

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TERREMARK NORTH AMERICA LLC, VERIZON BUSINESS NETWORK
SERVICES INC., VERIZON SERVICES CORP., TIME WARNER CABLE
INC., ICONCONTROL NETWORKS, INC., AND COXCOM, LLC,
Petitioners

v.

JOAO CONTROL & MONITORING SYSTEMS, LLC,
Patent Owner

CASE IPR: Unassigned

**DECLARATION OF RICHARD BENNETT IN SUPPORT OF
PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 7,397,363
UNDER 35 U.S.C. §§311-319 AND 37 C.F.R. §§ 42.1-.80 & 42.100-.123**

LIST OF EXHIBITS

The following is a list of exhibits that I understand have been attached to the accompanying petition for *Inter Partes* Review that I have cited below in this Declaration:

- | | |
|---------|---|
| EX-1001 | U.S. Patent No. 7,397,363 (“the ‘363 Patent”) |
| EX-1003 | Curriculum Vitae of Richard Bennett |
| EX-1008 | Goldberg, K., et. al., “Beyond the Web: manipulating the real world,” published by NH Elsevier in <i>Computer Networks and ISDN Systems</i> , 28 (1995) at 209-219 (“Goldberg”) |
| EX-1010 | U.S. Patent No. 5,461,372 to Busak et al., (“Busak”), issued on October 24, 1995 |
| EX-1012 | Sheng, Samuel, et al., “A Portable Multimedia Terminal: Successful personal communications terminals will depend upon the smooth integration of computation and communications facilities in a lightweight unit,” published in <i>IEEE Communications Magazine</i> (December 1992) at 64-75 (“Sheng”) |

- EX-1013 Zuech, Nello, “The EDC-1000 Electric Imaging System,” published in I.A.P.P.P. Communications No. 39 (March 1990) at 1-2.
- EX-1017 U.S. Patent No. 3,866,164 to Peterson (“Peterson”), issued on February 11, 1975
- EX-1018 Goldberg et al., “Desktop Teleoperation via the World Wide Web,” published in *IEEE International Conference on Robotics and Automation* (1995) at 654.

I, Richard Bennett, declare as follows:

1. I have been retained to provide my opinions for the above-captioned *Inter Partes* review proceeding. I understand that this proceeding involves U.S. Patent No. 7,397,363 (“the ‘363 Patent”). I am being compensated for my time in preparing this declaration, but my compensation is not tied to the outcome of this matter, and my compensation is not based on the substance of the opinions rendered here.

2. I have reviewed and am familiar with the specification and claims 1, 3-4, 5, 8, 13-17, and 20 (“the Challenged Claims”) of the ‘363 Patent.

3. I have reviewed and am familiar with the following prior art, which I understand is used in the petition for *Inter Partes Review* of the ‘363 patent:

- The article titled “Beyond the Web: manipulating the real world,” by Ken Goldberg *et. al.* in *Computer Networks and ISDN Systems*, 28 (1995) at 209-219 (“Goldberg,” provided as Ex-1008).
- The article titled “A Portable Multimedia Terminal: Successful personal communications terminals will depend upon the smooth integration of computation and communications facilities in a lightweight unit,” by Samuel Sheng in *IEEE Communications Magazine* (December 1992) at 64-75 (“Sheng,” provided as Ex-1012).
- U.S. Patent No. 5,461,372 to Busak (“Busak,” provided as Ex-1010).

4. My opinions are based on my years of education, research and experience, as well as my investigation and study of the Exhibits in the above List of Exhibits.

I may rely upon these materials and/or additional materials to rebut arguments raised by Patent Owner. I reserve the right to revise, supplement, and/or amend my opinions stated herein based on new information and on my continuing analysis of the materials already provided.

I. QUALIFICATIONS

5. I have summarized in this section my educational background, career history, network standards activities, and other relevant qualifications. My full curriculum vita is attached hereto as Ex. 1003.

6. I earned the Bachelor of Arts degree at the University of Texas (Austin) in 1975 with a major in Philosophy, and subsequently took courses in computer science and electrical engineering.

7. I worked as a computer programmer, network engineer, and system architect from 1977 until 2009 with a number of computer networking firms, including those that produced tele-video systems such as Hewlett-Packard, Sharp Labs, Compression Labs, Sony Electronics Laboratory, Starlight Networks, Fourth Network, 3Com, Intel, and Cisco. In the course of my professional career, I developed network protocols and applications, video servers, television remote

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