

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

Unified Patents Inc.,  
Petitioner

---

U.S. Patent No. 7,302,423

---

**DECLARATION OF PHILIP GREENSPUN, PH.D.,  
UNDER 37 C.F.R. § 1.68 IN SUPPORT OF  
PETITION FOR *INTER PARTES* REVIEW**

**Table of Contents**

I. Introduction .....	1
II. Qualifications and Professional Experience .....	2
III. Level of Ordinary Skill in the Art .....	7
IV. Relevant Legal Standards .....	8
V. The ‘423 Patent .....	10
A. Overview .....	10
B. Prosecution History of the ‘423 Patent .....	13
VI. Claim Construction .....	14
A. “truncation” .....	14
B. “determining a database schema” .....	16
VII. Identification of How the Claims are Unpatentable .....	17
A. Challenge 1: Claims 1–4, 7–9, and 13 are unpatentable under 35 U.S.C § 103 over <i>Maloney</i> in view of <i>Bertram</i> .....	17
i. Summary of <i>Maloney</i> .....	17
ii. Summary of <i>Bertram</i> .....	20
iii. Reasons to Combine <i>Maloney</i> and <i>Bertram</i> .....	23
iv. Claim Charts and Detailed Analysis for Ground#1 .....	26
B. Ground#2: Claims 1–4, 7–9, and 13 are unpatentable under 35 U.S.C § 103 over <i>Excel</i> in view of <i>Bertram</i> .....	70
i. Summary of <i>Excel</i> .....	70
ii. Reasons to Combine <i>Excel</i> and <i>Bertram</i> .....	71
iii. Claim Charts and Detailed Analysis for Ground#2 .....	73
C. Ground#3: Claims 5 and 6 are unpatentable under 35 U.S.C § 103 over <i>Maloney</i> in view of <i>Bertram</i> and <i>Kanevsky</i> .....	117
i. Summary of <i>Kanevsky</i> .....	117
ii. Reasons to Combine <i>Maloney</i> , <i>Bertram</i> , and <i>Kanevsky</i> .....	118
iii. Analysis .....	120
D. Challenge 4: Claims 5 and 6 are unpatentable under 35 U.S.C § 103 over <i>Excel</i> in view of <i>Bertram</i> , and <i>Kanevsky</i> .....	130
i. Reasons to Combine <i>Excel</i> , <i>Bertram</i> , and <i>Kanevsky</i> .....	130

**ii. Analysis**.....132

**VIII. Conclusion**.....143

**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. 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, I have studied the following:

EX1001	U.S. Patent 7,302,423 to De Bellis (“‘423 Patent”)
EX1002	Prosecution File History of U.S. Patent 7,302,423 (“‘423 PH”)
EX1003	Excerpts from Prosecution File History of U.S. Patent 6,760,720 (“‘720 PH”)
EX1004	Prosecution File History of U.S. Provisional Appl. 60/227,305
EX1006	US Patent 5,701,453 to <i>Maloney</i> et al. (“ <i>Maloney</i> ”)
EX1007	US Patent 7,168,039 to Bertram (“ <i>Bertram</i> ”)
EX1008	US Patent 6,300,947 to Kanevsky (“ <i>Kanevsky</i> ”)
EX1009	John Walkenbach, <u>Microsoft Excel 2000 Bible</u> (IDG Books Worldwide, Inc. 1999). (“ <i>Excel 2000</i> ”)
EX1010	IBM Dictionary of Computing, Tenth Edition (1993) (“ <i>IBM</i> ”)

4. In forming the opinions expressed below, I have considered:

(1) The documents listed above, and

- (2) My own knowledge and experience based upon my work in the field of database management systems and database applications, as described below.

## II. Qualifications and Professional Experience

5. My qualifications and professional experience are described in my *Curriculum Vitae*, a copy of which can be found in EX1012. EX1012 includes the publications I have authored in the previous 10 years, either listed directly or by reference to <http://philip.greenspun.com>. The following is a brief summary of my relevant qualifications and professional experience.

6. In terms of my background and experiences that qualify me as an expert in this case, I earned a Ph.D. in Computer Science from Massachusetts Institute of Technology in 1999. I also obtained a Bachelor of Science Degree in Mathematics from Massachusetts Institute of Technology in 1982 and a Master of Science Degree in Electrical Engineering and Computer Science from Massachusetts Institute of Technology in 1993.

7. In 1999, I received a Ph.D. in Electrical Engineering and Computer Science from the Massachusetts Institute of Technology. My thesis concerned the engineering of large online Internet communities with a Web browser front-end and a relational database management system (RDBMS) containing site content and user data.

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.