IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the *Inter Partes* Review of:

U.S. Patent No. 8,478,799

Filed: June 25, 2010

Issued: July 2, 2013

Inventor(s): Arthur J. Beaverson, Paul
               Bowden

Assignee: Hewlett Packard Enterprise
         Development, LP

Title: Namespace File System
Accessing an Object Store

Trial Number: To Be Assigned

Panel: To Be Assigned

Mail Stop *Inter Partes* Review
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF PRASHANT SHENOY, PhD, UNDER 37 C.F.R. § 1.68 IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,478,799

TABLE OF CONTENTS

CSCO-1004

I, Prashant Shenoy, do hereby declare as follows:

I.   INTRODUCTION

1.   I have been retained as an independent expert witness on behalf of

Cisco Systems, Inc. ("Cisco") for the above-captioned Petition for *Inter Partes*

Review ("IPR") of U.S. Patent No. 8,478,799 ("the '799 patent"). I am being

compensated at my usual and customary rate for the time I spend in connection

with this IPR. My compensation is not affected by the outcome of this IPR.

2.   I have been asked to provide my opinions regarding whether claims

1-22 and 26-36 ("the Challenged Claims") of the '799 patent are invalid, either

because they were anticipated or because they would have been obvious to a

person having ordinary skill in the art ("POSITA") at the time of the alleged

invention. It is my opinion that all of the limitations of claims 1-22 and 26-36

would have been obvious to a POSITA after reviewing Muthitacharoen, Dabek,

Agrawal, Bondurant, McKusick, and Bunte.

3.   The '799 patent issued on July 2, 2013, from U.S. Patent Appl. No.

12/823,922 ("the '922 Application"), filed on June 25, 2010. The '922 Application

is a continuation-in-part of U.S. Patent Appl. No. 12/823,452 ("the '452

Application"), also filed June 25, 2010, and which issued as U.S. Patent No.

8,880,544 ("the '544 Patent") on November 4, 2014. Both, the '922 Application

and the '452 Application claim priority to U.S. Provisional Application No.

61/269,633 ("the '633 Provisional Application") filed on June 26, 2009.

4.   The '799 patent names Arthur J. Beaverson and Paul Bowden as the

purported inventors. Further, the '799 patent identifies SimpliVity Corporation as

the initial assignee of the '799 patent.

5.   In preparing this Declaration, I have reviewed, among other things,

the '799 patent, the file history of the '799 patent, numerous prior art and technical

references from the time of the alleged invention, and documents from two other

IPR proceedings (i.e., IPR2016-01779 and IPR2016-01780) which were initiated

against the '799 patent.

6.   I understand that claims in an IPR are given their broadest

reasonable interpretation in view of the patent specification and the understandings

of a POSITA. I further understand that this is not the same claim construction

standard as one would use in a District Court proceeding.

7.   In forming the opinions expressed in this Declaration, I relied upon

my education and experience in the relevant field of art, and have considered the

viewpoint of a POSITA, as of June 26, 2009. My opinions are based, at least in

part, on the following:

- "Muthitacharoen": Athicha Muthitacharoen, *et al.*, "Ivy: A

  Read/Write Peer-to-Peer File System," Proceedings of the 5th

CSCO-1004

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