

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
Patent No. 7,302,423

DECLARATION OF LUCILLE MARIE DE BELLIS

I, Lucille Marie De Bellis, declare as follows:

1. My name is Lucille Marie (“Missy”) De Bellis, and I live in Palm Beach, Florida. I am over the age of 18, and I make this declaration based on my personal knowledge.
2. I make this Declaration in support of Patent Owner’s Response in the matter of IPR2018-00044.
3. I am not being compensated for this Declaration. I hold no interest in Vilox, LLC or in the patent that I understand is the subject of this matter.
4. From February 1997 through December 2002, I was employed as Office Manager for the medical practice of Dr. Joseph L. De Bellis, which operated out of the office located at 80 Sanford Place, Southampton, NY. In that capacity, I was responsible for managing the medical practice and was also a patient advocate. My duties included making purchases at the direction of Dr. De Bellis and handling payments for goods and services purchased on behalf of Dr. De Bellis.
5. During the course of my employment as Office Manager, I lived in a second-floor apartment of the medical office building. I was therefore aware of activities occurring in the office, including after regular business hours.
6. In early 1999, we were using a Quicken database product to support Dr. De Bellis’ medical practice. Dr. De Bellis wanted to be able to search and sort data according to any topic or term, rather than being constrained by the existing database software. I specifically recall Dr. De Bellis discussing his concepts of the system

he envisioned in January 1999 because it was around the time of my birthday, which is January 28.

7. Dr. De Bellis described that he wanted to be able to make different views of the data, what he referred to as “rolling and tumbling” the data. He also said that he wanted to “truncate” database entries to allow more intuitive searching and sorting of the data.
8. As he continued to work on the design, Dr. De Bellis used terms such as “drilling down,” “hyper-specificity” and “hyper-classification” to describe the process and system he envisioned. Thus, our initial discussions centered around concepts related to truncation, drop down menus, arranging data in a database to make searching for the data more intuitive, and to “rolling and tumbling data.” Dr. De Bellis said the goal was to arrive at the same result starting at different spots. Dr. De Bellis referred to this process and system as “search-on-the-fly.”
9. For the next several months following our initial conversations in early 1999, Dr. De Bellis tried to adapt various off-the-shelf software products to improve search and storage of patient data, including trying to adapt Quicken and Excel for that purpose. However, Dr. De Bellis found these products to be unadaptable and unable to perform the functionality he envisioned.
10. In May 1999, Dr. De Bellis began an effort to design a software tool that would embody his concepts and that could be used in his medical practice, with an initial focus on “rolling and tumbling” data in a database as well as different truncation schemes that would take advantage of the human mind’s ability to recognize data

as superior to the mind's ability to recall data. However, as was typical with Dr. De Bellis' medical practice, late May to mid-September was the busiest time of year as the population in the Hamptons increased ten-fold, and Dr. De Bellis was one of only two plastic surgeons in eastern Long Island. Dr. De Bellis typically worked every day during this period, either seeing patients at his medical office or performing surgery at Southampton Hospital, where he was an attending surgeon. Despite his hectic summer schedule, Dr. De Bellis continued to develop his search-on-the-fly concepts, frequently sharing with me his progress and his frustrations.

11. In August 1999, his frustrations mounting, Dr. De Bellis discussed his concepts with a computer programmer, Adriano Freire, and hired Mr. Freire as an employee of his medical practice for the sole and specific purpose of writing a computer program according to Dr. De Bellis' concepts. As Office Manager, I was aware of all hires. From this point forward, Mr. Freire worked full-time during the week, in the office building in which I worked and lived, and often worked on weekends. Dr. De Bellis also worked days, nights, and weekends, with Mr. Freire, when he was not in surgery, to develop a working example of his search-on-the-fly process and system.
12. Dr. De Bellis made several purchases of software programs, computing devices, storage devices and other materials needed by Mr. Freire for the project. As Office Manager, I paid all the bills associated with these purchases, received the shipments, opened the boxes and logged the equipment into a Quicken account along with an indication of its purpose. I specifically remember the purchases

because when Mr. Freire began working on the software, I began processing bills for computer equipment and software that were much more frequent and larger in amount than those for computer and software that had previously been purchased for Dr. De Bellis' practice.

13. I have viewed the various documents identified as Figures 1 - 12 in the January 25, 2018 Declaration of Dr. De Bellis. Many are invoices for advanced computer hardware shipped to the medical office (80 Sanford Place) to be used by Mr. Freire, and my handwriting, or that of one of the other medical practice employees whom I supervised, annotates many of the invoices. These are the purchases for which I processed the payments as mentioned above.
14. I recall that the following invoices were for purchases directly related to the work Dr. De Bellis and Mr. Freire did in connection with development of Dr. De Bellis' search-on-the-fly system:
 - a. Zones Business Solutions receipt in the amount of \$1525.09, dated September 27, 1999, reproduced in Dr. De Bellis' Declaration as Figure 2. I recognize the handwriting on the receipt as that of Annemarie Smith, who was another employee of the medical practice. I worked closely with and supervised Annemarie Smith in the backoffice operations of the medical practice.
 - b. Staples receipt in the amount of \$55.77, dated October 5, 1999, reproduced in Dr. De Bellis' Declaration as Figure 3. I recognize the handwriting on the receipt as that of Tara Smith. Tara Smith is Annemarie Smith's daughter

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