

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UBER TECHNOLOGIES, INC. and
CHOICE HOTELS INTERNATIONAL, INC.
Petitioners,

v.

FALL LINE PATENTS, LLC.
Patent Owner

Case: IPR2018-00535
Patent 9,454,748 B2

Before MICHELLE N. WORMMEESTER, SHEILA F. McSHANE, and JOHN R.
KENNY, *Administrative Patent Judges*.

DECLARATION OF JONATHAN I. DETRIXHE

I, Jonathan I. Detrixhe, declare the following:

1. I am an associate at Reed Smith, LLP and represent Uber Technologies, Inc. and Choice Hotels International, Inc. (collectively, “Petitioners”) in this proceeding. I submit this Declaration in support of Petitioners Response to the May 21, 2018 Order by the Board. I have personal knowledge of the matters set forth in this Declaration. If called as a witness, I could and would competently testify to these matters.

2. I prepared the word-count certification for the Petition filed in this proceeding, IPR2018-00535 (“Petition”). In doing so, I relied on Microsoft Word’s (“Word”) word-count feature. In particular, I relied on Word’s word-count feature to count the words in Sections I and III-VIII. I did not include Section II, which addresses mandatory notices, because it is exempt under 37 CFR § 42.24(a).

3. To perform this word count, first I selected the words in Section I. Then, I clicked on Word’s word count feature, which provided 86 words, as shown below¹:

¹ I obtained the images in ¶¶ 3-5 of this declaration by repeating the steps I used to prepare the certification for the Petition.

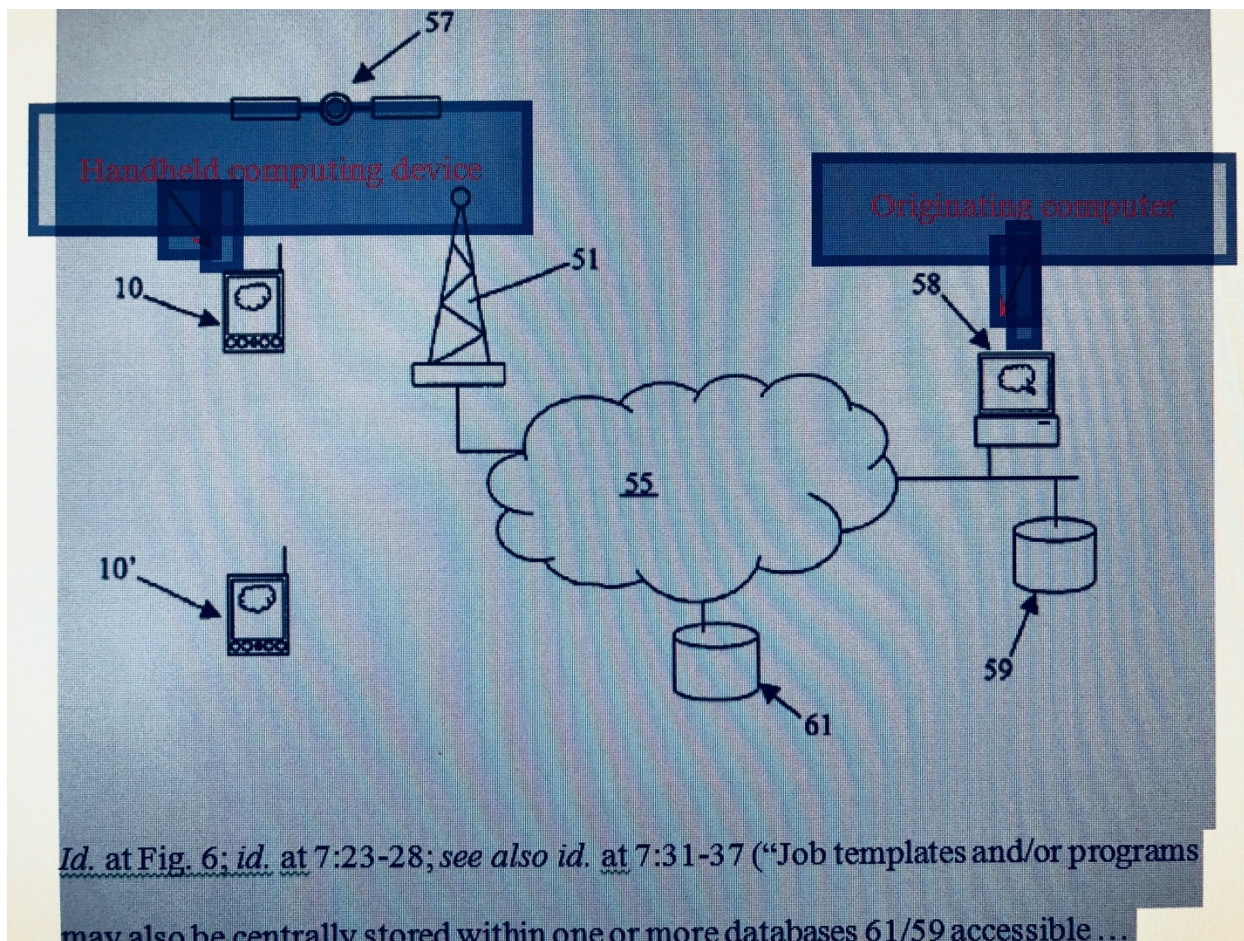
I. INTRODUCTION AND STATEMENT OF RELIEF REQUESTED (37 C.F.R. § 42.22(A))

Uber Technologies, Inc. (“Uber”) and Choice Hotels International, Inc. (“Choice Hotels”) (collectively, “Petitioners”) request the institution of *inter partes* review of claims of U.S. Patent No. 9,454,748 (“Patent”) (attached as Ex. 1001). USPTO records indicate that Patent is a Fall Line Patents, LLC (“P.O.”), which is currently the subject of concurrent litigations.

