#### UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC. Petitioner

v.

WINDY CITY INNOVATIONS, LLC Patent Owner

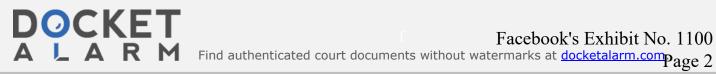
> Case No. IPR2016-01155 Case No. IPR2017-00622 Patent No. 8,694,657

DECLARATION OF CHRISTOPHER SCHMANDT IN SUPPORT OF PETITIONER'S REPLY



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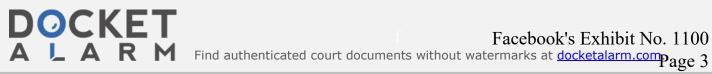
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Declaration of Christopher Schmandt in support of Petitioner's Reply in IPR2016-01155 and IPR2017-00622

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I, Christopher Schmandt, declare as follows:

I. INTRODUCTORY COMMENTS

1. I have been retained by counsel for Facebook, Inc. ("Petitioner") in

this case as an expert in the relevant art.

2. I am the same expert who submitted a declaration in this proceeding is

support of Petitioner Microsoft Corporation. My previous declaration was

submitted as Ex. 1003 in this proceeding.

3. I have reviewed the Decision Instituting *Inter Partes* Review (Paper

12 ("DI" or "institution decision")) in this case, the Patent Owner's Response

(Paper 27), and the evidence submitted in support of that Response, including the

expert declaration of Dr. Jaime G. Carbonell and the transcript of Dr. Carbonell's

deposition. After considering the evidence and arguments offered by Patent

Owner and its expert, I maintain my opinions as stated in my previous declaration.

I have prepared this declaration to offer my opinions in response to the evidence

and arguments made in Patent Owner's Response.

4. I understand that in this proceeding, trial has been instituted on the

following ground:

1) All challenged claims unpatentable under 35 U.S.C. § 103(a) in

view of Brown and Sociable Web.

5. I further understand that in the proceeding as it currently stands with



Declaration of Christopher Schmandt in support of Petitioner's Reply in IPR2016-01155 and IPR2017-00622

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Facebook as a joined Petitioner, claims 189 and 465 are challenged as unpatentable

within the instituted ground noted above.

II. CLAIM CONSTRUCTION

A. Response to Dr. Carbonell's Opinions Regarding the Meaning of

"Database"

6. Dr. Carbonell opines that "database" should be construed as "a

collection of logically related data which is stored with persistence and associated

with tools for interacting with the data such as a DBMS." (See Ex. 2006 at ¶¶ 25-

32.)

7. I respectfully disagree with Dr. Carbonell's opinion. A person of

ordinary skill in the art would have understood that the patent and claims use the

term "database" consistent with its broad ordinary meaning. The patent's written

description uses the term in only one paragraph. (Ex. 1001 at 7:52-59.) The patent

states that a control computer database stores tokens, which are pieces of

information associated with user identity. (Id.) The written description does not

impose any specific requirements or restrictions on the meaning of the term

"database." (See id.) The written description also does not state or require that the

database includes any "tools" for interacting with the data such as a DBMS,

contrary to Dr. Carbonell's proposed construction.

8. I have reviewed the discussion of claim construction in the Board's

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