HARVEST TRADING GROUP, INC.,

Petition

v.

VIREO SYSTEMS, INC. AND

UNEMED CORPORATION,

Patent Owners

U.S. PATENT NO. 8,629,685

IPR 2016-00957

DECLARATION OF JACOB W NEU

Ex. 2022

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I am over the age of 18 and have personal knowledge of the facts declared herein.

2. On August 3, 2016, I logged onto the PTAB E2E trial system to upload Owner's Preliminary Response ("Response") and associated Exhibit Nos. 2001-2020.

3. I attempted to upload the attached Response via the PTAB E2E at 3:48 PM CT on August 3, 2016. The E2E system generated an error appearing in the upper right corner of the browser stating, "There is an issue saving document." An example of this is attached as Exhibit A. The email receipt generated is attached in the collected receipts provided in Exhibit B.

4. I successfully uploaded Exhibit Nos. 2001-2020 using the separate exhibit upload screen at 3:57 PM CT. The email receipt generated is attached in the collected receipts provided in Exhibit B.

5. I then attempted several more times to upload the Response, at 3:58 PM, 3:59 PM, 4:02 PM, 4:16 PM, 4:17 PM, 4:23 PM, 4:34 PM, 4:39 PM, and 4:40 PM. These efforts included removing all metadata and hyperlinks in the Response, and attempting to upload a scanned version of a paper copy of the Response.

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technical problem. I called the PTAB main contact number provided in the USPTO website for E2E issues (571-272-7822) at 4:30 PM and left a message explaining the issue. I also sent an email to PTABE2EADMIN@uspto.gov at 4:44 PM. I did not receive a response to these inquiries. The emails are attached hereto as Exhibit C.

7. Due to these technical issues, I served Petitioner Harvest Trading Group, Inc. ("Petitioner") service copies of the Response and associated exhibits at 4:52 PM. At 4:58 PM, I notified counsel in a separate email concerning the issue with uploading the Response and expressed that we would continue attempting to upload electronically, and also proceed with filing this Motion. These emails are attached hereto as Exhibit D.

8. My co-counsel Stephen Hall (Reg. no. 44,734) attempted to upload the Response from a different computer at 5:19 PM, 5:26 PM, and 5:29 PM. The email receipts generated are attached in the collected receipts provided in Exhibit B. These attempts were unsuccessful.

9. In an abundance of caution, and in order to provide the Response to the PTAB in some form electronically, Mr. Hall submitted the Response as an "exhibit,"

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is attached in the collected receipts provided in Exhibit B.

10. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. I further declare that these statements were made with the knowledge that willful or false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the patents to which this proceeding pertains.

Respectfully submitted,

_____

Jacob W Neu

Date: _August 3, 2016_

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