

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RUIZ FOOD PRODUCTS, INC.,
PETITIONERS,

v.

MACROPOINT LLC,
PATENT OWNER

Case IPR2017-02016
Patent 8,275,358

DECLARATION OF MR. SCOTT ANDREW DENNING

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LIST OF EXHIBITS

Exhibit 1001	U.S. Patent No. 8,275,358 to Adelson
Exhibit 1003	CV of Scott Denning
Exhibit 1004	Prosecution History for U.S. Patent No. 8,275,358
Exhibit 1005	U.S. Patent Pub. No. 2002/0115453 to Poulin et al.
Exhibit 1006	U.S. Patent No. 6,591,242 to Karp et al.
Exhibit 1007	U.S. Patent Publication No. 2008/0186166 to Zhou et al.
Exhibit 1008	CTIA, Best Practices and Guidelines for Location-Based Services.
Exhibit 1009	U.S. Patent No. 5,592,538 to Kosowsky
Exhibit 1010	U.S. Patent Pub. No 2007/0159322 to Campbell
Exhibit 1011	U.S. Patent No. 8,045,995 to King et al. (“King”)
Exhibit 1012	Order Dismissing Complaint Without Prejudice, FourKites, Inc. v MacroPoint, LLC, Case No. 1:16-cv-02703-CAB (N.D. Ohio) (entered on June 27, 2017)
Exhibit 1013	Proof of Service of Complaint of Patent Infringement, <i>MacroPoint, LLC v Ruiz Food Products, Inc.</i> , 6:16-cv-01133 (E.D. TX) (served on August 31, 2016)
Exhibit 1014	U.S. Patent Publication No. 2014/0295798 to Roach (“Roach”)

I, Scott Andrew Denning, of Colorado Springs, Colorado, declare that:

I. INTRODUCTION AND SCOPE OF WORK

1. I have been retained by Ruiz Food Products, Inc. in the above-captioned *Inter Partes* Review (IPR) as an independent expert in the fields of location tracking and telecommunications.

2. I have been asked to provide my independent analysis regarding the references identified by Ruiz Food Products, Inc. (“Petitioner”) in this IPR related to U.S. Patent 8,275,358 (“the ‘358 patent”), which appears to be assigned to MacroPoint, LLC (“Patent Owner”). I have been asked to consider what one of ordinary skill in the art before the earliest claimed priority date of the ‘358 patent, March 1, 2012, would have understood including scientific and technical knowledge related to the ‘358 patent.

3. I have also been asked to provide my opinions regarding whether claims 1-30 of the ‘358 patent (“the Challenged Claims”) would have been obvious to a person having ordinary skill in the art at the time of the alleged invention (“POSITA”).

4. My analysis is directed by my education, training, and experience as a POSITA as of the priority date of the ‘358 patent. The ‘358 patent was filed on March 1, 2012 as 13/409,281 (the ‘281 application).

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