

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RUIZ FOOD PRODUCTS, INC.,

Petitioner

v.

MACROPOINT LLC,

Patent Owner

U.S. Patent No. 9,429,659

Case No.: IPR2017-02018

DECLARATION OF DAVID HILLIARD WILLIAMS

TABLE OF CONTENTS

LIST OF EXHIBITS.....	iii
I. INTRODUCTION AND SCOPE OF WORK	1
II. SUMMARY OF OPINIONS.....	2
III. BACKGROUND AND QUALIFICATIONS.....	2
IV. LEGAL STANDARDS	6
A. My Understanding Of Claim Construction	6
B. My Understanding Of Obviousness	6
V. LEVEL OF ORDINARY SKILL IN THE ART	10
VI. OVERVIEW OF THE '659 PATENT	11
VII. TECHNOLOGY BACKGROUND.....	15
VIII. SUMMARY OF PRIOR ART IDENTIFIED BY PETITIONER	23
A. Enzmann	23
B. King	25
C. Dhanani.....	26
IX. CLAIM CONSTRUCTION	27
X. DETAILED OPINIONS AND ANALYSIS	29
A. None Of Claims 1, 2, 12, and 23 Is Obvious In View Of The Cited Art	29

1.	“Monitoring location of at least one of a vehicle or freight” or a server programmed to “receive a request for information regarding the location of a vehicle or freight” and “estimate the location of the vehicle or the freight” (claims 1, 2, 12 and 23).....	29
2.	A POSITA would not have been motivated to modify Enzmann to monitor the location of vehicles carrying freight.	30
3.	An indication of consent in the form of receipt of location information from location information provider (claim 7).....	36
B.	None Of Claims 5, 7 and 26 Is Obvious In View Of The Cited Art.....	43
C.	Ground 3: Claims 11 and 16 Are Not Rendered Obvious Under 35 U.S.C. § 103 By Enzmann in View of Dhanani.....	44
XI.	CONCLUSION.....	44

LIST OF EXHIBITS

<u>Exhibit No.</u>	<u>Description</u>
2001	Expert Declaration of David Hilliard Williams
2002	David Hilliard Williams CV
2003	“What are the differences in the technical specifications in the 1988 automatic onboard recording device (AOBRD) Rule (49 CFR 395.15) and the Electronic Logging Device (ELD) rule?”, https://www.fmcsa.dot.gov/faq/what-are-differences-specs-1988-aobrd-rule-and-eld-rule
2004	“ELD MANDATE: UPDATES, VIOLATION INFORMATION AND DEVICE INTRODUCTION PRICING & REVIEWS DRIVERS NEED TO KNOW,” https://unitedworldtransportation.com/eld-mandate-updates-violation-information-device-introduction-pricing-reviews-drivers-need-know/
2005	“Automatic On-Board Recording Devices (AOBRDs) Hand-Held, Commercial Vehicle Safety Alliance, June 6, 2012, http://www.ct.gov/dmv/lib/dmv/cv_bulletins/2012-05-automatic-on-board-recording-devices-aobrds-hand-held-created-06-06-12.pdf
2006	“Small Hardware Device Provides GPS Fleet Tracking Capabilities,” Fleet Financials, October 14, 2010, https://www.fleetfinancials.com/72619/small-hardware-device-provides-gps-fleet-tracking-capabilities
2007	“A Look at the Geotab GO Device: Past, Present, and Future,” Malene Johansen & Vincent Zhu, June 22, 2015, https://www.geotab.com/blog/geotab-go-device-past-present-future/
2008	“Announcing Geotab GO5 Premium Vehicle Tracking Device,” April 5, 2011, https://www.geotab.com/press-release/u-blox/

<u>Exhibit No.</u>	<u>Description</u>
2009	“FMCSA Implementation of MAP-21,” Federal Motor Carrier Safety Administration, September 28, 2012, https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/FMCSA%20Implementation%20of%20MAP-21-%20Overview-Agenda-Qs%209-28-12.pdf
2010	“The Future of Electronic On-board Recording Devices in the U.S.,” Michael Goldberg, July 3, 2011, https://www.frg-law.com/blog/the-future-of-electronic-on-board-recording-devices-in-the-u-s/

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.