

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC. & INSTAGRAM, LLC,
Petitioner,

v.

TLI COMMUNICATIONS LLC,
Patent Owner.

Case IPR2015-00778
Patent 6,038,295

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 2010.

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*).

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. Instead, the Mattes patent focuses on devices for capturing storing, communicating and administering digital images. 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.

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

12. One problem addressed by the Mattes patent concerns transmitting, storing and classifying digital images that are captured by and issue from telephones.¹ The Mattes patent proposes allowing telephone users to prescribe and/or allocate classification information data to such digital images, for example, by using the phone's keypad.² The telephone then transmits the digital images and classification information data to a server. The server extracts the classification information data and takes it into account when storing the digital images so that the transmitted images may be "surveyable" and "easily relocated."³

13. Claim 17, reads as follows:

A method for recording and administering digital images, comprising the steps of:

recording images using a digital pick up unit in a telephone unit,

storing the images recorded by the digital pick up unit in a digital form as digital images,

transmitting data including at least the digital images and classification information to a server, wherein said

¹ *Ex. 1001* at 1:62 – 2:4; Figs. 1 and 2.

² *Id.* at 6:42-58, 7:16-19.

³ *Id.* at 1:62-2:4, 2:55-65, 7:45-55.

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