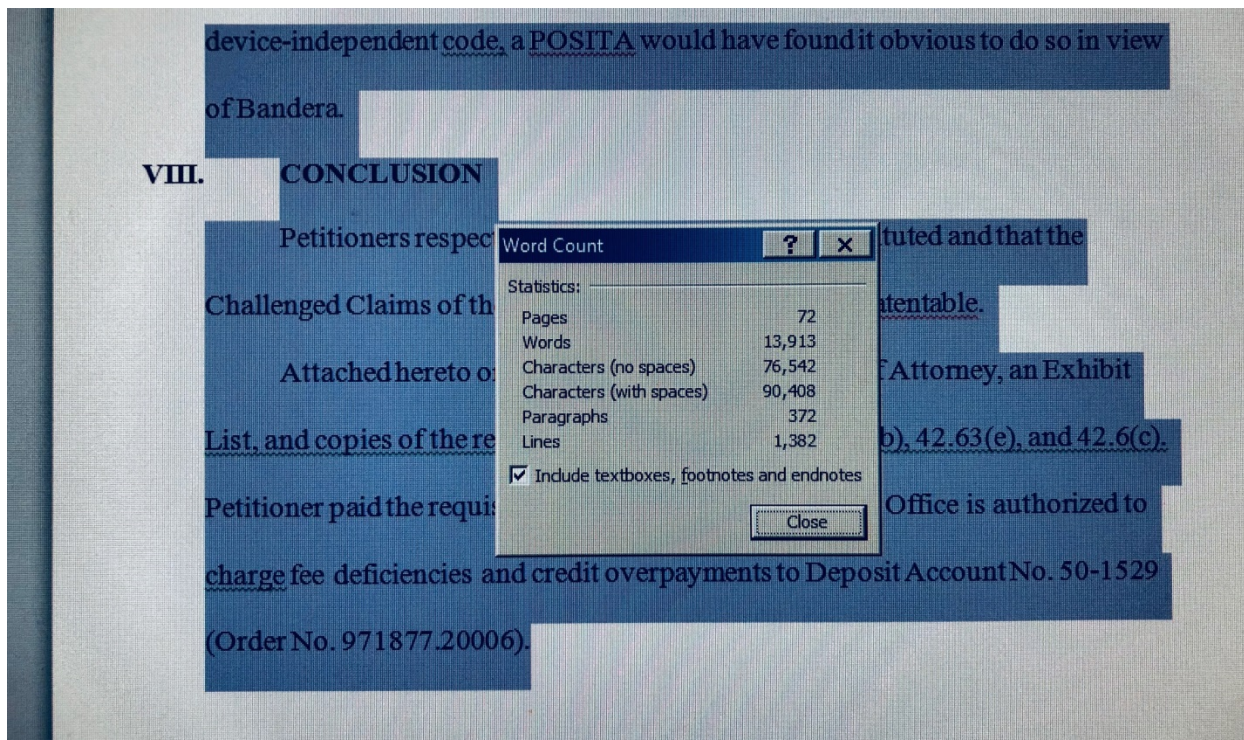
Word Count	
Statistics:	
Pages	1
Words	86
Characters (no spaces)	489
Characters (with spaces)	574
Paragraphs	1
Lines	9
<input checked="" type="checkbox"/> Include textboxes, footnotes and endnotes	
Close	

II. MANDATORY NOTICES

4. Next, I selected the words in Sections III-VIII. My selection included the words added in textboxes as annotations to prior art figures. These words were typed in plain text. For example, as shown below, my selection included the textboxes with the words “Handheld computing device” and “Originating computer” on page 20 of the Petition, which were added in the textboxes as plain text to annotate a prior art figure:



5. After selecting the words in Sections III-VIII, I clicked on Word’s word count feature, which provided 13,913 words, as shown below. Because I had selected the box to “[i]nclude textboxes, footnotes and endnotes,” and because each textbox was included in my selection, I believed that the count of 13,913 words for Sections III-VIII included every annotated word typed in a textbox.



6. I obtained the final word count of 13,999 to which I certified by adding the count of 86 words for Section I to the count of 13,913 words for Sections III-VIII.

7. After reviewing the allegations in Patent Owner's Preliminary Response, I provided Patent Owner a Word version of the Petition to allow it to verify the accuracy of my word count. In addition, during a call with Patent Owner's counsel, I explained how I had relied on Word's word-count feature to obtain the total count of 13,999. Not satisfied, Patent Owner's counsel requested a Word copy of the Petition that included only those words I had selected for inclusion in the word count. I prepared and provided such a copy. When I selected

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