IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Board

Patent Trial and Appeal Board

P.O. Box 1450

Alexandria, VA 22313-1450

**DECLARATION OF PROFESSOR
CHRISTOPHER A. COTROPIA**

I, Christopher Anthony Cotropia, hereby declare as follows:

1.   I am a Professor of Law at the University of Richmond School of Law in Richmond, Virginia. I am also the Director of the School's Intellectual Property Institute. I have taught and researched in the area intellectual property law, including patent law, for the past fourteen years. In this academic capacity, I teach and assist students to search for prior art, and stay abreast of the most effective techniques and best practices in searching for prior art.

2.   I am also a founding and named partner of Bey & Cotropia PLLC, a law firm that specializes in patent law, specifically United States Patent and Trademark Office ("USPTO") patent practice. I frequently conduct prior art searching for clients in connection with this patent practice.

3.   I am registered to practice as a patent attorney before the USPTO (Reg. No. 47,501), and I am admitted in good standing to practice as an attorney in the Commonwealth of Virginia (Va. Bar No. 81,726), the District of Columbia (D.C. Bar No. 476,946), and the State of California (Cal. Bar. No. 210,498).

4.   I have been awarded a Bachelor of Science degree in Electrical Engineering and a Bachelor of Science degree in Computer Engineering, both with honors and distinction, from Northwestern University (1996) and

a Juris Doctorate degree (with honors) from the University of Texas School of Law (1999). I also studied international and comparative intellectual property law at Queen Mary & Westfield College's Centre for Commercial Law in London, England (1998).

5.	At Northwestern, I was selected to be a member of the Tau Beta Pi engineering honor society and the Eta Kappa Nu electrical engineering honor society. I also received the Coon Hardy Scholarship for Debating Excellence in 1992.

6.	At the University of Texas, I received the Robert S. Strauss Endowed Presidential Scholarship in Law and was an articles editor of the Texas Intellectual Property Law Journal. I was also selected for membership in the Order of the Coif.

7.	From 1999 to 2001, I served as a law clerk to the Honorable Alvin A. Schall on the United States Court of Appeals for the Federal Circuit. This clerkship experience included patent litigation appeals, which required clerks to review the prosecution histories of patents, examiner search strategies, and the application of prior art to patents asserted by litigants.

8.	I worked at Fish & Richardson P.C. in Washington, DC from 2001 to 2003 as a patent attorney. While at Fish & Richardson, in addition

prior art searches in the electrical and computer science arts.

9. I began teaching in 2003 as an Associate Professor Law at Tulane University School of Law in New Orleans, Louisiana. I taught and researched in the areas of patent law, intellectual property law, copyright law, computer law, and property law. While at Tulane, I received the C.J. Morrow Research Professor award for excellence in my research and writing in patent law. In this academic capacity, I taught and assisted students to search for prior art, and stayed abreast of the most effective techniques and best practices in searching for prior art.

10. I left Tulane to join the University of Richmond School of Law in 2006 as an Associate Professor of Law. At Richmond, I teach and research in the areas of intellectual property law, patent law and policy, intellectual property law and policy, copyright law, computer law, and property law. I was promoted to full Professor and received tenure in 2009. I received the Austin Owen Research Fellowship in recognition of my excellence in patent law scholarship. In this academic capacity, I taught and assisted students to search for prior art, and stayed abreast of the most effective techniques and best practices in searching for prior art.

11. Since beginning my academic career in 2003, I have authored and co-authored over thirty (30) law review articles and book chapters

concerning various areas of patent law. I have also given over seventy (70) presentations on patent law at various academic and professional conferences.

12.   Of particular relevance to my opinions herein, I have authored and co-authored numerous articles and book chapters regarding patent citation analysis, patent examiner practices, prior art search duties, and empirical methods of examining patent validity. A sample of these articles include: *Empirical Analysis of Patent Validity*, forthcoming book chapter in RESEARCH HANDBOOKS ON THE ECONOMICS OF INTELLECTUAL PROPERTY LAW (forthcoming 2017); *Patent Applications and the Performance of the U.S. Patent and Trademark Office*, 23 FED. CIR. BAR J. 179 (2013); *Do Applicant Patent Citations Matter?*, 42 RESEARCH POL'Y 844 (2013); *Modernizing Patent Law's Inequitable Conduct Doctrine*, 24 BERKELEY TECH. L. J. 723 (2009); and *Nonobviousness and the Federal Circuit: An Empirical Analysis of Recent Case Law*, 82 NOTRE DAME L. REV. 911 (2007). A major portion of my research focuses on the patenting examining process and prior art and empirically evaluating the effectiveness of this process.

13.   I have also been asked numerous times to speak to both academic and attorney audiences on patent citation analysis, patent examiner

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