate, graduate and post-doctoral levels.   A copy of my curriculum vitae, which details my experience that is relevant to these proceedings, is included as Exhibit 2009.

9.   For my efforts in connection with the preparation of this declaration I have been compensated at my regular hourly rate for this type of consulting activity. My compensation is in no way dependent or contingent upon the outcome of these proceedings or any other proceedings relating to the subject '295 Patent and I have no financial interest in Patent Owner.

II. MATERIALS AND INFORMATION PROVIDED TO ME AND LEVEL OF ORDINARY SKILL IN THE ART.

10.   In connection with the preparation of this declaration I have read and understood 6,038,295 (the "'295 patent" or the "Mattes patent") (*Ex. 1001*); Google's Petition for *Inter Partes* Review; the declaration of Kenneth A. Parulski (*Ex. 1002*); *Wilska*, U.S. Patent 5,613,108 (*Ex. 1006*); *Morikawa*, U.S. Patent 6,427,078 (*Ex. 1007*); the Board's Decision – Institution of *Inter Partes* Review, Paper 21; and Patent Owner's Response to the Petition.

11.   I have been informed that "a person of ordinary skill in the art" is a hypothetical person to whom an expert in the relevant field could assign a routine task with reasonable confidence that the task would be successfully carried out. I have been informed that the level of skill in the art may be evidenced by references published at or around the time of the filing of the patent under consideration. Based on my experience, it is my opinion that the level of ordinary skill in the relevant art at the time of the invention would be a person having a Bachelor of Science degree in computer science, electrical engineering, or computer engineering, with approximately 2 years of practical work experience or post-graduate research in a field such as computer networking and/or distributed systems. I do not believe the person of ordinary skill in the art would have required advanced training in digital imaging, however, because the subject Mattes patent and the cited references are not concerned with any imaging problems or techniques per se, and instead focus on communicating, storing and administering digital images transmitted over various communication networks. In June 1996, I had at least the specified level of experience in the relevant field. Furthermore, at least by virtue of my teaching computer science classes at the undergraduate and post-graduate levels, I had and continue to have an understanding of the capabilities of a person of ordinary skill in the relevant art at the time of the

invention of the '295 Patent. I have supervised and directed many such persons over the course of my career.

12.   I understand that trial has been instituted as to claims 17-24 of the "Mattes patent, in part, to consider whether claims 17, 19–21, 23, and 24 are unpatentable under 35 U.S.C. § 103(a) as obvious over the combination of *Wilska* and *Morikawa*. I am advised that even if a claim of a patent may be found unpatentable if, at the time of the invention, the claim as a whole would have been obvious to a person of ordinary skill in the art. I understand that considerations of obviousness involve determining the scope and content of the prior art; ascertaining the differences between the prior art and the claims at issue; and resolving the level of ordinary skill in the pertinent art. I further understand that considerations of so-called secondary indicia of non-obviousness can be important to the obviousness inquiry, however, I have not been asked to consider any such secondary indicia of non-obviousness in connection with this declaration.

III.   OVERVIEW OF U.S. PATENT 6,038,295

13.   As I mentioned above, the Mattes patent addresses the problem of transmitting, storing and classifying digital images that are captured by and issue

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