UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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UNIFIED PATENTS INC.

Petitioner

- vs. -

FALL LINE PATENTS, LLC

Patent Owner

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Petition for *Inter Partes* Review of U.S. Patent No. 9,454,748

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DECLARATION OF DAVID BADER

I, David Bader, hereby declare as follows:

1.   I am a librarian at Haynes and Boone, LLP. I have worked in this capacity since March 1, 2000.

2.   Attached as **Appendix A** is the true and accurate copy of the copyright registration that I obtained from the Library of Congress that evidences that at least as of August 15, 1997, the book authored by Rick Darnell and others, entitled "HTML 4 Unleashed," was publically available. I obtained **Appendix A** by first accessing the http://www.copyright.gov/ website, opening (or clicking on) the hyperlink "Search Copyright Records," performing a search by title for the above noted title, next clicking on the hyperlink for "Format for Print/Save," then downloading and printing the resulting webpage.
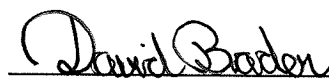
3.   Attached as **Appendix B** is the true and accurate copy of the MARC record that I obtained from the Library of Congress that evidences that at least as of October 25, 2001, the book authored by Johan Hjelm, entitled "Creating location services for the wireless Web: professional developers guide," ("the Hjelm book") was publically available. I obtained **Appendix B** by first accessing the Library of Congress Online Catalog, located at https://catalog.loc.gov/, performing a search by ISBN number (0471402613) for the above noted title, next clicking on the hyperlink for "MARC Tags," then downloading and printing the resulting webpage. The acronym "MARC" stands for Machine Readable Cataloging;

MARC records are used by librarians to catalog library items. The MARC record for the Hjelm book indicates that the Library of Congress began work on cataloging one copy of the Hjelm book on October 25, 2001 and shelf listed the book on October 29, 2001. Attached as **Appendix C** is the true and accurate copy of the WorldCat Detailed Record that I obtained from https://www.worldcat.org that evidences that the Hjelm book was catalogued by WorldCat as of October 25, 2001, further evidencing publication of the book as of that date.

4.   I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true. I understand that willful false statements are punishable by fine or imprisonment or both. *See* 18 U.S.C. § 1001.

Date: September 29, 2017   Respectfully submitted,

_David Bader_____
David Bader

APPENDIX A

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Type of Work:       Text

Registration Number / Date:
                    TX0004738976 / 1998-02-10

Title:              HTML 4 unleashed / Rick Darnell, et al.

Edition:            1st ed.

Imprint:            Indianapolis : Sams.net,  c1997.

Description:        1030 p. + CD-ROM.

Notes:              Printout also deposited.

Copyright Claimant:
                    Sams.net Publishing

Date of Creation:   1997

Date of Publication:
                    1997-08-15

Authorship on Application:
                    author of manual & some computer programming text: Dennis
                       Bathory-Kitsz, J. Gregory Bryan, & 12 others.

Basis of Claim:     New Matter: entire text of manual & some computer
                       programming text.

Copyright Note:     C.O. correspondence.

Names:              Darnell, Rick
                    Bathory-Kitsz, Dennis
                    Bryan, J. Gregory
                    Kitsz, Dennis Bathory
                    Sams.net Publishing
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