

EXHIBIT 1

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

SRC LABS, LLC, and
SAINT REGIS MOHAWK TRIBE,
Plaintiffs,

v.

AMAZON WEB SERVICES, INC.,
AMAZON.COM, INC., and
VADATA, INC.,

Defendants.

Case No. 2:18-cv-00317-JLR

JURY TRIAL DEMANDED

**OPENING REPORT OF BRAD HUTCHINGS, PH.D.,
REGARDING MARKMAN ISSUES**

I, BRAD L. HUTCHINGS, PH.D., declare as follows:

1. The facts and opinions listed below are within my personal knowledge. If called as a witness, I could and would testify competently to the matters provided herein. I am over the age of eighteen and am a citizen of the United States.

2. I understand that Plaintiffs SRC Labs, LLC, and Saint Regis Mohawk Tribe (collectively, "SRC") assert U.S. Patent Nos. 7,149,867 (the "'867 patent"), 7,225,324 (the "'324 patent"), 7,620,800 (the "'800 patent"), and 9,153,311 (the "'311 patent) (collectively, "the patents-in-suit") against Amazon Web Services, Inc., Amazon.com, Inc., and VADATA, Inc. (collectively, "Amazon"). I was asked by Amazon to provide my opinions about what certain claim terms of the patents-in-suit mean to a person having ordinary skill in the art at the time the patents-in-suit were filed.

I. QUALIFICATIONS

3. Here, I provide a brief summary of my qualifications. My qualifications are stated more fully in my curriculum vitae, which is attached to this declaration as Exhibit A. I have reviewed the patents-in-suit and am familiar with the subject matter thereof, which relates to my training, education, and background. I am qualified to testify as an expert on matters related to these patents.

4. I am a professor in the department of Electrical and Computer Engineering at Brigham Young University (BYU) in Provo, Utah. I received a Bachelor of Science degree in Computer Science in 1984, a Master of Science degree in Computer Science in 1987, and a Ph.D. degree in Computer Science in 1992, all from the University of Utah. I have been a professor at BYU since 1992. Since that time, I also established the Reconfigurable Computing Laboratory at BYU in 1993. In 1998, I was a visiting scholar at HP Labs in Bristol, England, where I was part of a group that designed and studied reconfigurable devices for portable appliances. From 2003 to 2007, I worked as a director at Tabula, an FPGA design and manufacturing company that I helped to start. I have published extensively in the reconfigurable-computing community and regularly consult with the industry. I serve on the committees of many of the conferences related to reconfigurable computing and FPGAs. My research interests include programmable devices and architectures, tool flows, debugging strategies, and parallel computation.

5. I have over 25 years of experience working with and designing FPGAs. In that time, I have also taught numerous FPGA-related courses to both undergraduate and graduate students. I have published over 70 articles related to FPGA technology and am a named inventor on over 60 patents related to FPGA devices and debugging of FPGA circuits. I was also qualified as an expert witness in patent-litigation matters related to FPGA technology.

II. MATERIALS CONSIDERED

6. In reaching my opinions, I have reviewed the patents-in-suit and their respective file histories and prior art that was referenced by the Patent Office during prosecution of the patents. I have also reviewed the parties' proposed claim constructions along with support each party cited in support of the respective constructions to date. I also reviewed SRC's infringement contentions and Amazon's invalidity contentions. Additionally, I have reviewed dictionary definitions and any literature I reference below. In forming my opinions, I also relied on my knowledge and expertise in the field. My opinions below are not exhaustive, and they are provided without the benefit of being able to consider the opinions of any expert retained by SRC. I reserve the right to offer additional opinions in response to any expert opinions or briefing from SRC, including during my deposition or at the claim construction hearing in this action. I may also provide a tutorial to the Court concerning the patents-in-suit generally, the underlying technology, and the state of the art at the time of the alleged invention, or provide any other testimony the Court may request or find helpful.

7. I am being compensated for my time in this proceeding at my standard rate of \$500 per hour. My compensation in this matter is not based in any way on the outcome of the litigation, or the nature of my opinions, and I have no financial or business interest in any of the parties in this case.

III. LEVEL OF ORDINARY SKILL IN THE ART

8. I understand that the '867 patent claims priority to June 18, 2003; the '324 and '800 patents claim priority to October 31, 2002; and the '311 patent claims priority to May 27, 2014. In forming my opinions regarding claim construction, I have applied the level of ordinary skill as of the priority date claimed for each of the patents-in-suit.

9. In my opinion, a person having ordinary skill in the art at the time of the alleged invention of the patents-in-suit would have had a Bachelor's degree in electrical engineering, computer engineering, or a related field, with two to three years of experience working with reconfigurable systems. With more education, such as additional graduate degrees and/or study, less experience is needed to attain the ordinary level of skill.

10. Both now and at the time of the filing of the patents-in-suit, I possessed at least ordinary skill in the art. At the relevant time frame, I worked with, taught, and knew many individuals who would qualify as persons of ordinary skill in the art. As a result of my education and over twenty-five years of experience in reconfigurable computing, I am very familiar with the state of the art in the area to which the patents-in-suit relate.

IV. CLAIM CONSTRUCTION FRAMEWORK

11. I understand that claim construction is governed by a number of legal principles. I am not a lawyer. I have been advised of the relevant legal principles and have used them as a basis for my opinions.

12. I understand that claim terms and phrases are to be given their plain and ordinary meaning unless the patentee provided a special meaning. I also understand that claims must be read in light of the written description of the invention in the patent's specification. Additionally, I understand that the prosecution history can further inform the meaning of the claim language by demonstrating how the inventor understood the invention and whether the inventor limited the invention in the course of prosecution, making the claim scope narrower than it might be otherwise. In addition, I understand that both general and technical dictionaries may assist the Court in construing a claim term.

A. Means-plus-function terms

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