UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD
RUIZ FOOD PRODUCTS, INC., PETITIONERS,
v.
MACROPOINT LLP, PATENT OWNER
Case IPR2017-02018 Patent 9,429,659

DECLARATION OF MR. SCOTT ANDREW DENNING



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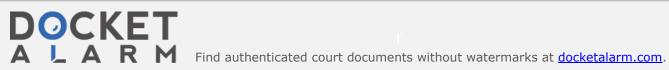
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#### LIST OF EXHIBITS

Exhibit	U.S. Patent No. 9,429,659 ("the '659 patent")
1001	
Exhibit	Scott Denning CV
1003	
Exhibit	U.S. Patent No. 7,130,630 to Enzmann et al. ("Enzmann")
1004	
Exhibit	U.S. Patent No. 8,045,995 to King et al. ("King")
1005	
Exhibit	U.S. Patent No. 8,395,547 to Dhanani et al. ("Dhanani")
1006	
Exhibit	Prosecution File History of the '659 patent
1007	
Exhibit	CTIA, Best Practices and Guidelines for Location-Based Services
1008	
Exhibit	U.S. Design Patent No. D580,387 to Andre et al. ("Andre")
1009	
Exhibit	U.S. Patent No. 6,833,811 to Zeitfuss et al. ("Zeitfuss")
1010	
Exhibit	U.S. Patent No. 7,864,163 to Ording et al. ("Ording")
1011	
Exhibit	Order Dismissing Complaint Without Prejudice, FourKites, Inc. v.
1012	MacroPoint, LLC, Case No. 1:16-cv-02703-CAB (N.D. Ohio) (entered
	on June 27, 2017)
Exhibit	Proof of Service of Complaint of Patent Infringement, <i>MacroPoint</i> ,
1013	LLC v. Ruiz Food Products, Inc., 6:16-cv-01133 (E.D. TX) (served on
	August 31, 2016)
Exhibit	Complaint of Patent Infringement, MacroPoint, LLC v. Ruiz Food
1014	<i>Products, Inc.</i> , 6:16-cv-01133 (E.D. TX)
Exhibit	U.S. Patent No. 4,736,290 to McCallion ("McCallion")
1015	
Exhibit	U.S. Patent No. 4,467,420 to Murakami ("Murakami")
1016	
Exhibit	U.S. Patent No. 4,768,150 to Chang et al. ("Chang")
1017	
Exhibit	U.S. Patent Publication No. 2008/0186166 to Zhou et al. ("Zhou")
1018	



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 fields of location tracking and telecommunications.
- 2. I have been asked to provide my independent analysis regarding the references identified by petitioner Ruiz Food Products, Inc. ("Petitioner") in this IPR related to U.S. Patent 9,429,659 ("the '659 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 '659 patent, March 26, 2012, would have understood including scientific and technical knowledge related to the '659 patent.
- 3. I have also been asked to provide my opinions regarding whether claims 1-30 of the '659 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 person of ordinary skill in the art as of the earliest claimed priority date of the '659 patent. The '659 patent was filed on January 4, 2016 as Application No.



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