

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ROCKWELL AUTOMATION, INC. and  
ROCKWELL AUTOMATION TECHNOLOGIES, INC.,  
Petitioners,

v.

AUTOMATION MIDDLEWARE SOLUTIONS, INC.,  
Patent Owner.

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Case IPR2017-00048  
Patent 6,516,236

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**DECLARATION OF DOUGLAS R. WILSON IN  
SUPPORT OF PATENT OWNER'S PRELIMINARY  
RESPONSE**

I, Douglas R. Wilson, declare as follows:

1. I am over the age of 18 and fully competent to make this declaration. I have personal knowledge of the facts stated herein, and they are true and correct.

2. I am a Partner with Heim, Payne & Chorush, L.L.P., and am counsel for Automation Middleware Solutions, Inc. in the current proceeding. I am a member in good standing of the Texas Bar, and I am admitted to practice in various courts.

3. The exhibits submitted with this Patent Owner Response in matter IPR2017-00048 are true and correct copies of the original documents as identified in the table of exhibits provided below:.

<b>Ex #</b>	<b>Exhibit</b>
2002	<i>Inter Partes</i> Reexamination 95/000,396 Office Action, 11/20/2008
2003	<i>Inter Partes</i> Reexamination Filing Data – September 30, 2016, <a href="https://www.uspto.gov/sites/default/files/documents/inter_parte_historical_stats_roll_up.pdf">https://www.uspto.gov/sites/default/files/documents/inter_parte_historical_stats_roll_up.pdf</a>
2004	'062 IPR Exhibit 1010 – Represented to be Cashin
2005	'062 IPR Exhibit 1003 – Represented to be WOSA XFS
2006	'062 IPR Exhibit 1011 – Represented to be Control Engineering August 1995
2007	'062 IPR Exhibit 1002 – Represented to be Gertz Thesis
2008	PTAB Statistics – October 31, 2016, <a href="https://www.uspto.gov/sites/default/files/documents/aia_statistics_october2016.pdf">https://www.uspto.gov/sites/default/files/documents/aia_statistics_october2016.pdf</a>
2009	Excerpts of the File History for U.S. Patent Application Serial No. 10/021,669, which issued as the '236 Patent, Application filed on 2001-12-10
2010	U.S. Patent No. 6,516,236 C1 (Reexamination Certificate)
2011	Excerpts of the File History for <i>Inter Partes</i> Reexamination No. 95/000,396, Decision on Petition and Action Closing Prosecution, 2011-01-

	26
2012	Excerpts from Adrian King, Inside Windows 95
2013	Excerpts of the File History for <i>Inter Partes</i> Reexamination No. 95/000,396, Action Closing Prosecution, 2010-09-22
2014	'062 IPR Petition
2015	'062 IPR Decision on Institution of IPR, 2013-04-18
2016	Preliminary Claim Construction in <i>Automation Middleware Solutions, Inc. v. Invensys Systems, Inc., et al.</i> , No. 2-15-cv-00898-RWS (E.D. Tex. Dec. 6, 2016)
2017	U.S. Patent No 5,392,207 - GML

I declare under penalty of perjury under 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on February 1, 2017

By: /Douglas R. Wilson/  
Douglas R. Wilson