

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.
Petitioner

v.

UNIVERSAL SECURE REGISTRY, LLC
Patent Owner

IPR2018-00067
Patent 8,577,813

DECLARATION OF DR. ERIC COLE

I, Eric Cole, hereby declare the following:

I. BACKGROUND AND QUALIFICATIONS

1. My name is Eric Cole and I am over 21 years of age and otherwise competent to make this Declaration. I make this Declaration based on facts and matters within my own knowledge and on information provided to me by others, and, if called as a witness, I could and would competently testify to the matters set forth herein.

2. I have been retained as a technical expert witness in this matter by Counsel for Petitioner Unified Patents, Inc. (“Unified”) to provide my independent opinions on certain issues requested by Counsel for Petitioner relating to the accompanying petition for *Inter Partes* Review of U.S. Patent 8,577,813 (“the ’813 Patent”). My compensation in this matter is not based on the substance of my opinions or the outcome of this matter. I have no financial interest in Petitioner. I have been informed that Universal Secure Registry, LLC (“USR”) is the current assignee of the ’813 Patent according to U.S. Patent and Trademark Office records. I have no financial interest in USR, and I have no other interest in the outcome of this matter.

3. I have summarized in this section my educational background, career history, and other qualifications relevant to this matter. A current version of my curriculum vitae has been included as **Exhibit 1010**.

4. I received my master's degree in Computer Science from the New York Institute of Technology in 1993, followed by my doctorate in Network Security from Pace University in 2003.

5. I began my career as a cyber security scientist more than twenty-five years ago as a technical director for the United States Central Intelligence Agency (CIA), where I worked on the design of several secure communication systems. Since then, I have held positions in the field of digital security, including in the design and development of secure systems for companies such as Grace International Consulting, Lockheed Martin, McAfee, Vista Information Technologies, and Teligent, Inc. I am a member of the European InfoSec Hall of Fame, a professional membership awarded by nomination and election by a panel of industry experts.

6. I am a Fellow and instructor with the SANS Institute, a research and education organization consisting of information security professionals. SANS is the leading organization in computer security training. I have developed and taught numerous courses and performed research with the SANS Institute. For example, I established "Security 401: SANS Security Essentials" for teaching students critical components of network security and "Security 501: Enterprise Defender" for teaching topics relating to cyber security, networking security and operating system security. I also was tasked with implementing a cyber security

curriculum for a subsidiary of the SANS Institute, the SANS Technology Institute, an accredited graduate school focused exclusively on cyber security degree programs.

7. I am the founder of Secure Anchor Consulting, where I and my team provide cyber security and network consulting services and lead research and development initiatives to advance information systems security on behalf of financial institutions, Fortune 500 companies, international organizations, and the federal government.

8. I have authored and co-authored several books on secure networks and communications, including *Hackers Beware: The Ultimate Guide to Network Security*, *Network Security Bible* (2d Ed), and *Wiley Pathways Network Security Fundamentals Project Manual*. I have also written several courses that have in-depth coverage of networking concepts, implementation and design. Throughout my career I have designed, built and implemented many networks for both Fortune 500 companies and the federal government.

9. I have worked for the government as an employee and have held various contracting jobs with government agencies, which involved working with classified information. I have held various top-secret security clearances with Department of Defense (DOD), CIA, and Nuclear Regulatory Commission (NRC). I have worked for a wide range of government organizations including

FBI, National Security Agency, CIA, Department of Energy, DOD, the Treasury, Secret Service and the NRC.

10. While serving as a Senior Officer for the Central Intelligence Agency as Program Manager / Technical Director for the Internet Program Team with Office of Technical Services, I implemented the Internet Program Team that designs, develops, tests, and deploys internet security products in 3 to 6 month intervals. In this role I received a letter of appreciation from the DCI (Director Central Intelligence) and six Exceptional Performance Awards.

11. As a member of the Information Security Assessment Team with the Office of Security, I also evaluated and performed security assessment of network operating systems which include network infrastructures to identify potential vulnerabilities and solutions. I also designed a large scale auditing system with automated review capability and worked on several virus investigations for the Office of Security.

12. Since 1999, I have been actively involved in working with financial institutions and credit card companies on designing, implementing and evaluating solutions for transactional security. This work has involved understanding and integrating both wireless solutions, authentication and encryption technologies. Throughout my career I have been actively involved in designing, securing and deploying wireless solutions for the transmission of sensitive information. This

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