

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Unified Patents Inc.,
Petitioner

v.

Vilox Technologies, LLC.
Patent Owner

Case IPR2018-00044
U.S. Patent No. 7,302,423

**DECLARATION OF PHILIP GREENSPUN, PH.D.,
UNDER 37 C.F.R. § 1.68 IN SUPPORT OF
PETITIONER'S OPPOSITION TO
PATENT OWNER'S MOTION TO AMEND**

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I. Introduction

1. I am making this declaration at the request of Unified Patents Inc. in the matter of the *Inter Partes* Review of U.S. Patent 7,302,423 (“the ‘423 Patent”) to De Bellis.

2. My compensation and financial interest information are unchanged from the Declaration of Philip Greenspun, Ph.D. submitted with the Petition and dated October 6, 2017 (“Petition Declaration”). I am a salaried employee of Fifth Chance Media LLC, which I understand is being compensated for my work in this matter. I am not an owner of Fifth Chance Media LLC and my compensation is not contingent on the outcome of this matter or the specifics of my testimony.

3. In the preparation of this declaration, in addition to the materials referenced in the Petition Declaration, I have studied the following:

- a. Patent Owner Motion to Amend;
- b. US Patent 6,452,597 to Goldberg et al. (“*Goldberg*”); and
- c. Any other document mentioned herein.

4. In forming the opinions expressed below, I have considered the documents listed above, and my own knowledge and experience based upon work in the field of database management systems and database applications.

II. Qualifications and Professional Experience

5. My qualifications and professional experience were set forth in my Petition Declaration (EX1005, ¶¶ 5-21) and in my *Curriculum Vitae*, a copy of

which can be found in EX1012.

III. Level of Ordinary Skill in the Art

6. As I stated in my Petition Declaration, I believe that a POSITA would include someone who had, at the priority date of the '423 Patent, at least a bachelor's degree in Computer Science or an equivalent field (or equivalent industry experience) and at least one year of experience designing, implementing, and using database management systems. I believe that I possessed at least such experience and knowledge at the priority date of the '423 patent, and that I am qualified to opine on the '423 Patent.

7. For purposes of this declaration, in general, and unless otherwise noted, my statements and opinions, such as those regarding my experience and the understanding of a POSITA generally (and specifically related to the references I consulted herein), reflect the knowledge that existed in the field before the earliest claimed priority date of the '423 Patent.

IV. Relevant Legal Standards

8. I have been asked to provide my opinions regarding whether a POSITA would have found it obvious to combine the teachings of *Goldberg* with those of *Maloney*, *Bertram*, and *Excel* to teach the limitations of proposed claims 26 and 27.

9. I am not an attorney. In preparing and expressing my opinions and

considering the subject matter of the '423 Patent, I am relying on certain legal principles that counsel has explained to me. I explained my understanding of those legal principles in my Petition Declaration at paragraphs 28-30, and have applied that same understanding to my analysis in this declaration.

V. Proposed Claims 26 and 27

10. I understand that Patent Owner has proposed an amendment to challenged claim 6 as part of proposed claims 26 and 27. Proposed claim 26 reads (with amendments as noted by Patent Owner): “wherein [~~each entry~~] all entries from the selected data field [~~is~~] are displayed on a single page of a terminal, and wherein the specified limit is determined dynamically, based on a characteristic of the terminal.” Proposed claim 27 reads (with amendments as noted by Patent Owner): “wherein [~~each entry~~] all entries from the selected data field [~~is~~] displayed on a single page of a terminal, and wherein the specified limit is determined dynamically, based on a characteristic of the terminal.”

11. In other words, the proposed claims 26 and 27 newly recite that all entries from a selected data field are displayed on a single page of a terminal. As support for this new claim language, Patent Owner cites the Specification of the '423 Patent which states “if the size of the resulting result list is larger than some numeric parameter related to a display size of the terminal 14, then the constraints may be modified by the truncator 152 so that the result list can accommodated

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