UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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FLIR Systems, Inc.
and
FLIR Maritime US, Inc. (f/k/a Raymarine, Inc.),

Petitioners,

v.

Garmin Switzerland GmbH,

Patent Owner

_____

PETITION FOR *INTER PARTES* REVIEW

OF

U.S. PATENT NO. 7,268,703

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DECLARATION OF SCOTT BENNETT, Ph.D.
19 January 2017

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I, Scott Bennett, hereby declare under penalty of perjury:

I.   INTRODUCTION

1.   I have personal knowledge of the facts and opinions set forth in this declaration, I believe them to be true, and if called upon to do so, I would testify competently to them. I have been warned that willful false statements and the like are punishable by fine or imprisonment, or both.

2.   I am a retired academic librarian working as a Managing Partner of the firm Prior Art Documentation LLC at 711 South Race Street, Urbana, IL, 61801-4132. Attached as Appendix A is a true and correct copy of my Curriculum Vitae describing my background and experience.

3.   I have been retained by Weil, Gotshal & Manges LLP to authenticate and establish the dates of public accessibility of certain documents in an *inter partes* review proceedings for U.S. Patent No. 7,268,703. For this service, I am being paid my usual hourly fee of $88/hour. My compensation in no way depends on the substance of my testimony or the outcome of this proceeding.

II.   BACKGROUND AND QUALIFICATIONS

4.   I was previously employed as follows:

- University Librarian, Yale University, New Haven, CT., 1994-2001;

- Director, The Milton S. Eisenhower Library, The Johns Hopkins University, Baltimore, MD, 1989-1994;

- Assistant University Librarian for Collection Management, Northwestern University, Evanston, IL, 1981-1989;

- Instructor, Assistant, and Associate Professor of Library Administration, University of Illinois at Urbana-Champaign, Urbana, IL, 1974-1981; and

- Assistant Professor of English, University of Illinois at Urbana-Champaign, 1967-1974.

5. Over the course of my work as a librarian, professor of English, researcher, and author of nearly fifty scholarly papers and other publications, I have had extensive experience with cataloging records and online library management systems built around Machine-Readable Cataloging (MARC) standards. I also have substantial experience in authenticating printed documents and establishing the date when they were accessible to researchers.

6. In the course of more than fifty years of academic life, I have myself been an active researcher. I have collaborated with many individual researchers and, as a librarian, worked in the services of thousands of researchers at four prominent research universities. Members of my family are university researchers. Over the years, I have read some of the voluminous professional literature on the information seeking behaviors of academic researchers. And as an educator, I have a broad knowledge of the ways in which students in a variety

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of disciplines learn to master the bibliographic resources used in their disciplines. In all of these ways, I have a general knowledge of how researchers work.

7.   Appendix A is my full resume. Further information about my firm is available at www.priorartdocumentation.com.

III.   PRELIMINARIES

8.   *Scope of this declaration*. I am not a lawyer and I am not rendering an opinion on the legal question of whether any particular document is, or is not, a "printed publication" under the law.

9.   I am, however, rendering my expert opinion on when and how each of the documents addressed herein was disseminated or otherwise made available to the extent that persons interested and ordinarily skilled in the subject matter or art, exercising reasonable diligence, could have located the documents before September 2002.

10.   *Materials considered*. In forming the opinions expressed in this declaration, I have reviewed the document and attachments referenced below. These materials are records created in the ordinary course of business by publishers, libraries, indexing services, and others. From my years of experience, I am familiar with the process for creating many of these records, and I know these records are created by people with knowledge of the information in the record. Further, these records are created with the expectation that researchers

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