

Declaration of David Klausner in Support of
Petition for *Inter Partes* Review of
U.S. Patent No. 5,978,594

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ServiceNow, Inc.
Petitioner

v.

BMC Software, Inc.
Patent Owner

U.S. Patent No. 5,978,594
Filing Date: March 6, 1997
Issue Date: November 9, 1999

Title: SYSTEM FOR MANAGING COMPUTER RESOURCES ACROSS A DISTRIBUTED COMPUTING
ENVIRONMENT BY FIRST READING DISCOVERY INFORMATION ABOUT
HOW TO DETERMINE SYSTEM RESOURCES PRESENCE

DECLARATION OF DAVID KLAUSNER

Inter Partes Review No. 2015-__

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I, David Klausner, declare as follows:

I. INTRODUCTION AND QUALIFICATIONS

A. Qualifications and Experience

1. I am currently employed as an independent computer expert and consultant. I have a bachelor's degree in Mathematics, a master's of science degree in Electrical Engineering, and over 47 years of professional experience in the areas of computer networking, security and software. During that time, I have worked as a consultant, as an expert, as an engineer, as a software developer, as a manager, as a company executive, and as a forensic investigator.

2. Specific computer-related technologies that I have worked with include networks, network devices such as routers and switches, internet, web technologies (such as servers, clients, messaging, scripts, applets, and applications), protocols, videoconferencing systems, operating systems, computer hardware, source code, and programming languages.

3. In addition, my working experience includes developing software for, among other things, network data communications, business applications, data management, database design, client/server, compilers, parsers, programming languages, user interfaces, quality assurance, real-time applications, artificial

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intelligence, utility programs, diagnostics, machine simulators, performance analyzers, EDI applications, general ledger, inventory control, software auditing, manufacturing processes, insurance, financial, and statistical process control. I have designed and developed, as well as managed and assisted in the design and development of, computer hardware and software systems. Some of my clients have been computer software companies, including Symantec, Adobe, Nortel, Intel Corp., Hewlett-Packard, and IBM.

4. My experience includes decades of software development, consulting and expert testimony experience in many aspects of the computer field, from microcomputers to mainframes, and in all areas of programming. I also have experience as an engineer, developer, supervisor, project manager, department manager, middle manager, and company executive, as well as experience in forensic investigation and reverse engineering.

5. Additional details of my background are set forth in my curriculum vitae, attached as **Exhibit A** to this Declaration, which provides a more complete description of my educational background and work experience.

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