

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.
Petitioner

v.

FALL LINE PATENTS, LLC
Patent Owner

CASE IPR2018-00043
PATENT 9,454,748

DECLARATION OF DR. JOHN C. HALE UNDER 37 C.F.R. § 1.68
IN OPPOSITION TO DECISION GRANTING *INTER PARTES* REVIEW OF
U.S. PATENT NO. 9,454,748 (CLAIMS 16-19 AND 21-22)

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I, Dr. John C. Hale, hereby declare the following:

I. INTRODUCTION

1. I have been retained by counsel for Fall Line Patents, LLC (“Patent Owner,” hereinafter), the owner of the subject matter of the above-identified patent, i.e., U.S. Patent 9,454,748 (the “ ‘748 patent”), to offer testimony with respect to the subject matter at issue herein (the “*IPR*” hereinafter).

II. QUALIFICATIONS AND COMPENSATION

2. My *curriculum vitae* documenting the details of my professional experience, publications, and related information is attached hereto as Exhibit “A” and incorporated herein.

3. By way of summary, I am a tenured professor and the Tandy Endowed Chair in Bioinformatics and Computation Biology of the Tandy School of Computer Science at the University of Tulsa, Tulsa, Oklahoma.

4. I have been a professor of Computer Science at The University of Tulsa since 1999. Before that I was a professor in the School of Electrical Engineering and Computer Science at Washington State University (1997-1999). I graduated with my PhD in Computer Science from The University of Tulsa in 1997, having previously earned BS and MS degrees in Computer Science from that same institution.

5. I have authored over 90 scholarly articles in the area of computer science, including those on topics in the fields of cyber security, bioinformatics, artificial intelligence and applied formal methods. In addition, I have delivered testimony to Congress on three separate occasions.

6. Also, I am an inventor with respect to two issued U.S. patents:

a. U.S. Patent No. 6,732,180, J. Hale and G. Manes, "A Method to Inhibit the Identification and Retrieval of Proprietary Media via Automated Search Engines Utilized in Association with Computer Compatible Communications Networks," issued May 4, 2004.

b. U.S. Patent No. 9,471,789, P. Hawrylak, M. Papa, J. Hale, "Compliance Method for a Cyber Physical System," issued October 18, 2016, and foreign counterparts.

7. I am being compensated at the rate of \$225 per hour plus reimbursement for expenses for my work on this Petition for *Inter Partes* Review. This is my standard hourly rate for consulting work of this nature. My compensation does not depend on the conclusions that I reach or on the outcome of this review.

8. I previously submitted a declaration in opposition to the reexamination of claims 1-14 of U.S. Patent 7,822,816 which is a parent of the '748 patent.

9. Based on my education, training, and experience, I am familiar with the technology which is the subject of the '748 Patent, the cited references, and general U.S. Patent Office practices and procedures.

III. BACKGROUND

10. I have been asked to provide my opinions with respect to certain matters associated with claims 16-19 and 21-22 (the "Challenged Claims") of the '748 Patent.

11. In preparing this Declaration, I have reviewed the following documents, among others:

- (a) The "Petition for *Inter Partes* Review of U. S. Patent 9,454,748 Challenging Claims 16–19 And 21–22 Under 35 U. S. C. § 312 And 37 C. F. R. § 42.104" (the "Petition"), filed by Unified Patents, Inc. ("Petitioner);
- (b) U. S. Patent 9,454,748 (the '748 Patent, EX1001), including its written description, figures, and claims;
- (c) the file history of the '748 Patent (EX1002);
- (d) the declaration of Dr. A. L. Narashimha Reddy, expert witness for Petitioner (EX1005);
- (e) U.S. Patent 6,154,745 to Kari et al. ("Kari") (EX1006);

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