### UNITED STATES PATENT AND TRADEMARK OFFICE

\_\_\_\_\_

## BEFORE THE PATENT TRIAL AND APPEAL BOARD

### MICROSOFT CORPORATION

Petitioner

V.

### **BRADIUM TECHNOLOGIES LLC**

Patent Owner

CASE IPR2016-01897

Patent No. 9,253,239

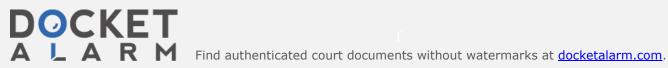
## DECLARATION OF DR. PEGGY AGOURIS IN SUPPORT OF PATENT OWNER RESPONSE

Exhibit 2014 Bradium Technologies LLC - patent owner



## **TABLE OF CONTENTS**

			Pa	age	
I.	INTRODUCTION				
	A.	Background and Qualifications			
	B.	Person of Ordinary Skill in the Art ("POSA")		4	
	C.			5	
	D.			6	
	E.	Cla	im 1	7	
	F.	Cla	im 21	8	
	G.	Cla	im 22	8	
	H.	Cla	im Construction	.10	
		1.	"Data Parcel" (Claims 1, 12, 17, 21, 22)	.10	
		2.	"Image Parcel" (Claims 1, 25)	.11	
		3.	"Mobile Device" (Claim 23)	.11	
II.	SUI	MM	ARY OF OPINION	.12	
III.	MY ANALYSIS OF CLAIMS 1–19 and 21–25				
	A.	Dis	closures of Reddy, Hornbacker, and Loomans	.13	
		1.	Reddy	.13	
		2.	Hornbacker	.14	
		3.	Loomans	.15	
	В.	The Asserted References Do Not Teach or Suggest All Elements of Claims 21 or 22 (Ground 2) of the '239 Patent			
		1.	The generic disclosures of multi-threading relied on by Dr. Michalson would not have led a POSA to the claimed invention	.18	
		2.	Austreng and Loomans do not teach or suggest the use of multithreading to concurrently download and request update data parcels	.23	



	3.	Austreng (Ex. 1016) would not have taught or suggested to a POSA the use of multiple threads to concurrently download data parcels.	25	
	4.	Loomans (Ex. 1014) would not have taught or suggested to a POSA the use of multiple threads to concurrently download data parcels.	32	
	5.	Loomans and Austreng do not disclose multi-threading applied to "data parcels" as required by claims 21 and 22	38	
	6.	Applying Multithreading of Loomans or Austreng to Reddy Would be Unworkable	39	
	7.	Conclusion	39	
C.	A POSA Would Not Have Selected and Combined the Asserted References			
	1.	A POSA would not have selected Reddy	40	
	2.	A POSA would not have combined Reddy and Hornbacker	42	
	3.	A POSA would not have combined Reddy or Hornbacker with Loomans	43	
	4.	Hornbacker and Reddy are incompatible	44	
	5.	Hornbacker and Loomans are incompatible	46	
	6.	Austreng teaches away from the asserted combination of Reddy and Hornbacker with Loomans.	46	



# **LIST OF APPENDICES**

Dr. Peggy Agouris Curriculum Vitae APPENDIX A



I hereby declare that all the statements made in this Declaration are of my own knowledge and true; that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made 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 application or any patent issue thereupon.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: August 1, 2017

Signed by:

Peggy Agouris

# DOCKET

# Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

# **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

### API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

#### **LAW FIRMS**

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

#### **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

## **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

