UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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Axis Communications AB, Canon Inc., and Canon U.S.A., Inc.,

Petitioner

v.

Avigilon Fortress Corporation,

Patent Owner

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Cases: IPR2019-00235 & IPR2019-00236

U.S. Patent No. 7,868,912
Issue Date: January 11, 2011

Title: Video Surveillance System Employing Video Primitives

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DECLARATION OF EMILY R. FLORIO

I, Emily R. Florio, state and declare as follows:

1. I have prepared this Declaration in connection with the Petitions of Axis Communications AB, Canon Inc., and Canon U.S.A., Inc. (collectively "Petitioner") for two *inter partes* reviews of U.S. Patent No. 7,868,912 ("the '912 patent"), Case Nos. IPR2019-00235 and IPR2019-00236, which I understand will be filed concurrently with this Declaration.

2. I am currently the Director of Research & Information Services at Finnegan, Henderson, Farabow, Garrett & Dunner LLP, 901 New York Avenue NW, Washington, DC 20001-4413.

3. I am over 18 years of age and am competent to make this Declaration. I make this Declaration based on my own personal knowledge, based on my knowledge of library science practices, as well as my knowledge of the practices at the Massachusetts Institute of Technology ("MIT") Libraries.

4. I earned a Master's of Library Science ("MLS") from Simmons College in 2006, and I have worked as a librarian for over a decade. I have been employed in the Research & Information Services (formerly Library) Department of Finnegan since 2013, and from 2005-2013, I worked in the Library Department of Fish & Richardson P.C.

5.   I am currently the Vice-President Elect of the American Association

of Law Libraries and the President of the Law Librarians' Society of Washington,

DC, and a member of the International Legal Technology Association.
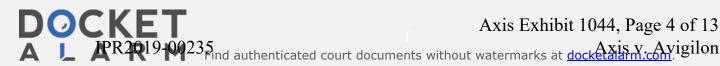
Attachments

6.   Attached as Exhibit A (Exhibit 1003 to the Petition in IPR2019-

00235) is a true and correct copy of "Visual Memory," May 1993, pp. 1-92, by

Christopher James Kellogg ("*Kellogg*"), obtained from the MIT Libraries.

7.   Attached as Exhibit B is a true and correct copy of the "Standard"

record from the MIT Libraries' catalog system (known as the Barton Catalog) for

its copy of *Kellogg.*

8.   Attached as Exhibit C is a true and correct copy of the MARC record

of the MIT Libraries for its copy of *Kellogg*.

9.   Attached as Exhibit D (Exhibit 1005 to the Petition in IPR2019-

00235) is a true and accurate copy of B. Flinchbaugh et al., "Autonomous ~~Video~~

~~Surveillance," SPIE~~Scene Monitoring System," Proceedings, ~~25th AIPR~~

~~Workshop: Emerging Applications of Computer Vision, Feb. 26, 1997, Vol. 2962,~~

~~p. 144-151~~10th Annual Joint Government-Industry Security Technology

Symposium & Exhibition, June 20-23, 1994, pp. 205-209 ("*Flinchbaugh*"),

obtained from the ~~MIT Libraries.~~ British Library.

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10.   Attached as Exhibit E is a true and correct copy of the MARC record of the British Library of Congress for its copy of the SPIE Proceedings publication that includes *Flinchbaugh*.

11.   Attached as Exhibit F is a true and correct copy of the MARC record of the MIT Libraries for its copy of the SPIE Proceedings publication that includes *Flinchbaugh*.

11.   Attached as Exhibit F are documents further showing the public availability of *Flinchbaugh*. Exhibit F-1 is a true and correct copy of U.S. Patent No. 7,023,469 (the '469 Patent), and the list of references filed by the applicant of the '469 Patent with its filing on April 15, 1999, obtained from the U.S. Patent and Trademark Office's PAIR files. Exhibit F-2 is a true and correct copy of R. Collins et al., "A System for Video Surveillance and Monitoring," Robotics Institute, Carnegie Mellon University, Pittsburgh, PA ("*Collins*") and information concerning this 1999 publication available at https://www.semanticscholar.org.

12.   Attached as Exhibit G (Exhibit 1004 in each Petition in IPR2019-00235 and IPR2019-00236) is a true and correct copy of. Brill et al., "Event Recognition and Reliability Improvements for the Autonomous Video Surveillance System," Proceedings of the Image Understanding Workshop, Monterey, CA, Nov. 20-23, 1998, Vol. 1, pp. 267-283 ("*Brill*"), obtained from the Duderstadt Center, formerly known as the University of Michigan Media Union (UMMU).

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13.   Attached as Exhibit H is a true and correct copy of the MARC record of the University of Virginia Library for its copy of *Brill*.

14.   Attached as Exhibit I is a true and correct copy of the MARC record of the North Carolina State University library for its copy of *Brill*.

The MARC Cataloging System

15.   The MAchine-Readable Cataloging ("MARC") system is used by libraries to catalog materials. The MARC system was developed in the 1960s to standardize bibliographic records so they could be read by computers and shared among libraries. By the mid-1970's, MARC had become the international standard for bibliographic data, and it is still used today.

16.   Each field in a MARC record provides information about the cataloged item. MARC uses a simple three-digit numeric code (from 001-999) to identify each field in the record.

17.   For example, field 245 lists the title of the work and field 260 lists publisher information. In addition, field 008 provides the date the item was cataloged. The first six characters of the field 008 are always in the "YYMMDD" format.

18.   It is standard library practice that once an item is cataloged using the MARC system, it is shelved. This process may take a relatively nominal amount of time (i.e., a few days or weeks). During the time between the cataloging and

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