UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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UBISOFT, INC. AND SQUARE ENIX, INC.,

Petitioners,

v.

UNILOC USA, INC. AND UNILOC LUXEMBOURG S.A.
Patent Owners

_____

Case IPR2017-1290
U.S. Patent 6,510,466

_____

DECLARATION OF DR. VAL DIEULIIS

JULY 27, 2017

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I, Dr. Val DiEuliis, hereby declare and state as follows:

1. Introduction

1. My name is Val DiEuliis, and I have been retained by Uniloc, USA, Inc., and Uniloc Luxembourg S.A. ("Uniloc" or the "Patent Owner"). My client Uniloc and its associated counsel, Etheridge Law Group, have asked me to study U.S. Patent No. 6,510,466 ("the '466 patent"), the Petition, and the proffered prior art in this case, in addition to other relevant documents. I document my findings in this declaration.

2. I have concluded that U.S. Patent No. 5,692,129 (Sonderegger; EX1002) combined with Hughes [EX1003], Franklin [EX1004], and the "NAL White Paper" [EX1005] does not render obvious any challenged claim of the patent at issue, the'466 patent, at least because Sonderegger in view of Hughes fails to make a prima facie case of obviousness for the limitation "installing a plurality of application programs at the server" (Claim 1), "means for installing" (Claim 15), and "computer readable program code means for installing ..." (Claim 16).

3. In addition, I find that a POSITA would not have been motivated to combine Sonderegger with Hughes, and the Petitioner and

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its expert, Dr. Madisetti, fail to demonstrate why a POSITA might have been so motivated.

4. The limited scope of my opinions and analysis in this declaration do not imply that I may not later express other opinions or report other results from other investigations concerning other issues raised by the Petitioners or their experts in this IPR.

2. Qualifications

5. I am an electrical engineer with over 45 years of experience developing, programming, and analyzing computer algorithms and software. I am experienced with and able to create, read, and interpret firmware and software in C, C++, Java, assembly language, HTML, and other computer programming languages. I have served as an expert witness in multiple cases for which I analyzed computer source code in various languages and testified at ITC hearings and two jury trials concerning my results.

6. During my career, I have developed and managed projects for various applications, including sensors, controls, communications, user interfaces, device firmware, handheld devices, medical devices and systems, and test systems for optical and magnetic disk systems.

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