

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PRICELINE.COM LLC AND BOOKING.COM B.V.,
Petitioners,

v.

DDR HOLDINGS, LLC,
Patent Owner.

Case No.: Unassigned
INTER PARTES REVIEW OF U.S. PATENT NO. 9,639,876

**DECLARATION OF PETER KENT IN SUPPORT OF PETITION
FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 9,639,876**

DECLARATION OF PETER KENT

1. My name is Peter Kent. I am over the age of twenty-one (21) years, of sound mind and capable of making the statements set forth in this Declaration. I am competent to testify to matters set forth herein. All the facts and statements contained herein are within my personal knowledge and they are, to the best of my knowledge, true and correct.

2. I have been retained on behalf of Priceline.com LLC and Booking.com B.V. (“Petitioners”) to offer opinions relating to the invalidity of U.S. Patent No. 9,639,876 (the “’876 Patent”), U.S. Patent No. 9,043,228 (the “’228 Patent), U.S. Patent No. 8,515,825 (the “’825 Patent”), and U.S. Patent No. 7,818,399 (the “’399 Patent”) (collectively, the “DDR Patents”), which are assigned to DDR Holdings, LLC (“Patent Owner”), as well as opinions concerning references presented by Petitioners in this *inter partes* review (“IPR”).

3. I have reviewed the Declaration of Michael Shamos (the “Shamos Declaration”) filed in support of the Petition for IPR2018-01011 (the “’011 Petition”) and the Petition for IPR2018-01008 (the “’008 Petition”), and I agree with the legal theories and analysis presented in the Shamos Declaration, the ’011 Petition, and the ’008 Petition. Those legal theories and analysis are re-stated below.

Education and Experience

4. I am a Web-development, ecommerce, and SEO (“Search Engine Optimization”) consultant and author, and I am the owner of Peter Kent Consulting LLC. I provide ecommerce consulting to companies seeking to improve their online business, including in the areas of search-engine optimization, online advertising, Web development, and ecommerce-site “conversions,” and usability. My business address is 399 East Bayaud Avenue, Denver Colorado 80209.

5. I have worked extensively with computer technologies since early 1979, and have been involved in a wide range of capacities within the technology business, beginning with operating computer equipment used for oil-field drilling-engineering and drilling-optimization purposes; then, starting in 1981, working with software-development teams (initially with the title of Systems Analyst), testing hardware and software systems, documenting systems, designing user interfaces, training users, as well as installing, maintaining, and repairing systems. Since the mid-1980s, I have been involved in various additional functions in the technology business, including writing computer books, writing video-training scripts, creating websites, designing software, project managing software development, developing online-marketing strategies, managing online-advertising and search-engine-optimization campaigns, and more.

6. I began working online (using mechanisms such as CompuServe™ and bulletin-board systems) in 1984, and on the World Wide Web in 1993 (at a time

when the Web held only a few hundred websites); I first began building websites in 1994.

7. I have extensive experience in the ecommerce arena. In 1997, I founded Top Floor Publishing to sell Internet-related business books online through Amazon.com as well as Top Floor Publishing's own ecommerce store, which I personally set up myself. I also founded BizBlast, an ecommerce-service provider, funded by Softbank, one of the world's largest venture-capital firms. BizBlast provided small businesses with customized online stores operating on BizBlast's servers.

8. I was also VP of Web Solutions for IC&C, a national ISP (Internet Service Provider)—my department of around 60 people provided both Web hosting and Web-development services to a wide range of businesses—and worked as VP of Marketing for Indigio, a Web-applications development firm with clients such as Avis, Budget Truck Rental, Budget Rent a Car, and Dex, one of the nation's largest Yellow Pages companies.

9. I have provided consulting services to Amazon, Zillow, Avvo, Tower Records, Lonely Planet, Honey Baked Ham, and literally hundreds of small and medium companies, from real-estate agents to travel retailers, lawyers to non-profits.

10. In addition to my industry background, I have written many books about the Internet and technology in general. My publications include seven editions

of the Complete Idiot’s Guide to the Internet, five editions of Search Engine Optimization for Dummies, and one edition of SEO for Dummies. I have also written various books on Web-development and ecommerce issues, including The Official Netscape JavaScript Book, The Official Netscape JavaScript 1.2 Book, the Official Netscape JavaScript Programmer’s Reference, and How to Make Money Online with eBay™, Yahoo!™, and Google™. I also wrote a book titled Poor Richard’s Web Site: Geek-Free, Commonsense Advice on Building a Low-Cost Web Site. This book describes in great detail options available to the average business wishing to create a website, including technology of the time related to ecommerce (“shopping cart”) websites.

11. I have also written hundreds of newspaper and periodical articles, mostly in the area of technology and ecommerce, and have written and presented four video courses for LinkedIn Learning/Lynda.com (on SEO and selling products through the Amazon.com marketplace), and one Udemy.com course on SEO (with 22,000 students).

12. I served as an expert witness in *DDR Holdings, LLC v. Hotels.com L.P., et. al.*¹ a district court case related to U.S. Patent Nos. 6,629,135; 6,993,572 (“’572

¹ *DDR Holdings, LLC v. Hotels.com L.P., et. al.*, 954 F.Supp.2d 509 (E.D. Tex. 2013).

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