

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner,

v.

UNIVERSAL SECURE REGISTRY, LLC,

Patent Owner.

Case IPR2018-00810

U.S. Patent No. 9,100,826

DECLARATION OF DR. JAMES L. MULLINS

Apple 1022 (Part 1 of 5)
Apple v. USR
IPR2018-00810

I, Dr. James L. Mullins, declare as follows:

1. My name is Dr. James L. Mullins.

2. I have been retained by petitioner Apple Inc. (“Apple”) in the above-captioned *inter partes* review relating to U.S. Patent No. 9,100,826 to provide opinions relating to Steve Burnett and Stephen Paine, *RSA Security’s Official Guide to Cryptography*, New York: Osborn/McGraw Hill (2001, 419 pages) (“Burnett”).

All statements made herein of my own knowledge are true, and all statements made herein based on information and belief are believed to be true.

I. INTRODUCTION

3. My career as a professional and academic/research spanned more than 44 years including library positions at Indiana University, Villanova University, Massachusetts Institute of Technology, and Purdue University. Appendix A is a true and correct copy of my curriculum vitae describing my background and experience.

4. In 2018 I founded the firm Prior Art Documentation Librarian Services, LLC, located at 106 Berrow, Williamsburg, VA 23188 after purchasing the intellectual property of and successor to Prior Art Documentation, LLC located at 711 South Race Street, Urbana, IL 61801. Further information about my firm, Prior Art Documentation Librarian Services, LLC (PADLS), is available at www.priorartdoclib.com.

5. I have been retained by Apple to offer my opinion on the authenticity and dates of public accessibility of the Burnett reference for use in the above-captioned *inter partes* review proceeding. For this service, I am being paid my usual hourly fee. I have no stake in the outcome of this proceeding or any related litigation or administrative proceedings, and my compensation in no way depends on the substance of my testimony or the outcome of this proceeding.

II. QUALIFICATIONS

6. I received Bachelor of Arts degree in History, Religion and Political Science in 1972 as well as a Master of Arts degree in Library Science in 1973 from the University of Iowa. I received my Ph.D. in Academic Library Management in 1984 from Indiana University. Over the past forty-four years, I have held various positions in the field of library and information sciences.

7. I am presently Dean of Libraries Emeritus and Esther Ellis Norton Professor Emeritus at Purdue University, and have been since January 1, 2018. I have been previously employed as follows:

- Dean of Libraries and Professor and Esther Ellis Norton Professor, Purdue University, West Lafayette, IN (2004-2017)
- Assistant/Associate Director for Administration, Massachusetts Institute of Technology (MIT) Libraries, Cambridge, MA (2000-2004)
- University Librarian and Director, Falvey Memorial Library, Villanova University, Villanova, PA (1996-2000)

- Director of Library Services, Indiana University South Bend, South Bend, IN (1978-1996)
- Part-time instructor, School of Library and Information Science, Indiana University, Bloomington, IN (1979-1996)
- Associate Law Librarian, and associated titles, Indiana University School of Law, Bloomington, IN (1974-1978)
- Catalog Librarian, Assistant Professor, Georgia Southern College (now University), Statesboro, GA (1973-1974)

8. I am a member of the American Library Association (“ALA”), where I served as the chair of the Research Committee of the Association of College and Research Libraries (“ACRL”). My service to ALA included service on the editorial board of the most prominent library journal, *College and Research Libraries*. I also served on the Standards Committee, College Section of the Association of College and Research Libraries, where I was instrumental in developing a re-issue of the *Standards for College Libraries* in 2000.

9. I am an author of numerous publications in the field of library science, and have given presentations in library sciences at national and international conferences. During my 44 years as an academic librarian and library science scholar, I have gained extensive experience with catalog records and online library management systems (LMS) built using Machine-Readable Cataloging (“MARC”) standards. As an academic library administrator, I have had responsibility to ensure that students were educated to identify, locate, assess, and integrate information

garnered from research library resources. I have also facilitated the research of faculty colleagues either directly or through the provision of and access to the requisite print and/or digital materials and services at the universities where I worked.

10. Based on my experience identified above and detailed in my curriculum vitae, which is attached hereto as Appendix A, I consider myself to be an expert in the field of library science and academic library administration. I have previously offered my opinions on the public availability and authenticity of documents in over 40 cases. I have been deposed once.

III. BACKGROUND ON PUBLIC ACCESSIBILITY

A. Scope Of This Declaration

11. I am not a lawyer, and I am not rendering an opinion on the legal question of whether a particular document is, or is not, a “printed publication” under the law. I am, however, rendering my expert opinion on the authenticity of the documents referenced herein and when and how this document was disseminated or otherwise made available to the extent that persons interested and ordinarily skilled in the subject matter or art, exercising reasonable diligence, could have located the document.

12. I am informed by counsel that an item is considered authentic if there is sufficient evidence to support a finding that the item is what it is claimed to be. I

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